CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Silver King- Indian Meadows Creek Alternative Practice
Proposed Implementation Date:	November 10, 2022 - December 31, 2023
Proponent:	Silver King Land & Cattle, LLC, and Mote Lumber
Location:	NW ¼ Section 2 Township 15 North Range 8 West
County:	Lewis and Clark

I. TYPE AND PURPOSE OF ACTION

Mote Lumber has applied for a Streamside Management Zone (SMZ) Alternative Practice for approximately 500 feet on both sides of Indian Meadows Creek on private land owned by Silver King Land & Cattle, LLC. Downstream of the project area the creek contributes directly to Landers Fork and normally flows during six months of the year or more, therefore this is a Class 1 under the Streamside Management Zone Law. The applicant seeks an Alternative Practice to operate equipment to within 15 feet of the ordinary high-water mark, operate a landing, and cut additional trees.

The primary purpose of this treatment is to remove standing live and dead trees that are a safety hazard for project workers who will be constructing a faux beaver dam following harvest to provide an initial safe location for beaver. Up to 10 trees per 100 feet on each side of the stream will be retained to provide snags for wildlife.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

DNRC was scoped internally. The landowner is working with FWP and USFWS on this project.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

None.

3. ALTERNATIVES CONSIDERED:

Scope of Analysis and Definition of Project Area: The following document describes conditions within and nearby Indian Meadows Creek, known as the "project area". Potential effects analyzed under the action and no action alternatives are limited this project area. Ongoing forest operations exclusive of the Alternative Practice request are considered part of base line conditions.

No Action Alternative: Timber harvest would likely occur and meet all SMZ rules. Most merchantable trees within 50 feet of the stream, would likely be harvested.

Action Alternative: Under this alternative, an Alternative Practice to allow the operation of equipment within the SMZ would be granted. The primary purpose of this Alternative Practice is to remove standing live and dead trees that pose a safety hazard for faux beaver dam construction project workers. The following mitigations would be a part of the Alternative Practice.

- On any side of the stream, equipment may operate no closer than 15 feet of the ordinary high-water mark.
- Commercial tree harvest will retain up to 10 trees per 100 feet on each side of the stream.
- Harvest shall be done during dry or frozen soil conditions.
- SMZ understory shrubs and herbaceous plants would be retained to the extent practicable.

- No excavation or pulling of roots shall occur on the streambank..
- No material may be cast into the stream channel. If branches or materials do enter the stream channel, they will be required to be removed immediately.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

Soils in the project area are gravelly loams on slopes ranging from approximately 0 – 30 percent. Generally, these soils are resistant to compaction. They have a varying rutting hazard ranging from slight to severe. Under either alternative, operations would only take place under dry or winter conditions and the area in question is expected to be inundated with water due to the beaver pond construction, post-harvest. Considering the operation restrictions, minimal direct, indirect, or cumulative impacts would be expected under either alternative.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

Is it possible that implementing this alternative practice would impact the integrity of the SMZ and these specific functions?

-Ability to act as an effective sediment filter.
-Ability to provide shade to regulate stream temperature.
-Protection of stream channel and banks.
-Ability to provide large woody debris for eventual recruitment into the stream to maintain riffles, pools, and other elements of channel stability.

Existing Condition

In the project area Indian Meadows Creek is located in terrain ranging from 0-30 percent in steepness adjacent to the stream. There are overstory trees and snags present, primarily lodgepole pine. See Attachment A-1 for an overview map of the project area and proposed Alternative Practice segment.

Potential Environmental Effects

No Action Alternative: The SMZ law would be followed during commercial activities therefore it is unlikely there would be impacts to water quality, quantity, distribution or to the functionality of the SMZ during commercial activities. After commercial activities the faux beaver pond would be constructed.

