

# **DRAFT**

# **ENVIRONMENTAL ASSESSMENT**

# **CHECKLIST**

## **Island Lake FAS Fuels Reduction**

**October 11, 2023**



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## I. Compliance with the Montana Environmental Policy Act

*Before a proposed project may be approved, environmental review must be conducted to identify and consider potential impacts of the proposed project on the human and physical environment affected by the project. The Montana Environmental Policy Act (MEPA) and its implementing rules and regulations require different levels of environmental review, depending on the proposed project, significance of potential impacts, and the review timeline. § 75-1-201, Montana Code Annotated (“MCA”), and the Administrative Rules of Montana (“ARM”) 12.2.430, General Requirements of the Environmental Review Process.*

*FWP must prepare an EA when:*

- *It is considering a “state-proposed project,” which is defined in § 75-1-220(8)(a) as:
  - (i) a project, program, or activity initiated and directly undertaken by a state agency;
  - (ii) ... a project or activity supported through a contract, grant, subsidy, loan, or other form of funding assistance from a state agency, either singly or in combination with one or more other state agencies; or
  - (iii) ... a project or activity authorized by a state agency acting in a land management capacity for a lease, easement, license, or other authorization to act.*
- *It is not clear without preparation of an EA whether the proposed project is a major one significantly affecting the quality of the human environment. ARM 12.2.430(3)(a));*
- *FWP has not otherwise implemented the interdisciplinary analysis and public review purposes listed in ARM 12.2.430(2) (a) and (d) through a similar planning and decision-making process (ARM 12.2.430(3)(b));*
- *Statutory requirements do not allow sufficient time for the FWP to prepare an EIS (ARM 12.2.430(3)(c));*
- *The project is not specifically excluded from MEPA review according to § 75-1-220(8)(b) or ARM 12.2.430(5); or*
- *As an alternative to preparing an EIS, prepare an EA whenever the project is one that might normally require an EIS, but effects which might otherwise be deemed significant appear to be mitigable below the level of significance through design, or enforceable controls or stipulations or both imposed by the agency or other government agencies. For an EA to suffice in this instance, the agency must determine that all the impacts of the proposed project have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur. The agency may not consider compensation for purposes of determining that impacts have been mitigated below the level of significance (ARM 12.2.430(4)).*

*MEPA is procedural; its intent is to ensure that impacts to the environment associated with a proposed project are fully considered and the public is informed of potential impacts resulting from the project.*

## II. Background and Description of Proposed Project

**Name of Project:** Island Lake FAS Fuels Reduction

Montana Fish, Wildlife & Parks (FWP) Region One is proposing forest management treatments on the Island Lake Fishing Access Site (FAS), involving approximately 26 acres, with the primary objective of mitigating hazardous fuels. Island Lake FAS is managed by FWP to provide public access for angling, boating, and other recreation opportunities. The FAS provides fishing, hunting, wildlife viewing, hiking, picnicking, and camping opportunities. Facilities available at the Island Lake FAS include a vault toilet, boat launch, and campsites. FWP’s

Forest Management Plan<sup>1</sup> directs FWP to manage forested FASs for public use and recreational values. Public safety, aesthetics, and visual screening are priorities for forest management in developed areas. Beyond developed areas and of secondary priority are insect and disease management, fire hazard mitigation, fish and wildlife habitat, and other recreation opportunities.

FWP acquired the Island Lake FAS from Plum Creek Timber Company in 2000. Approximately 27 acres of the 38-acre Island Lake FAS are forested. The forested portion is composed of 50-year old lodgepole pine that regenerated from a clearcut harvest occurring some time in the early 1970's. Based on old stumps throughout the site, a previous timber harvest occurred sometime in the early 20<sup>th</sup> century which removed primarily mature western larch. The site is now dominated by lodgepole pine (95%) and minor amounts of other species (Douglas-fir, western larch, and ponderosa pine). The average density is 330 trees per acre, the average diameter-at-breast-height (DBH) is 9 inches, and the average height is 55 feet tall.

Montana Department of Natural Resources and Conservation (DNRC) identified the Island Lake FAS, and surrounding areas, as a 'Priority Area for Focused Attention' in their 2020 Montana Forest Action Plan<sup>2</sup>. The drivers of risk identified in the plan were wildfire risk and distance to the wildland urban interface (WUI). DNRC – Libby Unit successfully applied for a Montana Forest Action Plan Implementation Grant in 2022 in order to help pay for fuels reduction treatments to address the wildfire risk concern. FWP was a subrecipient of that grant proposal, receiving \$26,250 in grant funding from DNRC.

