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DEC 03 2004

DNRC Trust Lands Project: EN 2-15-03

CHECKLIST ENVIRONMENTAL ASSESSMENT

D.N.R.C.

Project Name: Dern Draw Road Users Association request for road and utility easement

Proposed Implementation Date: Winter 2004

Proponent: Dern Draw Road Users Association

Type and Purpose of Action: Dern Draw Road Users Association has requested a private road and utility easement on an existing forest road on State Trust Lands in Section 36, T29N, R23W P.M.M., Flathead County, Montana. The purpose of the proposal is to provide legal road and utility access to adjacent private lands.

Location: Road segments: A to B; B to F; F to G; and F to H as seen on the attached map entitled "Bluegrass Ridge Tributary Area Map". These lands are located in: NW ¼ NE ¼, N ½ NW ¼, SW ¼ NW ¼, NW ¼ SW ¼ of Section 36, T29N, R23W P.M.M.

County: FLATHEAD

Trust: This parcel is Common Schools (CS) Trust Lands.

I. PROJECT DEVELOPMENT

<p>1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED: Provide a brief chronology of the scoping and ongoing involvement for this project.</p>	<p>The project is proposed within an existing road system and accesses directly from a county road. Early in the process, the applicant contacted area property owners in a failed attempt to secure alternative access. Each of the other potential beneficiaries of the easement was contacted resulting in expansion of the project to include these lands in the tributary area and the road users association. A legal notice was placed in the Daily Inter Lake newspaper for two weeks requesting comments on the project. No comments were received. DNRC Kalispell Unit personnel, and NWLO specialists were consulted to assess impacts to the resource.</p>
<p>2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:</p>	<p>While no permits or subdivision review standards are currently applicable, the Flathead County Subdivision Regulations, standards for road improvements were considered during development of the road standards due to potential for future development.</p>
<p>3. ALTERNATIVES CONSIDERED:</p> <p style="text-align: center;">RECEIVED DEC 2 2004 LEGISLATIVE ENVIRONMENTAL POLICY OFFICE</p>	<p>The original request was for an easement to serve one landowner and make improvements to the access road to provide for all-season access. Other area lands without access were identified and included in what became a request for easement to the Dern Draw Road Users Association.</p> <p><u>No Action:</u> The No Action alternative would result in a status quo situation. The adjacent land owners would continue with limited access to their property. The State would not enjoy the improvements to the road and the advantages to potential future development.</p> <p><u>Action:</u> The Action alternative would result in the State granting easement and authorizing construction of the improvements within the existing easement with the rights to increase the standard of the road upon conversion of the property to residential use. The road users would enjoy full access to their property. The Trust Land would enjoy increased potential for development due to the access improvements on the site, and the trust beneficiaries would be compensated for the easement at full market value.</p>

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES N = Not present or No Impact will occur. Y = Impacts may occur (explain below)
4. GEOLOGY AND SOIL QUALITY, STABILITY	[Y] The soils in the project area include deep glacial till and deep silt

<p>AND MOISTURE: Are fragile, compactible or unstable soils present? Are there unusual geologic features? Are there special reclamation considerations? Are cumulative impacts likely to occur as a result of this proposed action?</p>	<p>glacial till. The road system was relocated to its present location in 1994 in association with the Bluegrass Ridge timber sale. Soil limitations were addressed by reducing grades, installing drainage features, prompt re-vegetation and recommending gravel surface for all-season use. Appropriate road construction standards would be in place as part of this project to mitigate for any impacts to geology, and soil quality, stability and moisture.</p>
<p>5. 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? Are cumulative impacts likely to occur as a result of this proposed action?</p>	<p>[Y] The current road locations were chosen to address water quality and drainage problems identified with the previous road system as part of the 1994 timber sale. BMP's for road construction would be implemented to minimize potential impacts from runoff. Appropriate drainage features have been incorporated into the design of the road including ditching, culverts and surfacing. Neither the action nor no action alternative would likely result in any adverse direct, indirect or cumulative impacts to water quality or quantity.</p>
<p>6. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)? Are cumulative impacts likely to occur as a result of this proposed action?</p>	<p>[N] The site is not in a class I airshed. The site is part of a smoke management impact zone. Any debris burning that may take place would have to be done in compliance with county and state regulations regarding air quality. Neither the Action or No Action alternative would result in any negative direct, indirect or cumulative impacts to air quality.</p>
<p>7. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be permanently altered? Are any rare plants or cover types present? Are cumulative impacts likely to occur as a result of this proposed action?</p>	<p>[N] The proposed easement and road reconstruction are proposed at an existing road location, with the exception of about 300 feet of road that would be relocated due to reduce grade. Expansion of clear limits would eliminate minimal acreage from timber production. No known rare plants or cover types are present. No direct, indirect or cumulative impacts to the vegetation cover, quantity and quality are likely to occur as a result of this project.</p>
<p>8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish? Are cumulative impacts likely to occur as a result of this proposed action?</p>	<p>[N] The proposed project area includes winter range for moose, and likely supports a diversity of terrestrial wildlife during the non-winter periods, including big game, small and medium-sized mammals, and a host of avian species. No appreciable localized or cumulative changes in populations or habitats for any of these species are expected under either alternative.</p>
<p>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? Are cumulative impacts likely to occur as a result of this proposed action?</p>	<p>[N] No habitat for listed threatened or endangered species are found within the vicinity of the proposed project. Habitats for pileated woodpeckers and fisher exist within the proposed project area. No other sensitive species are expected to occur within the proposed project area. No appreciable localized or cumulative changes in pileated woodpecker and fisher habitat are expected under either alternative.</p>
<p>10. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?</p>	<p>[N] No cultural resources have been identified in the above referenced project area, so no additional archaeological investigative work is recommended in order for the proposed road easement work to proceed.</p>
<p>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? Are cumulative impacts likely to occur as a result of this proposed action?</p>	<p>[N] None. Neither the Action or No Action alternative would result in any direct, indirect or cumulative impacts to aesthetics in the project area.</p>
<p>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</p>	<p>[N] A slight expansion of land removed from timber production and dedicated to use associated with the road and utility easement is expected as a result of this proposal. Neither the Action or No Action</p>