Action Alternative:

Under the action alternative an Alternative Practice would be granted to allow Mote Lumber to enter the SMZ to operate within 15 feet of the stream ordinary high-water mark, utilize landings within the SMZ, and harvest hazardous, commercial trees. Mote Lumber would be required to follow mitigation measures outlined in this document. Due to the short length of the proposed SMZ work relative to the entire stream length, there would be little-to-no impact on water flow and yield with the removal of some overstory trees.

-The ability of the SMZ to act as an effective sediment filter would be maintained as no additional ground disturbance would be expected beyond the no-action alternative.

-The ability of the SMZ to provide shade would be only slightly lessened. The remaining length of unaltered SMZ on Indian Meadows Creek would retain adequate stocking levels to provide shade.

-Mitigations measures would provide protection of the stream channel and banks at the same levels as the no action alternative.

-The potential recruitment of large woody debris would be maintained as some trees would be left close to the SMZ channel.

-The ability of the SMZ to promote floodplain stability would not be impacted by either alternative.

6. AIR QUALITY:
What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

Slash created from the project would need to be disposed of in accordance with all applicable laws. Impacts would be the same under either alternative and would be expected to be minor.

7. VEGETATION COVER, QUANTITY AND QUALITY:
What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

Existing Condition

The SMZ is a moderately stocked forest of primarily lodgepole pine and some Engelmann spruce.

Potential Environmental Effects

No Action: Harvest would follow the SMZ law. It is likely all merchantable trees would be harvested from within 30 feet of the stream. Moderate slash concentrations would be left within the SMZ.

Action Alternative: Machinery would be allowed to operate within 15 feet of the SMZ high-water mark to facilitate timber harvest. Harvest would include trees and snags that pose an overhead safety hazard. Up to 10 trees per 100 feet would be retained. No roots shall be disturbed as to retain bank stability. Work shall be done under dry or frozen conditions. Throughout the SMZ understory shrubs and herbaceous plants would be retained as possible.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:
Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

Terrestrial and Avian Life and Habitats:
The area is well used by numerous terrestrial and avian species including grizzly bears. On field visits no nests or dens of any animals were discovered. Considering that under the no action alternative the landowner could alter stand conditions in a similar manner to those proposed under the action alternative, effects to terrestrial and avian species and their habitats would be expected to be minor under either alternative.

Aquatic life and habitats:
The area is well used by numerous aquatic species and bull trout are present downstream in Landers Fork. Considering that under the no action alternative the landowner could alter stand conditions in a similar manner to those proposed under the action alternative, effects to aquatic species and their habitats would be expected to be minor under either alternative.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:
Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

Grizzly bears are known to use the project area. Effects would not likely differ substantially under either alternative.

Bull trout are known to be present downstream from the project area in Landers Fork. Effects would not likely differ substantially under either alternative.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:
Identify and determine effects to historical, archaeological or paleontological resources.

No cultural resources have been identified within the project area. No impacts would be expected under either alternative.

11. AESTHETICS:
Determine if the project is located on a prominent topographic feature or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

No significant impacts to aesthetics are expected under either alternative due to the short length of the project area and anticipated beaver pond construction, post-harvest.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:
Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

None.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:
List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

None.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:
Identify any health and safety risks posed by the project.

None.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

None.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:
Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

Under either alternative the project would be expected to provide approximately 2 or fewer short-term jobs.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:
Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

None.

18. DEMAND FOR GOVERNMENT SERVICES:
Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

None.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:
List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

None.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:
Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The project area is private property and public use is controlled by the landowner. No effects would be expected under either alternative.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:
Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

None.

22. SOCIAL STRUCTURES AND MORES:
Identify potential disruption of native or traditional lifestyles or communities.

None.

23. CULTURAL UNIQUENESS AND DIVERSITY:
How would the action affect any unique quality of the area?

None.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:
Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

None.

EA Checklist Prepared By:	**Name:**	Kristen Baker-Dickinson	**Date:**	11/9/2022
	Title:	Clearwater Unit Manager		

V. FINDING

25. ALTERNATIVE SELECTED:

Following a review of the document as well as the corresponding Department policies and rules, the Action Alternative has been selected because it meets the intent of the project objectives outlined in Section I – Type and Purpose of Action. This includes but is not limited to the need to remove overhead hazard trees prior to faux beaver dam construction.