Proposed Action – Implement fuels reduction treatments by thinning 26 acres. Treatments would involve tree removal (including removal of both trees with merchantable and nonmerchantable value), pruning tree branches to a height of 6-8 feet within 66 feet either side of existing roads, and follow-up treatments. Trees selected for removal would be based on several factors including:

- Removing suppressed and intermediate trees that are competing with desirable dominant and codominant trees
- Removing trees that contribute to the potential for crown fires (such as ladder fuels which are tree canopies that form vertical layers that can allow surface fires to ascend into overstory tree crowns in the event of a wildfire)
- Removing additional trees to reduce competition stress and create a more vigorous and resilient stand condition overall. The target spacing for leave trees will be 15 to 20 feet between stems, resulting in an average density ranging from 110 to 190 trees per acre.
- Variable spacing and retention clumps (up to ½ acre) would be utilized to maintain the natural character of the stand, reduce sight distance within the stand, and maintain cover for wildlife.

Tree removal would be accomplished through a combination of mechanized and non-mechanized methods. Merchantable trees would be removed with ground-based logging equipment, such as feller-bunchers and skidders, that would cut and skid trees to designated roadside locations (called "landings"). Tree stems would be delimbed and processed into logs. Logs would be loaded onto log trucks and hauled to local forest product manufacturing facilities. Nonmerchantable trees (trees too small to be manufactured into forest products) would be treated by mastication or felled with chainsaws. Slash (the nonmerchantable limbs and tree tops) and cull material generated from this process would be treated either by piling and burning, grinding or chipping, and/or removing the material from the site.

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<sup>1</sup> Available upon request from R1 FWP (Kalispell) or FWP Wildlife (Helena) office.

<sup>2</sup> Available online: <https://www.montanaforestactionplan.org/pages/forest-action-plan> (last access August 9, 2023)

Ground disturbance is expected on skid trails and at landing areas. Any ground disturbance (exposed, displaced, or compacted soils) would be rehabbed and seeded with a native grass seed mix. Contractors hired to do this work would be required to adhere to Montana Forestry Best Management Practices<sup>3</sup> (BMPs). FWP would develop a site-specific treatment plan for the site with contractors hired to do this work. This plan would identify resource protection measures to minimize impacts to the site. FWP would oversee the activities while they are on-going to ensure compliance with the plan and to minimize resource impacts.

Access to the project areas would be from existing roads. Roads would be upgraded to the extent necessary to facilitate logging and log hauling while meeting BMPs. Temporary “jump-up” roads (relatively short spur roads) may be needed in some areas. These would be located on flat ground and where excavation could be avoided. Ground impacts, such as more severe soil compaction or soil exposure, may be greater on these spur roads. These would be reclaimed and blocked to prevent unauthorized motorized use. Road work would be short duration (1 to 2 days) and would be done during periods when the soil moisture is adequate to allow for adequate shaping and compaction.

The operating period for the proposed treatments would be from October 1 through April 15 in order to minimize impacts to users. Ground based logging equipment would be restricted to periods when soils are relatively dry, frozen, and/or snow-covered conditions in order to minimize impacts to soil and vegetation. Other clean-up and rehab activities, such as slash treatment, grass seeding, and tree planting would be short duration (1 to 2 days) and could potentially occur throughout the year. If slash is piled and burned, burn piles would be located in openings away from residual trees and neighboring property lines. Burning would be conducted in accordance with open burning seasons and applicable state and county regulations.

Road work and logging activities would comply with Montana Forestry BMPs and the Montana Streamside Management Zone<sup>4</sup> law. To minimize the spread of noxious weeds; all equipment would be cleaned and inspected by FWP before moving onto FWP lands. Exposed bare mineral soils would be reseeded immediately and any weed infestations would be treated with herbicides indefinitely through annual FAS weed management efforts.

FWP has prepared this Checklist Environmental Assessment (CEA), which includes the proposed action to implement a forest fuels reduction project on 26 acres of the Island Lake FAS and environmental review to address potential impacts to the physical and human environment resulting from the proposed action. If FWP decides to proceed with the proposed action, work may begin as early as November 2023. FWP expects the project activities to be on-going for 1-2 months during the allowable operating periods. Barring any unforeseen circumstances, all proposed treatments and follow-up work would likely be completed by November 30, 2025.

