

DRAFT

MEPA/NEPA/HB495 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of Proposed State Action Permitting a Roadside Menagerie
2. Agency Authority for the Proposed Action 87-4-803
3. Name of Project Owenhouse Roadside Menagerie
4. Name, Address and Phone Number of Project Sponsor (if other than the agency)

Jay Owenhouse
 945 Technology Blvd., Suite 201
 Bozeman, MT 59715

5. If Applicable:
 Estimated Construction/Commencement Date Construction Completed
 Estimated Completion Date Construction Completed
 Current Status of Project Design (% complete) 100%

6. Location Affected by Proposed Action (county, range and township)
 Gallatin County R1N, T4E, Section 35

7. Project Size: Estimate the number of acres that would be directly affected that are currently:

<u>Acres</u>	<u>Acres</u>
(a) Developed:	(d) Floodplain
Residential
Industrial.....	1/8
(b) Open Space/Woodlands/Recreation	(e) Productive:
.....	irrigated cropland.....
(c) Wetlands/Riparian Areas.....	dry cropland
.....	forestry.....
	rangeland
	other.....

Gallatin

8. Map/site plan: attach an original 8 1/2" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.

See Attachment

9. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

- (a) Permits:

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
U.S. Department of Agriculture	81-C-031	3/8/96

- (b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
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- (c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
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10. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action:

The applicant intends to house one Bengal tiger in a cinder block structure at Belgrade North Business Park Subdivision, Phase II, lot 6 Plat J228. This location is on the west side of the Dry Creek Road just south of its junction with Penwell Bridge Road.

The tiger is part of a traveling magic show and will be stored at this location between engagements.

It should be noted that this facility has been in existence for several years. The tiger has been at this location during this time. Recently passed legislation has now made it necessary to license the facility.

Throughout this EA, questions are asked regarding the effect of issuing this permit. Even if the permit is denied, the cinder block structure will still be on this property. We are, therefore, not considering the impact of building the structure. We are only considering the impact of housing the tiger there.

11. List of agencies consulted during preparation of the EA:

Belgrade City Planning Department

PART II. ENVIRONMENTAL REVIEW

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?		X				
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

2. AIR Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				
b. Creation of objectionable odors?			X			See 2b. Below
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a)		X				
f. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

- 2b. Slight odors may occur. Zoo and menagerie regulations require that the cage be kept clean.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

3. WATER Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?			X			See 3h. Below
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)		N/A				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		N/A				
n. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

3h. There will be minor runoff containing urine and fecal matter.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

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Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. VEGETATION Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		N/A				
g. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

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Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 5. FISH/WILDLIFE Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?			X			See 5d. Below
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		N/A				
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		N/A				
j. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

5d. One Bengal tiger will be brought in. It is, however, in an enclosed building.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Commen/ Index
	Unknown *	None	Minor *	Potentially Significant		
a. Increases in existing noise levels?			X			See 6a. Below
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

6a. The tiger may growl occasionally.

7. LAND USE Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?			X			See 8c. Below
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		N/A				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

8c. There is a potential that the animal might escape and injure someone. The building that houses the tiger is totally secure. The tiger would have to get through three locked doors to escape the facility.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

10. PUBLIC SERVICES/TAXES/UTILITIES	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:			X			See 10a. Below
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
e. **Define projected revenue sources	X					
f. **Define projected maintenance costs.	N/A					
g. Other:	N/A					

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

10a. An occasional inspection by FWP personnel would be required.

** 11. AESTHETICS/RECREATION	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)		X				
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has no or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

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12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		N/A				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
 Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
 Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
 Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT *			Potentially Significant	Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *			
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		N/A				
g. ****For P-R/D-J, list any federal or state permits required.		N/A				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PART II. ENVIRONMENTAL REVIEW, CONTINUED

2. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

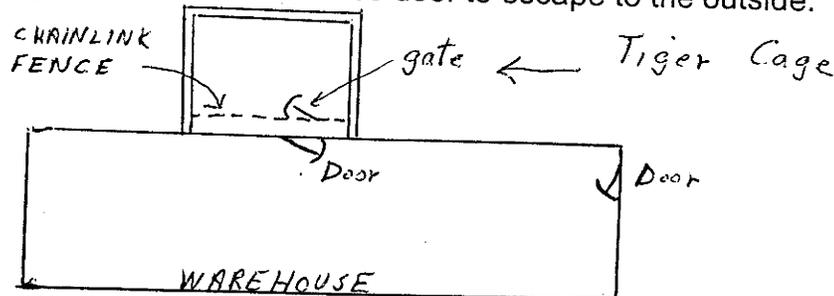
The no action alternative would be to deny the permit. These permits are authorized by the legislature. If we receive a complete application and fee we may only deny the permit if it can be demonstrated that some aspect of the proposal would constitute a violation of existing laws or regulations or that there would be environmental concerns or safety problems well beyond what can normally be expected from such a project.

3. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

The tiger may be removed from the facility to accompany and be displayed in the magic show.

PART III. NARRATIVE EVALUATION AND COMMENT

The tiger enclosure is currently in place. It consists of a cinder block building approximately 30'x30' with a 10' ceiling. The ceiling is constructed of a gridwork of 1/4" galvanized steel rod supported by a steel framework. This enclosure is abutted to a steel warehouse building. There is a chainlink fence about 4' from the warehouse wall. This fence is gated. There is a second door entering the warehouse (see illustration). It would, therefore, be necessary to pass two locked gates just to enter the warehouse. He would then have to get through the locked warehouse door to escape to the outside.



The actual tiger enclosure contains a pool with continuous running water. There is a house like structure inside the cage, which will protect the tiger.

This is the most secure structure we have seen for holding an animal.

PART IV. EA CONCLUSION SECTION

- 1. Based on the significance criteria evaluated in this EA, is an EIS required (YES/NO)? If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

No. There were no significant impacts involved with this project.

- 2. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

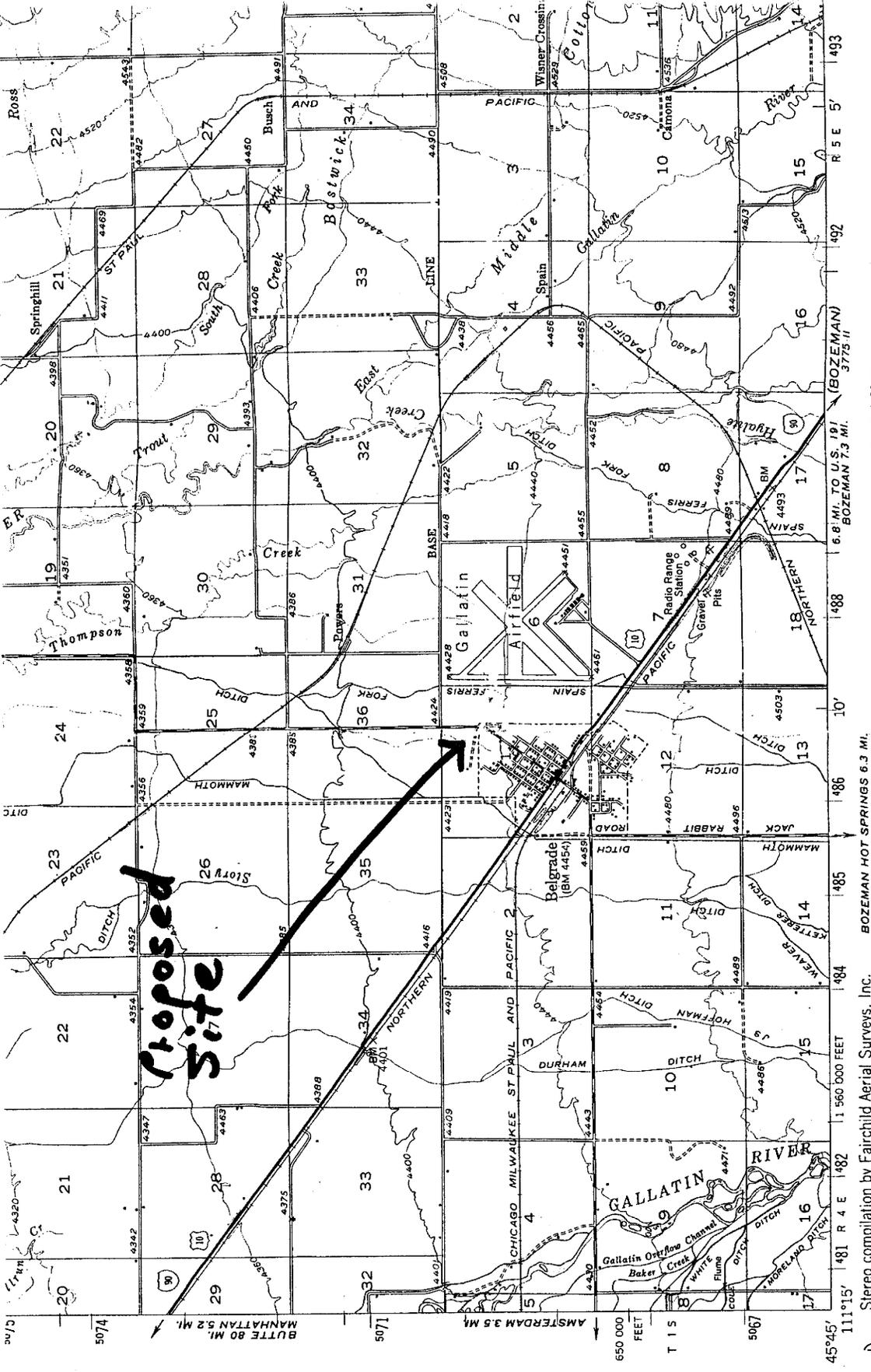
Notice of this EA will be published in the Bozeman Daily Chronicle and the Belgrade Independent Press.