26. SIGNIFICANCE OF POTENTIAL IMPACTS

I find that the Action Alternative will not have significant impacts for the following reasons:

- The Action Alternative is in compliance with the existing laws, rules, policies, and standards applicable to this type of proposed action.
- Appropriate mitigations have been proposed to minimize potential impacts to resources such as vegetation, soil, and water quality.

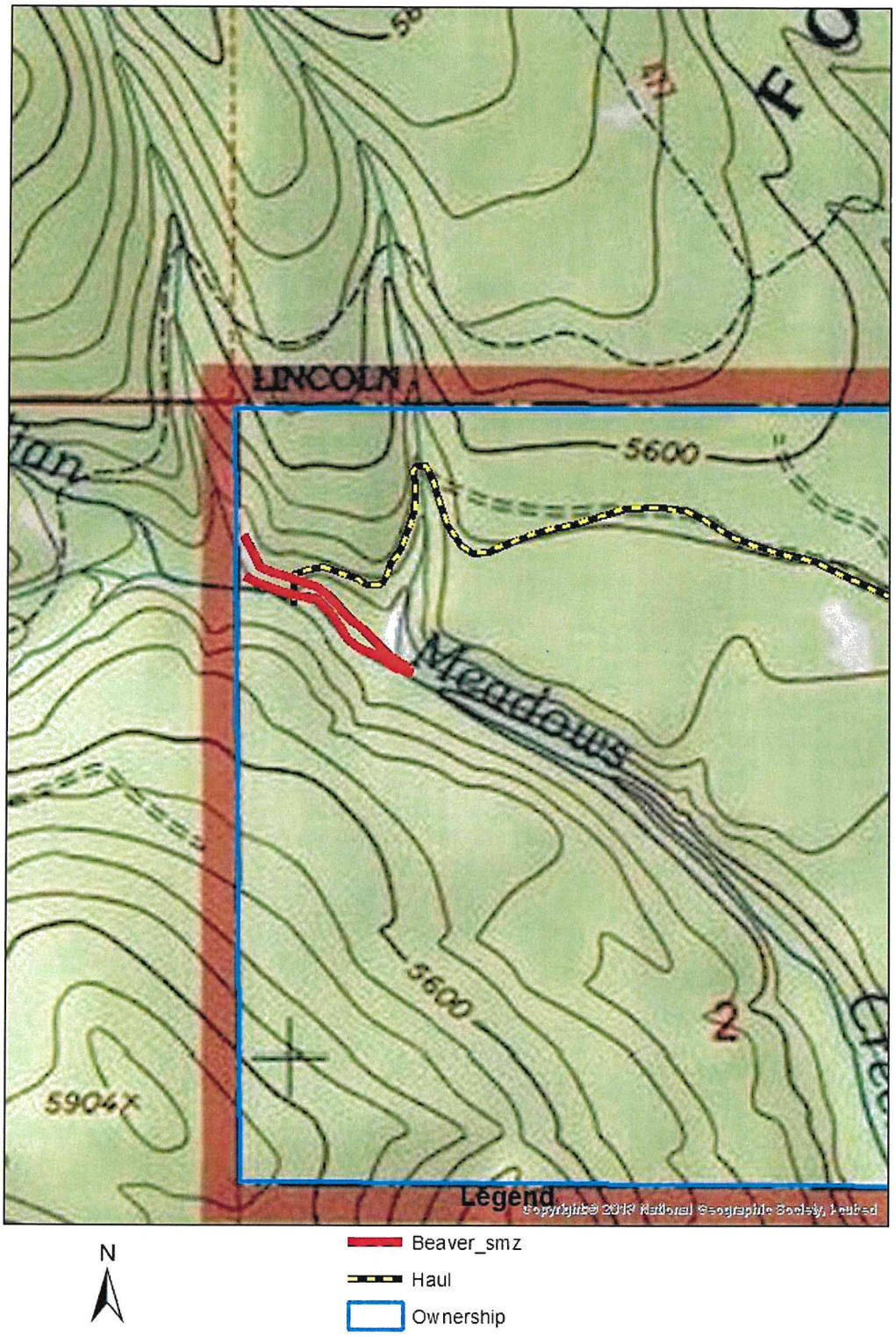
27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

