

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	Piegan Creek Alternative Practice
<b>Proposed Implementation Date:</b>	Upon Signature
<b>Proponent:</b>	Wayne Sherrill
<b>Location:</b>	R12N T6W Sections 21, 28, 27
<b>County:</b>	Lewis and Clark

### I. TYPE AND PURPOSE OF ACTION

The proponent, Wayne Sherrill Logging is requesting an Alternative Practice (AP) to rules 5 and 6: (36.11.304) retention tree requirements and road building within the SMZ. Piegan Creek has migrated into the existing roadbed.

According to MCA 77-5-301 through 307, DNRC is authorized to administer and enforce the provisions of the SMZ Law. This Law was developed to protect the public interest of water quality and quantity within forested areas; provide for standards, oversights and penalties to ensure forest practices conserve the integrity of SMZ's; provide guidelines for wildlife management within SMZ's; and allow operators necessary flexibility to use practices appropriate to site-specific conditions in the SMZ. ARM 36.11.301 through 313 further specify the design of SMZ boundaries, allowable activities and prohibitions within the SMZ, penalties and other related provisions.

According to MCA 77-5-304 and ARM 36.11.310, DNRC may approve alternative practices that are different from practices required by the SMZ Law only if such practices would be otherwise lawful and continue to conserve or not significantly diminish the integrity and function of the SMZ.

### II. PROJECT DEVELOPMENT

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

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

Wayne Sherrill Logging-Proponent  
MT DNRC

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

Lewis and Clark Conservation District may need to issue a 310 permit if the applicant does any work within the stream channel.

**3. ALTERNATIVES CONSIDERED:**

Alternative A –No Action: The No Action alternative would have no equipment operation inside the SMZ buffer.

Alternative B – Action:

The proposed action is to issue an Alternative Practice for SMZ Rules 2,3, 4 & 6

For the identified approximate 475' stretch of Piegan Creek that has migrated into the established roadbed (Figure 2) the Road Construction in the Eastern Zone rules will apply, to allow for the relocation of the road outside of the channel migration zone. See East Side Zone Rules. (36.11.306). Toe of fill will be located at least 15' from ordinary highwater mark, The road will be located as far away from the ordinary highwater mark as possible, road drainage features need to be installed to minimize sediment delivery to the stream. Wherever possible locate the roads outside of 50' SMZ. Additionally, a slash-filter windrow (Figure 1) shall be installed

anywhere the toe of the fill of new construction is closer than 50' to the Ordinary High-Water Mark.