#### **Affected Area / Location of Proposed Project:**

- Legal Description
  - Latitude/Longitude: 48.2317, -114.9758
  - Section, Township, and Range: Section 31, T29 N, R26 W, Lot 002
  - Town/City, County, Montana: 19 miles northeast of Happy’s Inn, Lincoln County, Montana
- Location Map

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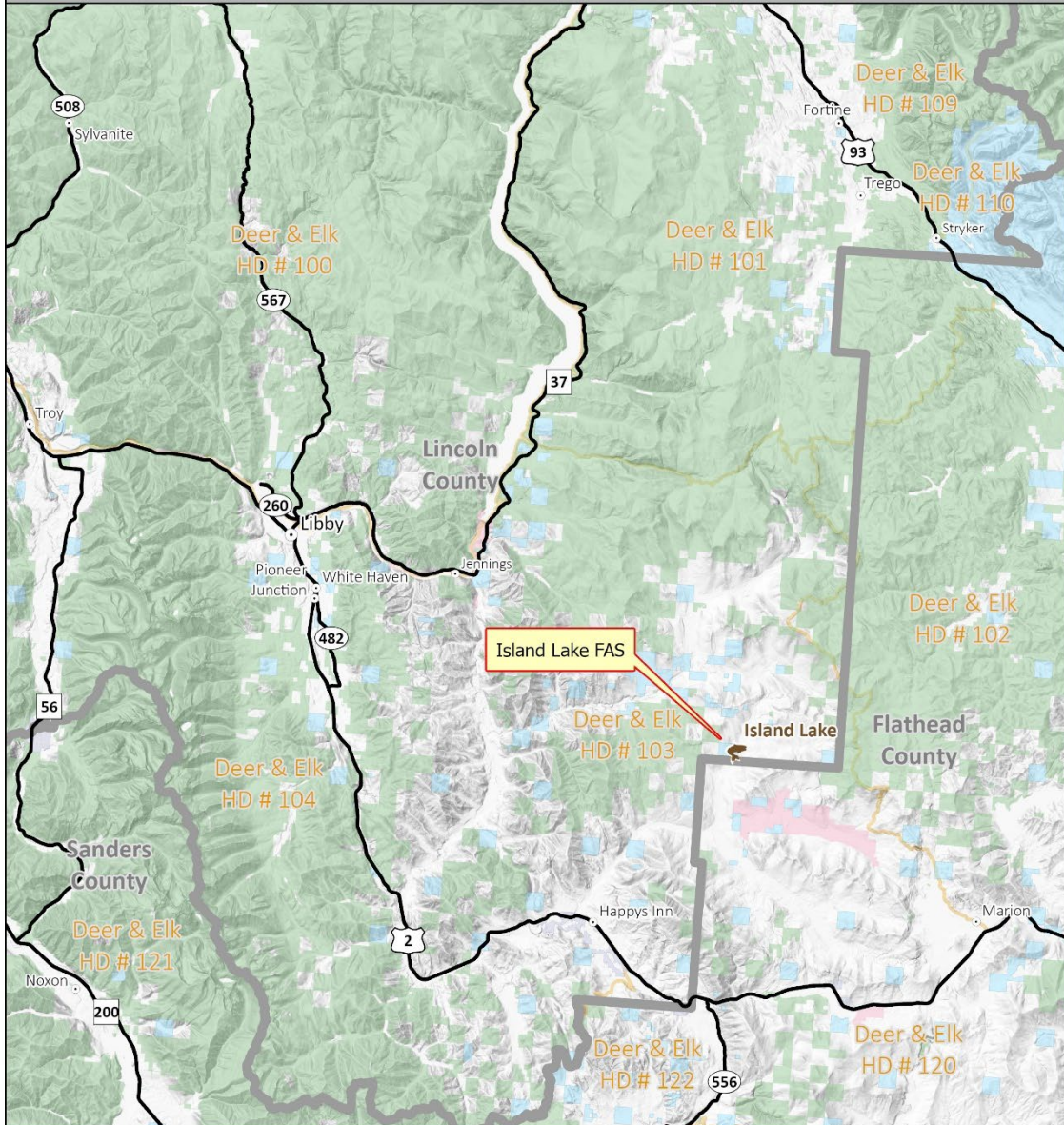
<sup>3</sup> Available online: <https://dnrc.mt.gov/Forestry/Forest-Management/best-management-practices> (last accessed August 8, 2023)

