

DS-97

STATE OF MONTANA  
Department of State Lands  
**ALTERNATIVE PRACTICE REQUEST**

Owner: Vandergriend Family Limited Partnership

Address 5225 East North Street Bellingham WA 98226 Phone Number 360 671 0755

Operator: Hill Excavation

Name

Address: 2151 Bristlecone Road Bonners Ferry Idaho 83805 Phone Number 208 290 3641

Site-Specific Alternative Practice Requested: To Operate Wheeled or Tracked Equipment in the SMZ. It is requested to drive a rubber tired skidder across a dry, snow covered stream channel to skid logs.

Explanation and Justification for Alternative Practice: A portion of the property is only accessible by crossing an old sub standard bridge that will not support logging equipment. The only options to access this portion of the property for logging is to install a culvert in the stream channel or to use a temporary crossing to access this portion of the property. Using the temporary crossing and rehabilitating the site immediately after logging would provide adequate protection to the stream.

Planned Mitigation Measures: The equipment will only operate during frozen and snow covered conditions. A log corduroy will be installed in the stream channel to protect the stream banks during skidding. The corduroy will be removed immediately after logging and a slash mat will be installed adjacent to the stream banks to keep sediment from reaching the stream. The site will be grass seeded after logging is completed and before spring green up.

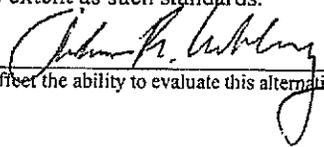
Starting Date: 1/4/2013

Completion Date: 2/1/2013

The following questions refer to the area where the alternative practice will be performed.

Legal Description: NE ¼ SE ¼ Sec 28, T37N, R31W, .Lineal Extent Along Stream: 20 feet SMZ %  
Slope: <25% SMZ Width: 50 feet  
Stream Class: (Circle) One Two X Three Wetlands: no  
INCLUDE A TOPO MAP showing the logging unit boundaries, alternative practice area boundaries, streams, wetlands, and existing and/or proposed roads.

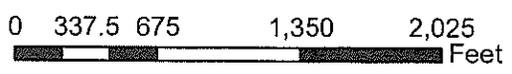
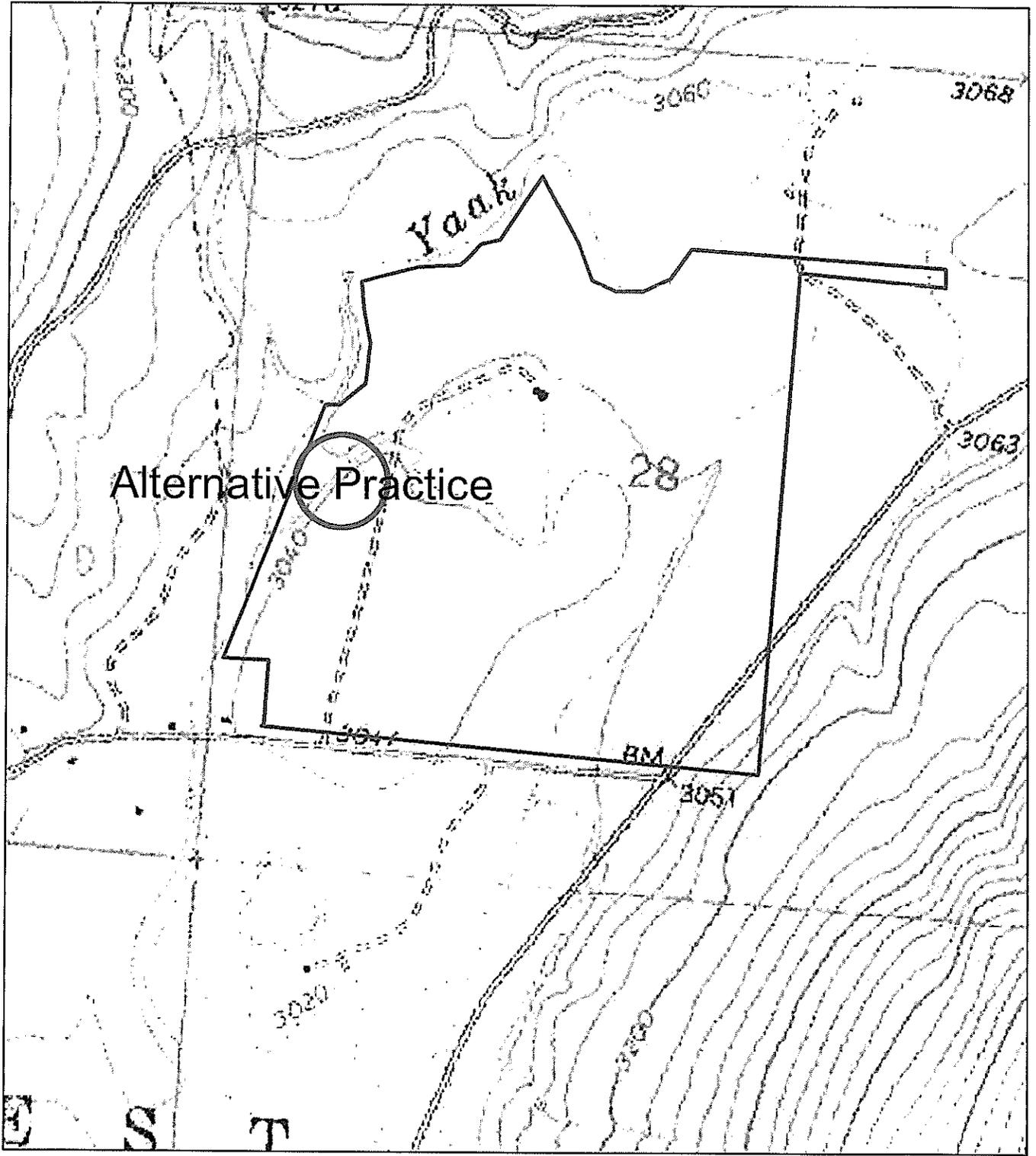
Approved alternative practices, including any additional conditions approved by DNRC, shall have the same force and authority as the standards contained in 77-5-303, MCA, and shall be enforceable by DSL under 77-5-305, MCA, to the same extent as such standards.