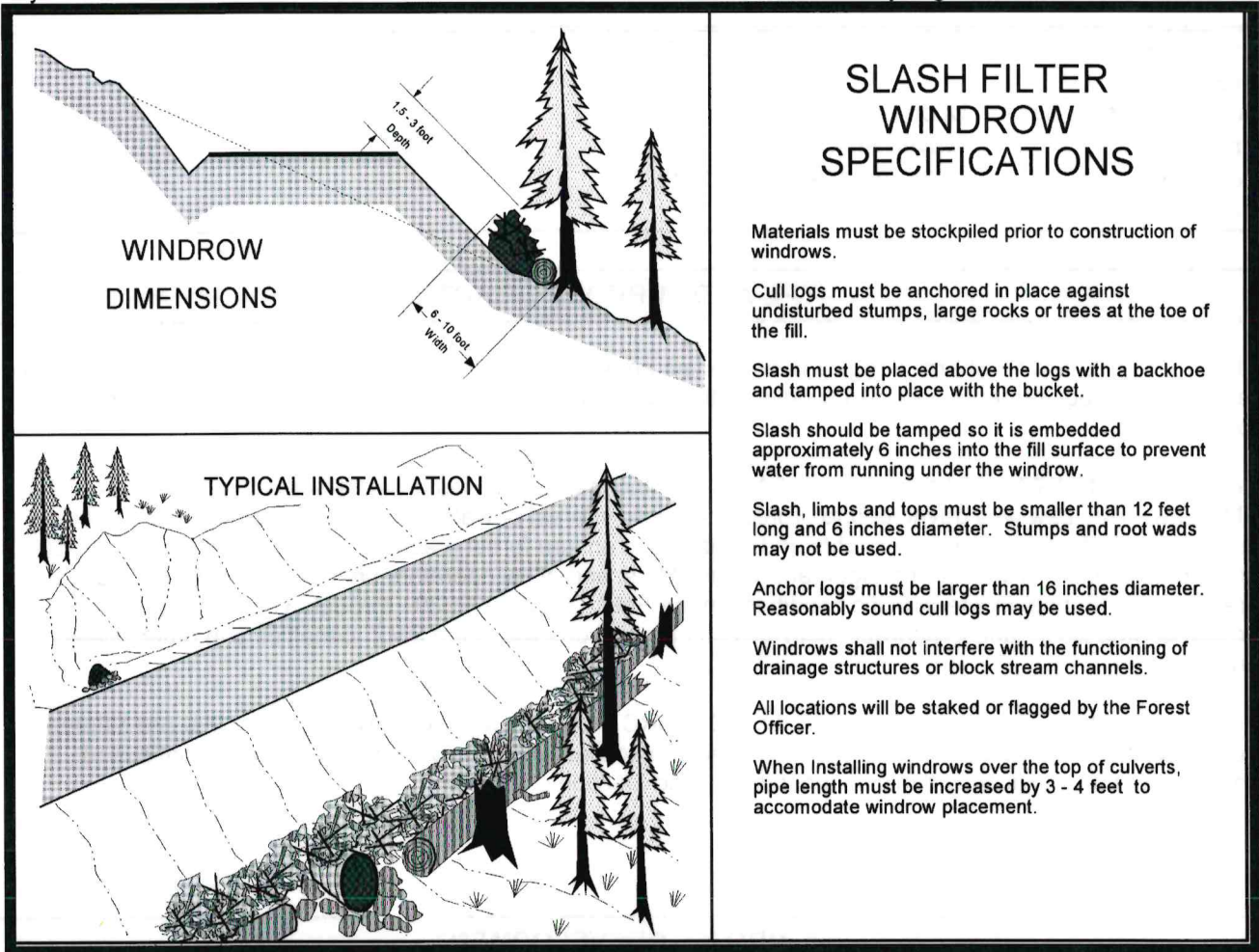


Figure 1



Figure 2

Under the Action Alternative an Alternative Practice for SMZ Rule 5 (36.11.305) Removal to below minimum retention tree standards on Class I SMZ would be reduced to 10 trees per 100' foot segment.

Additional mitigations and stipulations pertinent to the proposed action alternative will include:

- Slash piles would be placed outside of the 50- or 100-foot SMZ buffer.
- Toe of road construction in the identified area where Piegan Creek has migrated into the established roadway, shall have a slash windrow installed to act as a sediment filter.
- Water bars shall be installed on the road in a manner to prevent concentration of run off from road into stream.
- Operation would only occur during periods when soil disturbance can be minimized under conditions are dry or frozen ground to six inches.
- No trees shall be felled in to or across the stream with active water. Any debris from falling or skidding operations that enters the stream must be removed immediately. Any trees that have fallen due to wind or fire across stream with active water shall be retained and not removed.
- All disturbed areas within the SMZ would be grass seeded and have a slash or debris scattered to prevent erosion and sediment from reaching stream segments. Slash and debris will be sufficient to intercept water and be aligned perpendicular to direction of trail.
- No cutting of trees that grew or are growing in the immediate area of the ordinary high-water mark would be allowed.
- The Piegan Creek Alternative Practice would have an expiration date of 3/3/2025.
- The Piegan Creek Alternative practice would only be applicable on lands owned by LRG Enterprises in the sections outlined in this EA.

### 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.*

Alternative A - No Action: No equipment operation or road construction would be allowed inside the 50 foot SMZ.

Alternative B – Action: Equipment operation would occur on Helmville Channery Loam soils that are described as "moderately suited" for mechanical harvest equipment operation in the Web Soil Survey. Mitigation measures would include operating season restrictions that require ground to be dry or snow covered to eight inches and/or frozen to four inches. In addition, grass-seeding and installation of erosion control measures such as a slash-filter windrow on any disturbed area upon completion of activity would be required. Minimal direct, indirect or cumulative impacts to soil stability and compaction are anticipated due to the operation restrictions and mitigation measures.

#### 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.*

Alternative A - No Action: Minimal direct, indirect or cumulative impacts to water quality, quantity and distribution are anticipated.

Alternative B – Action: Minimal direct, indirect or cumulative impacts to water quality, quantity and distribution are anticipated due to the operation restrictions and mitigation measures.

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## 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.*

Alternative A - No Action: Timber harvest activities will occur. Slash consisting of tree limbs and tops and other vegetative debris would be piled throughout the project area during harvesting. Slash would ultimately be burned after harvesting operations have been completed. Burning would introduce particulate matter into the local airshed, temporarily affecting local air quality. Over 70% of emissions emitted from prescribed burning are less than 2.5 microns (National Ambient Air Quality PM 2.5). High, short-term levels of PM 2.5 may be hazardous.

Burning within the project area would be short in duration and would be conducted when conditions favor good to excellent ventilation and smoke dispersion as determined by the Montana Department of Environmental Quality would burn only on approved days. Thus, direct and indirect, effects to air quality due to slash burning associated with the proposed action would be minimal.

