

CATEGORICAL EXCLUSION DOCUMENTATION FOR DNRC FOREST MANAGEMENT ACTIVITY

Project Name: Kavalla 14 Rock Salvage Permit

Proposed Implementation Date: June, 2013

Proponent: Montana DNRC

Type and Purpose of Action: Issue a small volume rock permit to remove up to 200 tons of flagstone rock for 30 days during 2013 in section 14, T29N, R27W. The rock material to be removed was discarded from previous harvesting operations. The permittee would be subject to the stipulations included in the permit.

Location: Section 14, T29N, R27W

County: Lincoln

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.

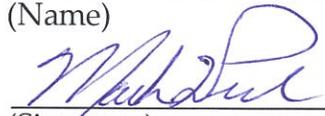
YES NO

- 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: Dave Marsh
(Name)

6-10-2013
(Date)

Decision by: Mark Peck
(Name)

(Signature)

Libby Unit Manager
(Title)
6/17/2013
(Date)

Memorandum

To: Dave Marsh
From: Leah Breidinger, Wildlife Biologist
Date: 5 June 2013
Re: Kavala 14 Rock Salvage -wildlife comments

I reviewed the Kavala 14 Rock Salvage project proposed for <5 acres in Section 14, T29N, R27W. Approximately 200 tons of rock discarded from previous operations would be salvaged for up to 30 days in 2013. The attached table summarizes the anticipated effects of the proposed activities on each Threatened or Endangered species, sensitive species, or big game species.

STATUS	SPECIES/HABITAT	DETERMINATION – BASIS
Threatened and Endangered Species	Canada lynx (<i>Felis lynx</i>) Habitat: Subalpine fir habitat types, dense sapling, old forest, deep snow zones	The proposed activities would remove loose rock discarded during previous operations and would not affect Canada lynx habitat. Canada lynx could be disturbed by the proposed activities for up to 30 days. Thus, considering that Canada lynx habitat would not be affected and the short duration of the activities, negligible adverse direct, indirect, or cumulative effects to Canada lynx would be anticipated.
	Grizzly bear (<i>Ursus arctos</i>) Habitat: Recovery areas, security from human activity	The project area is located within non-recovery occupied habitat associated with the Cabinet-yaak Ecosystem (USFWS 1993, Wittinger 2002). The proposed activities would remove loose gravel and rock left over from previous operations and would not affect vegetation cover. Grizzly bears could be disturbed for up to 30 days by the proposed activities and the activities would occur outside of the spring period (April 1-June 15 th) to provide security for grizzly bears when they are nutritionally stressed. Thus, negligible adverse direct, indirect, or cumulative effects to grizzly bears would be anticipated.
Sensitive Species	Bald eagles (<i>Haliaeetus leucocephalus</i>) Habitat: Late-successional forest less than 1 mile from open water	No bald eagle nests occur in the vicinity of the project area and no lake habitats are located within 1 mile of the project area. Thus, no direct, indirect, or cumulative effects to bald eagles would be anticipated.
	Black-backed woodpeckers (<i>Picoides arcticus</i>) Habitat: Mature to old burned or beetle-infested forest	No recently (<5 years) burned areas occur within the project area. Thus, no direct, indirect, or cumulative effects to black-backed woodpeckers would be anticipated.
	Coeur d'Alene salamanders (<i>Plethodon idahoensis</i>) Habitat: Waterfall spray zones, talus near cascading streams	No moist talus or streamside talus habitat occurs within the project area. Thus, no direct, indirect, or cumulative effects to Coeur d'Alene salamanders would be anticipated.