project? Are cumulative impacts likely to occur as a result of this proposed action?	alternative would result in significant direct, indirect or cumulative impacts to land, water, air or energy resources.
13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA: Are there other studies, plans or projects on this tract? Are cumulative impacts likely to occur as a result of other private, state or federal current actions w/n the analysis area, or from future proposed state actions that are under MEPA review (scoping) or permitting review by any state agency w/n the analysis area?	[N] No relationship change to the existing State Forest Land Management Plan is anticipated as a result of this project. There are no other known studies, plans or projects. Neither the Action or No Action alternative would result in any direct, indirect or cumulative impacts as a result of other private, state or federal actions.

III. IMPACTS ON THE HUMAN POPULATION	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
14. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] Neither the Action or No Action alternative would result in any negative impacts to human health and safety.
15. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] A slight expansion of land removed from timber production and dedicated to use associated with the road and utility easement is expected as a result of this proposal. The trust beneficiaries will be compensated based on fair market value of the land. Neither the Action or No Action alternative would result in any adverse impacts to industrial, commercial or agricultural activities.
16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so estimated number. Are cumulative impacts likely to occur as a result of this proposed action?	[Y] Jobs created by this project would be limited to the short term employment of a local contractor as required to complete the work . Neither the Action or No Action alternative would result in any direct, indirect or cumulative impacts on local employment.
17. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue? Are cumulative impacts likely to occur as a result of this proposed action?	[Y] It is expected that impacts to the local and state tax base would be limited to increased taxable values of residential property attributable to securing legal access. Neither the Action or No Action alternative would result in any impacts, cumulative or otherwise, on the tax base and tax revenues.
18. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed? Are cumulative impacts likely to occur as a result of this proposed action?	[N] None. Neither the Action or No Action alternative would result in any additional demands for government services.
19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[Y] Local land use regulations were considered during the development of this proposal due to the potential for future development on adjacent private lands and Trust Lands served by the project. Any future projects will be subject to local land use regulations including; Flathead County Master Plan, Flathead County Subdivision regulations and Flathead County Zoning Regulations.
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	[Y] The only change to access of the trust lands is anticipated expanded vehicle access to the public along roads that are converted to all-season use.

III. IMPACTS ON THE HUMAN POPULATION	
within the tract? Are cumulative impacts likely to occur as a result of this proposed action?	Neither the Action or No Action alternative would result in any negative impacts to recreational use of the state tract involved in this proposal.
21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing? Are cumulative impacts likely to occur as a result of this proposed action?	[Y] It is anticipated that the easement will be eventually used to access rural residential density development on adjacent lands that previously had no legal access for permanent uses. Local land use policy and regulations would address impacts to density and distribution of population and housing.
22. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] None. Neither the Action or No Action alternative would result in any impacts on local social structures and mores.
23. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N] None. Neither the Action or No Action alternative would result in any impacts to cultural uniqueness or diversity.
24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES: Is there a potential for other future uses for easement area other than for timber management? Is future use hypothetical? What is the estimated return to the trust. Are cumulative impacts likely to occur as a result of this proposed action?	[N] The original request was modified at the request of the department to incorporate other landowners potentially served by the easement through the formation of a road users association. The standard for roads accessing more than one residential unit would be based on Flathead County Subdivision Regulations. This was required in anticipation of development of the private lands to be served by the easement, and in recognition of the high value and development potential of these Trust Lands. No Trust Land development is being considered at this time. No cumulative impacts are likely to occur as a result of the proposed action.