APPLICANT SIGNATURE: 

Inaccurate or incomplete information will affect the ability to evaluate this alternative practice.

R:3/93

vanderghent property  
Alternative Practice Area



737N R 31W

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
LIBBY UNIT OFFICE



BRIAN SCHWEITZER, GOVERNOR

STATE OF MONTANA

PHONE (406) 293-2711  
FAX (406) 293-9307

177 State Lands Office Road,  
LIBBY, MT 59923

January 2, 2013

Andy Eckberg  
3082 Roosevelt Road  
Moyie Springs Idaho 83845

Dear Andy,

This letter is in reference to your request to the Department of Natural Resources and Conservation (DNRC) for an Alternative Practice to the Streamside Management Zone Law in Section 28, T37N, R31W. After review of the Checklist Environmental Assessment prepared for this request, the Alternative Practice to allow Equipment operation in the SMZ is hereby approved, subject to the following conditions:

1. The alternative practice(s) are approved for a period of two years from the date of issuance, and covers the sections described in the legal description.
2. All SMZ's must be flagged prior to logging.
3. Equipment will be operated during frozen, snow covered conditions.
4. A log corduroy will be place in the stream channel to protect the stream banks during skidding.
5. The corduroy will be removed and a slash filter windrow will be place adjacent to the stream banks immediately after skidding.
6. The trail will be grass seeded after the logging is completed and before spring green up

Conditions #1, and 2 must be completed prior to the start of logging operations. Condition 3 and 4, should be monitored during the logging operation. Condition 5 and 6 must be completed after operations are completed

Approved alternative practices, including any additional conditions required by DNRC, shall have the same force and authority as the standards contained in 77-5-303, MCA, and be enforceable by DNRC under 77-5-303, MCA, to the same extent as such standards.

It is your responsibility to ensure that your operator(s) understand that an alternative practice has been issued for their operations in this area, and these conditions must be fully met to achieve compliance with the SMZ Law.

**This approval is contingent upon your execution and return of the attached statement to the DNRC Libby Unit Office. No actions related to this alternative practice are to be taken until the statement is returned to DNRC.**

Thank you for your cooperation in this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Peck".