[ ]	EIS	[ ]	More Detailed EA	[X]	No Further Analysis

EA Checklist Approved By:	**Name:** Marc A. Vessar **Title:** Forest Practices Program Manager
Signature:	**Date:** 11/10/2022

Attachment A-1

Silver King S2 T15N R8W



DS-97 R: 8/20

STATE OF MONTANA Department of Natural Resources and Conservation

SMZ ALTERNATIVE PRACTICE APPLICATION

Hazard Reduction Agreement (HRA) Number: 25-M-48454 Application Date: 10/17/22

Landowner: SILVER KING LAND & CATTLE, LLC
Address: PO BOX 2831, MISSOULA, MT 59806
Phone: 319-541-7586
Email: edxcallaghan@gmail.com

Contractor: MOTE LUMBER
Address: PO BOX 6938, HELENA, MT 59604
Phone: 406-439-1632
Email: doug@motelumber.com

Person or Entity Legally Responsible for Compliance with SMZ Law: MOTE LUMBER

Site-Specific Alternative Practice Request:

- [x] Operate Equipment
- [x] Operate a Landing
- [ ] Yard Across the Stream (Full Suspension)
- [x] Cut Additional Trees
- [ ] Remove Logs from Stream
- [ ] Other
- [ ] Construct or Reconstruct a Road
- [ ] Broadcast Burn

Justification for proposed Alternative Practice:

AS PART OF A BEAVER REINTRODUCTION PROJECT, REMOVE LODGEPOLE PINE FROM APPROXIMATELY 500 FEET OF SMZ. SITE IS SALVAGE HARVEST SO LEAVE 10 TREES PER 100 FEET EACH SIDE OF STREAM TO PROVIDE SNAGS FOR WILDLIFE. AREA WILL BE FLOODED BY FAUX BEAVER DAM FOLLOWING HARVEST TO PROVIDE INITIAL SAFE LOCATION FOR BEAVER. LANDOWNER IS WORKING WITH FWP AND USFWS ON THIS PROJECT. STANDING AND LEANING DEAD TREES ARE SAFETY HAZARD FOR PROJECT WORKERS

Planned Mitigation Measures:

USE CUT-TO-LENGTH HARVESTER AND FORWARDER RUNNING ON SLASH MAT TO MINIMIZE DISTURBANCE INSIDE SMZ, OPERATING NO CLOSER THAN 15 FEET FROM OHW. WILLOWS WILL BE PLANTED ON EDGES OF NEW POND.

Estimated Starting Date: 10/26/22 Estimated Completion Date: 11/30/22 County: LEWIS & CLARK

Legal Description: NW 1/4 Section 2 Section ____ Township 15N Range 8W

Estimated Lineal Extent Along Stream: 500 FEET Estimated SMZ Width: 50 FEET

Stream Class: [x] One [ ] Two [ ] Three Wetlands Present: [x] Yes [ ] No

IMPORTANT: Include map showing the logging unit boundaries, alternative practice site, streams, wetlands, and existing and/or proposed roads. Also include a plan-view map of the alternative practice site, including location and distance to stream, SMZ boundary, location of mitigation measures, and extent of activity requiring an alternative practice.

Approved alternative practices, including any additional conditions approved by DNRC, shall have the same force and authority as the standards contained in 77-5-303, MCA, and shall be enforceable by DNRC under 77-5-305, MCA, to the same extent as such standards.

cc: Applicant, DNRC Unit Office, DNRC Land Office, DNRC Forestry Assistance Bureau.