Alternative B – Action:

Additional slash created from harvesting an additional timber consisting of tree limbs and tops and other vegetative debris would be piled throughout the project area. This would create minimal additional slash compared to the No Action Alternative. Slash would ultimately be burned after harvesting operations have been completed. Burning would introduce particulate matter into the local airshed, temporarily affecting local air quality. Over 70% of emissions emitted from prescribed burning are less than 2.5 microns (National Ambient Air Quality PM 2.5). High, short-term levels of PM 2.5 may be hazardous.

Burning within the project area would be short in duration and would be conducted when conditions favor good to excellent ventilation and smoke dispersion as determined by the Montana Department of Environmental Quality would burn only on approved days. Thus, direct and indirect, effects to air quality due to slash burning associated with the proposed action would be minimal.

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## 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.*

Alternative A - No Action: Timber harvest will continue. Though some areas may not be as accessible and may not be harvested. Minimal direct, indirect, or cumulative impacts will occur.

Alternative B – Action: Live trees may be reduced to 10 trees per 100' section. Some residual damage to vegetation may occur, but it would be minimized to the extent possible Timber harvest will take place and more trees may be harvested that will not be feasible to harvest under Alternative A No Action.

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## 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.*

Alternative A – No Action: No direct, indirect, or cumulative impacts will occur. (See attached list for *Species of Concern*)

Alternative B – Action: A search of the Montana Natural Heritage program reveals that with in the township that the alternative action is proposed in cutthroat trout exist. Due to the relatively small nature, and short duration of the timber proposed timber harvest, impacts are not expected. Cumulative impacts would be expected to be short term and minor due to operating restrictions and mitigation measures.

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**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.*

Alternative A – No Action: No direct, indirect, or cumulative impacts will occur. (See attached list for *Species of Concern*)

Alternative B – Action: A query of the Montana Natural Heritage Program identifies the township where the project is located as having possible habitat for West Slope Cutthroat trout, Grizzly Bear, Canada Lynx, and Wolverine. Due to the relatively small nature and scope of the AP, and the location of the road. Minimal direct indirect and cumulative impacts are anticipated to occur. If any threatened or endangered species are found in the ap area operations shall be stopped until DNRC can reassess.

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**10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

*Identify and determine effects to historical, archaeological or paleontological resources.*

A systematic inventory of such resources has not occurred. Because the project is not located on state land, the DNRC has no jurisdiction to require landholders to conduct professional level inventories to identify, or develop treatment plans for, privately owned National Register eligible properties.

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**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.*

Alternative A – No Action: No direct, indirect, or cumulative impacts are anticipated

Alternative B – Action: Tree removal would occur on private property adjacent to public land. Recreations may notice the reduction in trees.

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**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.*

Alternative A- No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B- Action: No direct, indirect, or cumulative impacts are anticipated to occur.

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**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.*

Alternative A- No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B Action: No direct, indirect, or cumulative impacts are anticipated to occur.

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<p style="text-align: center;"><b>IV. IMPACTS ON THE HUMAN POPULATION</b></p>
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| <ul style="list-style-type: none"><li>• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i></li><li>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i></li><li>• <i>Enter "NONE" if no impacts are identified or the resource is not present.</i></li></ul> |
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**14. HUMAN HEALTH AND SAFETY:**

*Identify any health and safety risks posed by the project.*

Alternative A – No Action: No direct, indirect, or cumulative impacts are anticipated to occur.

Alternative B – Action: No direct, indirect, or cumulative impacts are anticipated to occur.

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**15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:**

*Identify how the project would add to or alter these activities.*

Alternative A- No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B- Action: No direct, indirect, or cumulative impacts are anticipated to occur.

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**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.*

Alternative A – No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B – Action: No direct, indirect, or cumulative impacts anticipated to occur.

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**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.*

Alternative A- No Action: Negligible amounts.

Alternative B- Action: Negligible amounts.

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**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*

Alternative A- No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B- Action: No direct, indirect, or cumulative impacts are anticipated to occur

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**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.*

Alternative A- No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B- Action: No direct, indirect, or cumulative impacts are anticipated to occur

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**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.*

Alternative A- No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B- Action: No direct, indirect, or cumulative impacts are anticipated to occur.

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**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.*

Alternative A- No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B- Action: No direct, indirect, or cumulative impacts are anticipated occur.

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**22. SOCIAL STRUCTURES AND MORES:**

*Identify potential disruption of native or traditional lifestyles or communities.*

Alternative A- No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B- Action: No direct, indirect, or cumulative impacts are anticipated to occur.