Mark Peck  
Libby Unit Manager  
DNRC

Pc: Alternative Practice file  
Area Office

Alternative Practice Responsibility Affidavit

Sale Name: Vandergrind/ Yaak Timber Sale

In consideration of DNRC's approval of the alternative practice(s) in NW ¼ SW ¼ Sec 8 T37N, R31 W. I hereby certify that I, or by written contract the legal entity I represent, am responsible for compliance with Montana's Streamside Management Zone Law. I understand that failure to implement any of the mitigation measures required by DNRC will be considered a violation of the SMZ Law (77-5-301), and may result in penalties assessed against me or the legal entity I represent.

  
SIGNATURE OF RESPONSIBLE PARTY

1-2-13  
DATE

## CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name: Vandrgriend/ Yaak Timber Sale  
 Proposed Implementation Date: 1/4/13 - 3/1/2013  
 Proponent: Idaho Forest Group 3082 Roosevelt Road Moyie Springs Idaho 83845  
 Type and Purpose of Action: Operate Equipment in the SMZ; Location: NW ¼ SW ¼, Sec 28, T37N, R31W, County: Lincoln\_\_\_\_\_

I. PROJECT DEVELOPMENT	
PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED: Provide a brief chronology of the scoping and ongoing involvement for this project.	No adjacent landowners are expected to be affected by the proposal so public scoping was not deemed necessary.
OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:	None
ALTERNATIVES CONSIDERED:	1) No-action. 2) Construct skid road to cross a Type 2 stream and rehabilitate after logging 3) Use existing bridge to cross the stream that is not structurally fit for this traffic. 4) Build a new road and install a culvert to cross the stream

II. IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	POTENTIAL IMPACTS AND MITIGATION MEASURES N = Not present or No Impact will occur. Impacts may occur (explain below)
GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are fragile, compactable or unstable soils present? Are there unusual geologic features? Are there special reclamation considerations?	[Y] Kootenai Land Type 101 The soils are formed from recent alluvium. The alluvium consists of stratified sands gravels and silts. High surface erodibility, low sediment delivery efficiency. Operating equipment during dry conditions and using proper erosion control measures should protect water quality and prevent soil erosion.
WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?	[Y] Class 2 stream. Sediment delivery to the stream will be minimized by operating equipment on frozen conditions and installing a log corduroy in the stream channel during logging. The corduroy will be removed immediately following skidding and a slash filter windrow will be installed adjacent to the stream channel. The skid trail will be grass seeded after logging and prior to spring green up.
6. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[ N] Normal air pollution that is associated with a standard logging operation.
7. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be permanently altered? Are any rare plants or cover types present?	[ N] No rare, sensitive plants or cover types were observed during ground reconnaissance.
8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?	[ N] The stream is a dry stream channel and flows water for less than a month each year (Usually in April). There are no fish or aquatic resources present. Mitigation measures will keep sediment from reaching the stream. There are no special of terrestrial, avian or aquatic habitats at the crossing site.

RESOURCE	POTENTIAL IMPACTS AND MITIGATION MEASURES
9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Sensitive Species or Species of special concern?	[ N] Grizzly bears may migrate through the area. There were no denning sites noted in the area. Red Band Cutthroat resides in the Yaak River. There should be no sediment delivery into the Yaak River
10. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[ N] No historical archeological or paleontological resources were observed during ground reconnaissance.
11. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?	[ N] Normal temporary noise increase associated with standard logging operation.
12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project?	[ N] No limited resources will be used from the project. There are no other activities nearby that will affect the project.
13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA: Are there other studies, plans or projects on this tract?	[ N]. There are no other planned actions in the area.

### III. IMPACTS ON THE HUMAN POPULATION

RESOURCE	POTENTIAL IMPACTS AND MITIGATION MEASURES
HUMAN HEALTH AND SAFETY: Will this project health and safety risks in the area?	[ N] Normal health risks associated with a standard logging operation.
15. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[ N] This project will add additional timber to the local woods product industry.
16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so estimated number.	[ N] This project will add some additional work and income to the local work force.
LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[ N] Minor additional income tax revenue will be generated from the additional work.
18. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed?	[ N] Traffic will not be significantly altered from the project.
19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[ N] There are no known zoning management plans in this area.
20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	[ N] This project will not influence the recreation potential. There are no wildernesses in this area.