<sup>4</sup> Available online: <https://dnrc.mt.gov/docs/forestry/SMZFullcopy.pdf> (last accessed August 8, 2023)

# Island Lake FAS Fuels Reduction

MONTANA FWP

## Vicinity Map



## Legend

- Fishing Access Site
- Cities and Towns
- Population
- Highways
- SIGN1
- County Boundary

## Public Lands

- Other Federal Land
- US Forest Service
- Montana Fish, Wildlife & Parks

Map Produced by: Parks & Outdoor Recreation, Region 1  
 Jason Parke, Wildlife Division  
 Island Lake FAS Fuels Reduction  
 Vicinity Map  
 C:\FWPGIS\myGIS\JasonGIS\IslandLakeFAS  
 August 9, 2023

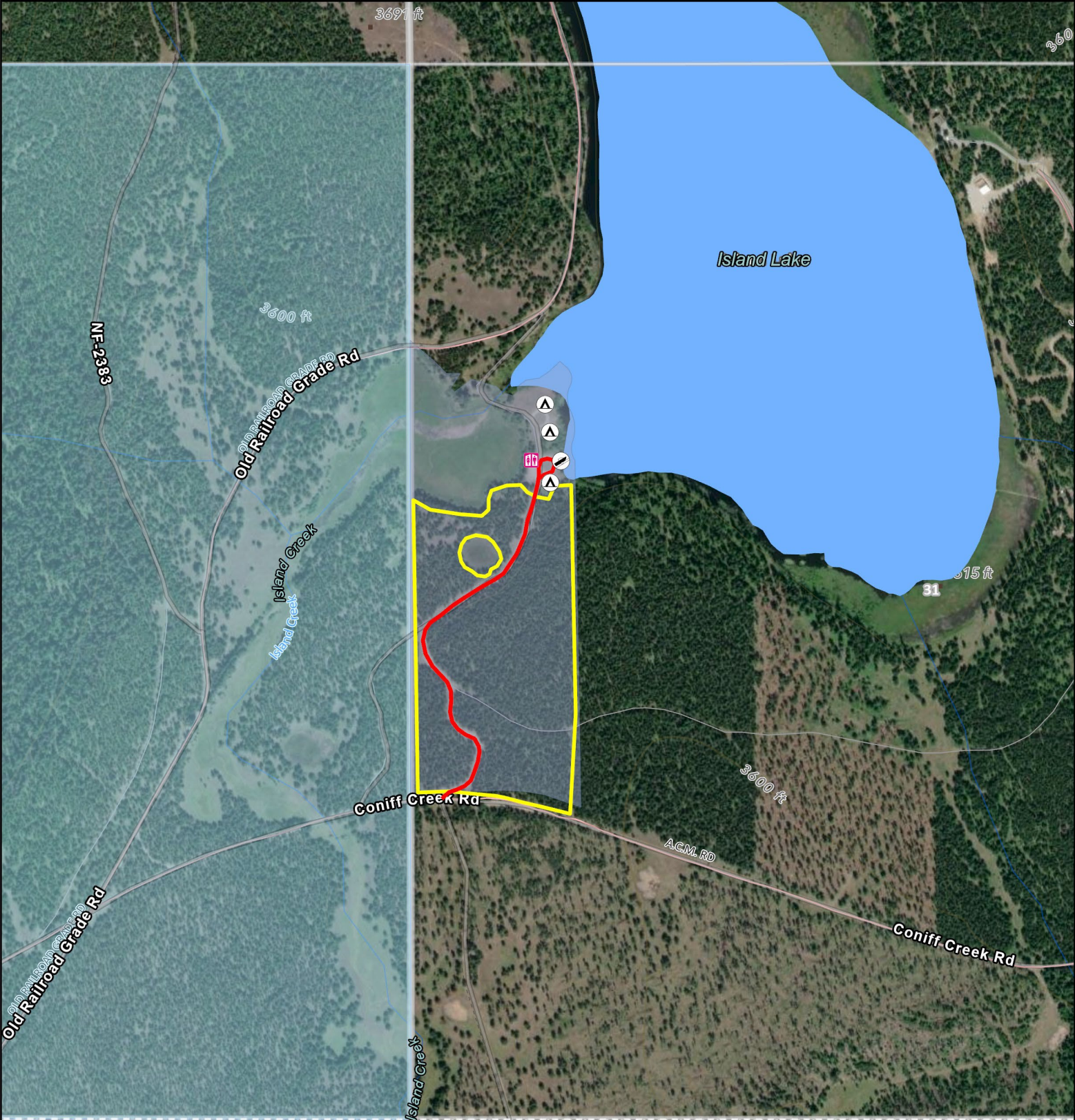
## Area of Interest



Disclaimer & Credits Example: Administrative boundaries and FWP Lands data from Montana Fish, Wildlife & Parks, Helena, MT. Background Imagery from ESRI...

0 5 10  
Miles





Legend

Proposed Thinning (26 acres)

Roads

Access Road

Boat Ramp

Campsite

Toilet

Facilities

Map Produced by: Parks & Outdoor Recreation, Region 1  
Jason Parke, Wildlife Division  
Island Lake FAS Fuels Reduction  
Project Map  
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August 9, 2023

N

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Miles

Area of Interest

Disclaimer & Credits Example: Valid for the 2018 Hunting Season..... Possession of this map does not constitute legal access to private land ....  
It is every hunter's responsibility to know the land ownership of the area he or she intends to hunt  
.....Administrative boundaries and FWP Lands data from Montana Fish, Wildlife & Parks, Helena, MT. Background Imagery from ESRI...

### III. Purpose and Need

*The EA must include a description of the purpose and need or benefits of the proposed project. ARM 12.2.432(3)(b). Benefits of the proposed project refer to benefits to the resource, public, department, state, and/or other.*

FWP is proposing to conduct forest management treatments on 26 acres of the Island Lake FAS for the purpose of reducing hazardous fuels in the wildland urban interface (through treatments such as thinning, pruning, and slash disposal) and selling any resulting merchantable tree byproducts to help offset treatment costs. The project area has been identified as a 'Priority Area for Focused Attention' in DNRC's 2020 Montana Forest Action Plan.

Forest management treatments are expected to benefit:

- Forest conditions within the FAS by promoting healthy and vigorous trees and stand conditions that would be more resilient to stressors and damaging agents (such as insects, diseases, drought, and wildfire).
