

## CATEGORICAL EXCLUSION DOCUMENTATION

Project Name: NWLO-RU3-054 Proposed Implementation Date: April 26, 2013

Proponent: Don Gaynor/Gaynor's Resorts

Type and Purpose of Action: Horseback Riding

Location: Sec. 4,5,9,15,16 T30N R22W County: Flathead

### Category:

- 1) Temporary Uses of Land with Negligible Effects
- 2) Plans and Policies
- 3) Leases and Licenses
- 4) Acquisition of Land or Interest in Land
- 5) Road Maintenance and Repair
- 6) Bridges and Culverts
- 7) Crossing Class 3 Streams
- 8) Temporary Road Use Permits
- 9) Road Closure
- 10) Material Stockpiles
- 11) Backfilling
- 12) Gathering Forest Products for Personal Use
- 13) Regeneration
- 14) Nursery Operations
- 15) Water Wells
- 16) Herbicides and Pesticides
- 17) Other Hazardous Materials
- 18) Fences
- 19) Waterlines
- 20) Removal of Small Trees
- 21) Removal of Hazardous Trees
- 22) Cone Collection
- 23) Timber Harvest

By process of the adoption of the State Forest Land 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 forest 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 activities affect the following in the project area? A "yes" answer will require a narrative explaining specific mitigation measures taken to eliminate the potential for impact. If the potential for impacts cannot be mitigated, then a MEPA analysis must be conducted.

- | YES               | NO           |   |
|-------------------|--------------|---|
| <u>          </u> | <u>  X  </u> | 1) Sites with high erosion risk.  |
| <u>          </u> | <u>  X  </u> | 2) Federally listed threatened and endangered species or critical habitat for threatened and endangered species as designated by the USFWS.   |
| <u>          </u> | <u>  X  </u> | 3) Municipal watersheds.  |
| <u>          </u> | <u>  X  </u> | 4) The SMZ of fish bearing streams or lakes, except for modification or replacement of bridges, culverts and other crossing structures.   |
| <u>          </u> | <u>  X  </u> | 5) DNRC listed sensitive species.   |
| <u>          </u> | <u>  X  </u> | 6) State natural area.  |
| <u>          </u> | <u>  X  </u> | 7) Native American religious and cultural sites.  |
| <u>          </u> | <u>  X  </u> | 8) Archaeological sites.  |
| <u>          </u> | <u>  X  </u> | 9) Historic properties and areas.   |
| <u>          </u> | <u>  X  </u> | 10) 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. |
| <u>          </u> | <u>  X  </u> | 11) Violations of any applicable state or federal laws or regulations.  |

Prepared by: Michelle Anderson  
*Michelle Anderson*  
(Signature)

Office Manager  
4/29/13  
(Date)

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

Decision by: Greg Poncin  
(Name)  
*Greg Poncin*  
(Signature)

Unit Manager  
(Title)  
4/29/13  
(Date)