EA Checklist Prepared By: Steve R. Lorch Land Use Planner November 29, 2004
Name Title Date

V. FINDING

25. ALTERNATIVE SELECTED:	The Action Alternative is selected.
26. SIGNIFICANCE OF POTENTIAL IMPACTS:	After reviewing the EA of the project, I determined that all concerns were addressed properly. This action will not create any environmental concerns that were not mitigated or corrected. This action will not create significant impacts to the human environment and does not need further analysis.
27. Need for Further Environmental Analysis: <input type="checkbox"/> EIS <input type="checkbox"/> More Detailed EA <input checked="" type="checkbox"/> No Further Analysis	

EA Checklist Approved By: Greg Poncin
Name

DNRC Kalispell Unit Manager
Title

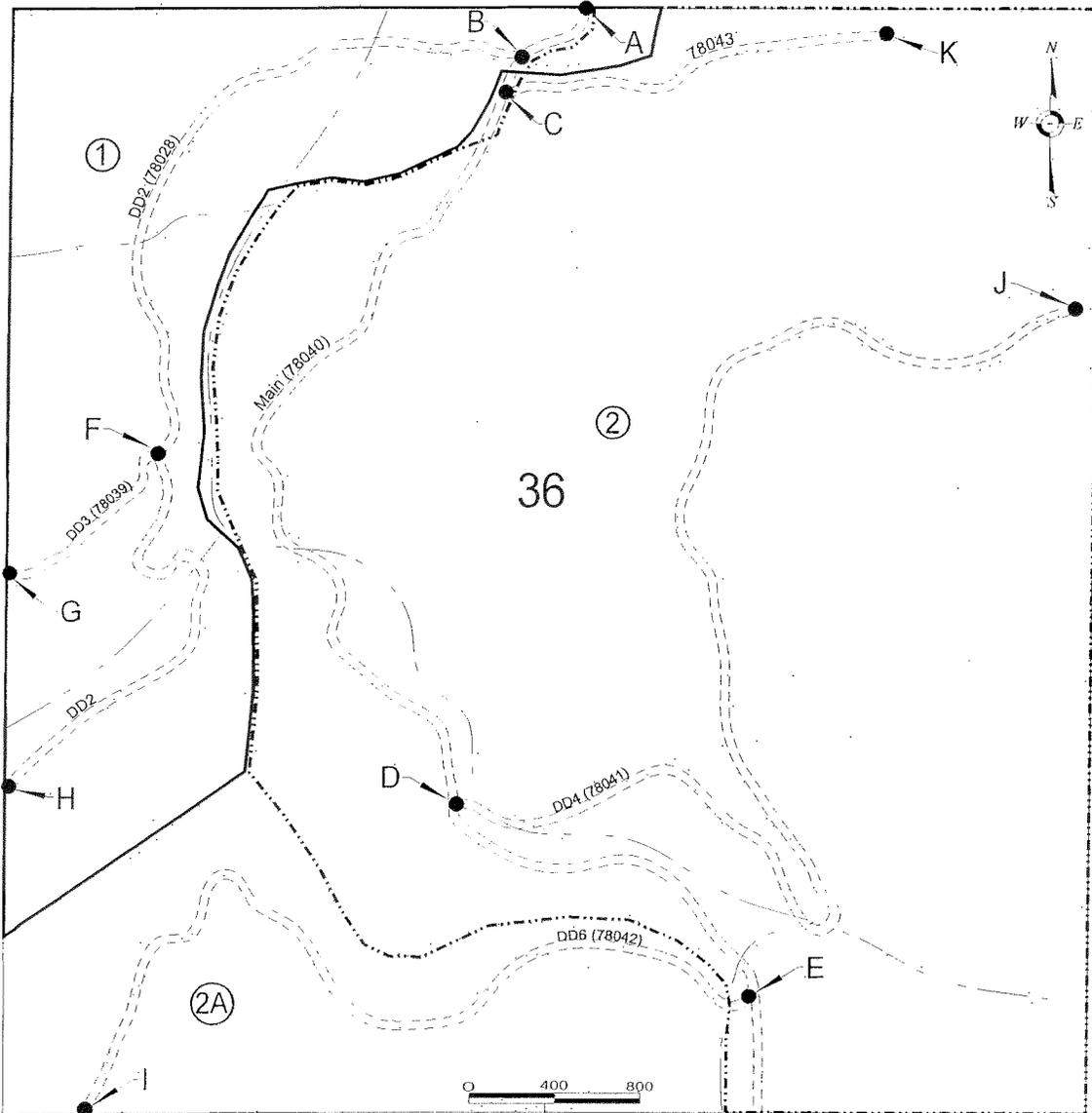

Signature

11/29/04
Date

Bluegrass Ridge Tributary Area Map

Reciprocal Access Agreement

Section 36, Twn. 29N, Rng. 23W



LEGEND

Existing Road	-----	Tributary Area Acres
Tributary Area Boundaries	===== -----	1 = 121 ac.
Tributary Area number	②	2 = 405 ac.
Stream	~~~~~	2A = 77 ac.

Segment Lengths: Tributary Area 1

- A to B = 400 ft.
- B to F = 3400 ft.
- F to G = 921 ft.
- F to H = 1838 ft.

Segment Lengths: Tributary Area 2 & 2A

- C to K = 1960 ft.
- C to D = 4074 ft.
- D to E = 1927 ft.
- E to I = 4376 ft.
- D to J = 6960 ft.