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**23. CULTURAL UNIQUENESS AND DIVERSITY:**

*How would the action affect any unique quality of the area?*

Alternative A- No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B- Action: No direct, indirect, or cumulative impacts are anticipated to occur.

**24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:**

*Estimate the return to the trust. 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.*

Alternative A- No Action: No direct, indirect, or cumulative impacts will occur.

Alternative B- Action: No direct, indirect, or cumulative impacts are anticipated to occur.

<b>EA Checklist Prepared By:</b>	<b>Name:</b> Devin Healy	<b>Date:</b> 11/25/2022
	<b>Title:</b> Helicopter Manager	

**V. FINDING**

**25. ALTERNATIVE SELECTED:**


**Alternative A**

**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

No significant impacts to the integrity and function of the SMZ will occur with the implementation of operating restrictions and mitigation measures. As proposed, with mitigations, I do not anticipate any significant direct, indirect or cumulative effects from the implementation of the selected alternative.

**27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:**

EIS     
 More Detailed EA     
 No Further Analysis

<b>EA Checklist Approved By:</b>	<b>Name:</b> Heidi Crum	
	<b>Title:</b> Helena Unit Mgr	
<b>Signature:</b>		<b>Date:</b> 11/28/22

# Attachment A: Species of Concern

Species of Concern										
4 Species										
Filtered by the following criteria:										
Township = 01210503 (based on mapped Species Occurrences)										
MAMMALS (MAMMALIA)										
SPECIES										
SCIENTIFIC NAME	FAMILY (SCIENTIFIC)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT
COMMON NAME	FAMILY (COMMON)									
TAXA SORT										
<i>Gulo gulo</i> Wolverine	Mustelidae Weasels	G4	S3		Proposed on Forests (BD, BRT, CG, HLC, ROOT, LOLO)	SENSITIVE	SGCH3	0%	37%	Boreal Forest and Alpine Habitats
Species Occurrences verified in these Counties: Beaverhead, Broadwater, Carbon, Cascade, Deer Lodge, Flathead, Gallatin, Glacier, Granite, Jefferson, Judith Basin, Lake, Lewis and Clark, Lincoln, Madison, Meagher, Mineral, Missoula, Park, Powder, Powell, Ravalli, Sanders, Silver Bow, Stillwater, Sweet Grass, Teton, Wheatland										
<i>Lynx canadensis</i> Canada Lynx	Felidae Cats	G5	S3	LT; CH	Threatened on Forests (BD, BRT) Threatened, Critical Habitat on Forests (CG, HLC, ROOT, LOLO)	THREATENED	SGCH3	1%	40%	Subalpine conifer forest
Species Occurrences verified in these Counties: Carbon, Flathead, Gallatin, Glacier, Granite, Lake, Lewis and Clark, Lincoln, Missoula, Park, Powder, Powell, Stillwater, Sweet Grass, Teton										
<i>Ursus arctos</i> Grizzly Bear	Ursidae Bears	G4	S2S3	PS; LT; XII	Threatened on Forests (BD, CG, HLC, ROOT, LOLO)	THREATENED	SGCH2-3	1%	22%	Conifer forest
Species Occurrences verified in these Counties: Beaverhead, Broadwater, Carbon, Cascade, Chouteau, Deer Lodge, Fergus, Flathead, Gallatin, Glacier, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Lincoln, Madison, Meagher, Mineral, Missoula, Park, Powder, Powell, Ravalli, Sanders, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Wheatland, Yellowstone										
FISH (ACTINOPTERYGII)										
SPECIES										
SCIENTIFIC NAME	FAMILY (SCIENTIFIC)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT
COMMON NAME	FAMILY (COMMON)									
TAXA SORT										
<i>Oncorhynchus clarkii lewisi</i> Westslope Cutthroat Trout	Salmonidae Trout	G5T4	S2		Sensitive - Known on Forests (BD, BRT, CG, HLC, ROOT, LOLO)	SENSITIVE	SGCH2		34%	Mountain streams, rivers, lakes
Species Occurrences verified in these Counties: Beaverhead, Broadwater, Carbon, Cascade, Chouteau, Deer Lodge, Fergus, Flathead, Gallatin, Glacier, Granite, Jefferson, Judith Basin, Lake, Lewis and Clark, Lincoln, Madison, Meagher, Mineral, Missoula, Park, Powder, Powell, Ravalli, Sanders, Silver Bow, Teton, Wheatland										
State Rank Reason: The Westslope Cutthroat trout is currently ranked "S2" in Montana because it is at risk due to very limited and/or potentially declining population numbers, range and/or habitat, making it vulnerable to extinction in the state.										



# Piegan Creek Alternative Practice

T12N R6W 21, 27 & 28

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