<p>Columbian sharp-tailed grouse (<i>Tympanuchus Phasianellus columbianus</i>) Habitat: Grassland, shrubland, riparian, agriculture</p>	<p>No suitable grassland communities occur within the project area. Thus, no direct, indirect, or cumulative effects to Columbian sharp-tailed grouse would be anticipated.</p>
<p>Common loons (<i>Gavia immer</i>) Habitat: Cold mountain lakes, nest in emergent vegetation</p>	<p>No suitable lake habitat occurs within 500 feet of the project area. Thus, no direct, indirect or cumulative effects to common loons would be anticipated.</p>
<p>Fishers (<i>Martes pennanti</i>) Habitat: Dense mature to old forest less than 6,000 feet in elevation and riparian</p>	<p>The proposed activities would not affect fisher habitat. Fishers could be disturbed by the proposed activities for 30 days, should they be in the vicinity of the permit area. Thus, considering that fisher habitat would not be affected and the proposed activities would be of short duration, negligible direct, indirect or cumulative effects to fishers would be anticipated.</p>
<p>Flammulated owls (<i>Otus flammeolus</i>) Habitat: Late-successional ponderosa pine and Douglas-fir forest</p>	<p>The proposed activities would not affect flammulated owl habitat. Flammulated owls could be disturbed by the proposed activities for 30 days. Thus, negligible direct, indirect or cumulative effects to flammulated owls would be anticipated.</p>
<p>Gray wolves (<i>Canis lupus</i>) Habitat: Ample big game populations, security from human activities</p>	<p>The proposed salvage unit is located within the 2011 Wolf Prairie Pack Home Range (<i>MFWP wolf pack data, 2011</i>). However, no wolf den or rendezvous sites are located in the vicinity of the project area. If documented in the vicinity of the project area, mechanized activities would be restricted within 1 mile of wolf dens (<i>ARM 33.11.430(1)(a)</i>) and 0.5 miles of wolf rendezvous sites (<i>ARM 33.11.430(1)(b)</i>). Thus, negligible direct, indirect or cumulative effects to gray wolves would be anticipated.</p>
<p>Harlequin ducks (<i>Histrionicus histrionicus</i>) Habitat: White-water streams, boulder and cobble substrates</p>	<p>No suitable high-gradient stream or river habitats occur within 0.5 miles of the project area. No direct, indirect or cumulative effects to harlequin ducks would be anticipated.</p>
<p>Northern bog lemmings (<i>Synaptomys borealis</i>) Habitat: Sphagnum meadows, bogs, fens with thick moss mats</p>	<p>No suitable sphagnum bogs or fens occur within the project area. Thus, no direct, indirect, or cumulative effects to northern bog lemmings would be anticipated.</p>
<p>Peregrine falcons (<i>Falco peregrinus</i>) Habitat: Cliff features near open foraging areas and/or wetlands</p>	<p>Peregrine falcons have not been documented in the vicinity of the permit area (<i>MNHP data, 5 June 2013</i>). Thus, no direct, indirect, or cumulative effects to peregrine falcons would be anticipated.</p>
<p>Pileated woodpeckers (<i>Dryocopus pileatus</i>) Habitat: Late-successional ponderosa pine and larch-fir forest</p>	<p>The proposed activities would not affect pileated woodpecker habitat. Pileated woodpeckers could be disturbed by the proposed activities for 30 days. Thus, negligible direct, indirect or cumulative effects to pileated woodpeckers would be anticipated.</p>
<p>Townsend's big-eared bats (<i>Plecotus townsendii</i>) Habitat: Caves, caverns, old mines</p>	<p>No suitable caves or mine tunnels are known to occur within the project area. Thus, no direct, indirect or cumulative effects to Townsend's big-eared bats are anticipated.</p>

Big Game Species	Elk (<i>Cervus canadensis</i>)	The project area contains potential elk and white-tailed deer winter range habitat as identified by DFWP (DFWP 2008). The proposed activities would not affect thermal cover and would occur during the summer. Thus considering that canopy cover would not be affected and the activities would not occur during the winter, negligible adverse direct, indirect or cumulative effects to big game are anticipated.
	Mule Deer (<i>Odocoileus hemionus</i>)	
	White-tailed Deer (<i>Odocoileus virginianus</i>)	

List of Mitigations

- If a threatened or endangered species is encountered, consult a DNRC biologist and develop additional mitigations that are consistent with the administrative rules for managing threatened and endangered species (ARM 36.11.428 through 36.11.435).
- Close any road or skid trails opened with proposed activities to reduce the potential for unauthorized motor vehicle use.
- Prohibit salvage activities from April 1 – June 15th and limit activities to ≤30 days to provide security for grizzly bears.

Conclusion

In general, with the identified mitigations, the potential for effects to threatened and endangered species is low and overall negligible effects to wildlife would be anticipated. Thus, none of the extraordinary circumstances listed under ARM 36.11.447 (2) (b) and (i) affecting the wildlife resources would preclude the use of a categorical exclusion for this proposal.

Literature Cited

DFWP 2008. Maps of moose, elk, mule deer, and white-tailed deer distribution in Montana. Individual GIS data layers. August 12, 2008. Montana Fish, Wildlife and Parks. Helena, MT.

<http://fwp.mt.gov/gisData/imageFiles/distributionElk.jpg>.

<http://fwp.mt.gov/gisData/imageFiles/distributionMoose.jpg>.

<http://fwp.mt.gov/gisData/imageFiles/distributionMuleDeer.jpg>.

<http://fwp.mt.gov/gisData/imageFiles/distributionWhiteTailedDeer.jpg>

USFWS. 1993. Grizzly bear recovery plan. Missoula, Montana. 181 pp.

Wittinger, W.T. 2002. Grizzly bear distribution outside of recovery zones. Unpublished memorandum on file at USDA Forest Service, Region 1. Missoula, Montana. 2pp.