- 3. Duration of comment period, if any:**

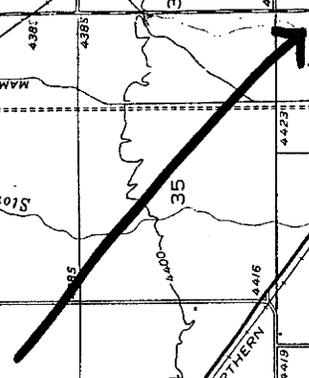
There will be a 17-day comment period. The comment period will start April 21, 2000 and go until 5:00 p.m. May 8, 2000. Any written comments can be made to: Fish, Wildlife & Parks, Owenhouse EA, 1400 So. 19th, Bozeman, MT 59718.

- 4. Name, title, address and phone number of the person(s) responsible for preparing the EA:**

Jim Heck – Game Warden
Mike Ross – Wildlife Technician
Montana Fish, Wildlife & Parks
1400 So. 19th
Bozeman, MT 59718
(406) 994-4042



Proposed Site



111°15' 481 R 4 E 182 1 560 000 FEET 184
 45°45' 111°15' 481 R 4 E 182 1 560 000 FEET 184
 BOZEMAN HOT SPRINGS 6.3 MI.
 BOZEMAN 7.3 MI. (BOZEMAN) 3775 II
 6.8 MI. TO U.S. 191
 SCALE 1:62 500
 4 MILES
 20000 FEET
 15000
 10000
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 1 2 3 4 5
 5 KILOMETERS
 CONTOUR INTERVAL 40 FEET
 NATIONAL GEODETIC VERTICAL DATUM OF 1929
 184°
 329 MILS
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 1 MIL
 UTM GRID AND 1965 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

Stereo compilation by Fairchild Aerial Surveys, Inc. for the Bureau of Reclamation
 Field examination and publication by the Geological Survey as part of the Department of the Interior program for the development of the Missouri River Basin
 Control by USGS and USC&GS
 Topography from aerial photographs by stereoplanigraph methods 1948. Aerial photographs taken 1947
 Field check 1948-1950
 Polyconic projection. 1927 North American datum
 10,000-foot grid, based on Montana coordinate system, south zone
 Unchecked elevations are shown in brown
 Dashed land lines indicate approximate locations
 1000-meter Universal Transverse Mercator grid ticks, zone 12, shown in blue
 To place on the predicted North American Datum 1983 move the projection lines 10 meters north and 62 meters east

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST
 There may be the National