CATEGORICAL EXCLUSION DOCUMENTATION

Project Name: U.S. Highway 93 Alternate Route Construction Land Use License,
Proponent: Schellinger Construction Co. Inc.
Proposed Implementation Date: 8-5-2013
Type and Purpose of Action: The proposed activity is to grant a temporary Land Use License to allow:

- Temporary authorization to store topsoil from the bypass road cut on Trust Lands outside the easement area associated with construction of the bypass. The proposal is to utilize a 40 foot wide strip of land along the north and west edge of the bypass ROW through December 31st, 2013. Upon completion of the grade work, the topsoil will be returned to the bypass ROW and the disturbed area will be leveled and revegetated to Licensor's specifications.

Location: Section 36, T.29N, R.22W, P.M.M., Flathead County, MT.

Per Administrative Rules of Montana: 36.25.918 CATEGORICAL EXCLUSIONS (1) Pursuant to 77-1-121, MCA, and ARM 36.2.523(5), the board adopted the following additional categorical exclusions for real estate management activities conducted upon state trust lands:

___ lease and license administration including review, inspection, amendments, assignments, renewals, and enforcement of terms and conditions;
___ department review and approval of lease or license modifications, improvements, removal of improvements, and new utility service connections, consistent with applicable regulations;
___ adjustments to the boundaries of existing leases or licenses, consistent with applicable regulations;
___ project planning and design;
___ project evaluation under ARM 36.25.906;
___ development of a site selection report under ARM 36.25.907;
___ project selection under ARM 36.25.908;
___ development of the project management list under ARM 36.25.909;
___ marketing of state trust lands proposed for lease, license, or easement;
_X_ short-term land use licenses, involving no resource extraction or developed uses, and conforming to local permitting and land use regulations; and
___ other real estate management activities administered by the bureau on state trust lands that are not in connection to:
(i) a department proposal for a sale, exchange, easement, placement of improvement, lease, license, or permit; or
(ii) a department review of an application for authorization of a sale, exchange, easement, placement of improvement, lease, license, or permit ;
___ department request to amend a local growth policy or zoning regulation;
___ department request to amend or develop a neighborhood plan or extension of services plan;
___ annexation; and
___ land acquisition. Categorical exclusions include activities on state trust lands conducted by others under the authority of the department as well as activities conducted by the department itself.

"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 36.25.918(2)).

Prepared by: Steve Lorch, NWLO Planner

The project listed above meets the definition of the indicated categorical exclusion, including specified conditions and extraordinary circumstances, as provided in the Real Estate Management Rules.

Decision by:

STEPHEN J. FRYE	AREA MGR., NWLO
(Name)	(Title)
Stephen J. Frye	8/5/13
(Signature)	(Date)