CATEGORICAL EXCLUSION DOCUMENTATION FOR DNRC FOREST MANAGEMENT ACTIVITY

Project Name: Elk Creek Roads LUL

Proposed Implementation Date: May 15,2013

Proponent: Plum Creek Marketing Inc.

Type and Purpose of Action: Plum Creek Marketing, Inc. submitted a Land Use License (LUL) application for the use of 3 miles of existing state road to haul approximately 1600 tons of logs off the Elk Creek Line Timber Project from Plum Creek property in S35, T26N, R28W through State section S2, T25N, R28W to Road 4422 .

Location: DNRC, Plains Unit

County: Sanders

Category (refer to ARM 36.11.447 (3)(a) through (w) for additional detail):

a) ☐ Temporary Uses of Land with Negligible Effects
b) ☐ Plans and Policies
c) ☒ Leases and Licenses
d) ☐ Acquisition of Land or Interest in Land
e) ☐ Road Maintenance and Repair
f) ☐ Bridges and Culverts
g) ☐ Crossing Class 3 Streams
h) ☒ Temporary Road Use Permits
i) ☐ Road Closure
j) ☐ Material Stockpiles
k) ☐ Backfilling
l) ☐ Gathering Forest Products for Personal Use
m) ☐ Regeneration
n) ☐ Nursery Operations
o) ☐ Water Wells
p) ☐ Herbicides and Pesticides
q) ☐ Other Hazardous Materials
r) ☐ Fences
s) ☐ Waterlines
t) ☐ Removal of Small Trees
u) ☐ Removal of Hazardous Trees
v) ☐ Cone Collection
w) ☐ Timber Harvest (<100 MBF green or 500 MBF salvage)

By process of the adoption of the Forest Management Rules on February 27, 2003, pursuant to ARM 36.2.523(5)(a), the Department of Natural Resources and Conservation, Trust Land Management Division, has adopted the above categorical exclusions for activities conducted on state forested trust

lands. "Categorical Exclusion" refers to a type of action that does not individually, collectively, or cumulatively require an EA or EIS unless extraordinary circumstances occur (ARM 36.2.522(5)).

Extraordinary Circumstances:

Will the proposed action affect one or more of the following resources, species or situations in the project area? If the resource, species, or situation is present, but project design avoids potential adverse effects on the resource, the answer is "No". One "Yes" answer indicates that Categorical Exclusion is not appropriate for the project, and an EA or EIS must be conducted.

YES	NO	
☐	☒	a) Sites with high erosion risk.
☐	☒	b) Federally listed threatened and endangered species or critical habitat for threatened and endangered species as designated by the USFWS.
☐	☒	c) Municipal watersheds.
☐	☒	d) The SMZ of fish bearing streams or lakes, except for modification or replacement of bridges, culverts and other crossing structures.
☐	☒	e) State natural area.
☐	☒	f) Native American religious and cultural sites.
☐	☒	g) Archaeological sites.
☐	☒	h) Historic properties and areas.
☐	☒	i) Several related projects that individually may be subject to categorical exclusion but that may occur at the same time or in the same geographic area. Such related actions may be subject to environmental review even if they are not individually subject to review.
☐	☒	j) Violations of any applicable state or federal laws or regulations.

The project listed above meets the definition of the indicated categorical exclusion, including specified conditions and extraordinary circumstances, as provided in the Forest Management Rules (ARM 36.11.447).

Prepared by: David Olsen (Name) 5/9/2013 (Date)

Decision by: Larry Ballantyne (Name) Plains Unit Manager (Title)

Larry Ballantyne (Signature) 5-9-13 (Date)