- Neighboring lands and structures that may be affected by hazardous fuels in the event of a wildfire
- Aesthetics of the FASs
- A variety of wildlife species that depend on more open stand conditions (such as for foraging on understory grasses, forbs, and shrubs)

If FWP prepared a cost/benefit analysis before completion of the EA, the EA must contain the cost/benefit analysis or a reference to it. ARM 12.2.432(3)(b).

	Yes*	No
Was a cost/benefit analysis prepared for the proposed project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\* If yes, a copy of the cost/benefit analysis prepared for the proposed project is included in Attachment A to this Draft EA

### IV. Other Agency Regulatory Responsibilities

*FWP must list any federal, state, and/or local agencies that have overlapping or additional jurisdiction, or environmental review responsibility for the proposed project, as well as permits, licenses, and other required authorizations. ARM 12.2.432(3)(c).*

*A list of other required local, state, and federal approvals, such as permits, certificates, and/or licenses from affected agencies is included in **Table 1** below. **Table 1** provides a summary of requirements but does not necessarily represent a complete and comprehensive list of all permits, certificates, or approvals needed for the proposed project. Agency decision-making is governed by state and federal laws, including statutes, rules, and regulations, that form the legal basis for the conditions the proposed project must meet to obtain necessary permits, certificates, licenses, or other approvals. Further, these laws set forth the conditions under which each agency could deny the necessary approvals.*

**Table 1: Federal, State, and/or Local Regulatory Responsibilities**

Agency	Type of Authorization (permit, license, stipulation, other)	Purpose
Montana Department of Environmental Quality	Major Open Burn Permit	Burn Permit for agencies and companies that conduct prescribed burns on large amounts of land, as defined in ARM 17.8.601



## V. List of Mitigations, Stipulations

*Mitigations, stipulations, and other enforceable controls required by FWP, or another agency, may be relied upon to limit potential impacts associated with a proposed Project. The table below lists and evaluates enforceable conditions FWP may rely on to limit potential impacts associated with the proposed Project. ARM 12.2.432(3)(g).*

**Table 2: Listing and Evaluation of Enforceable Mitigations Limiting Impacts**

<i>Are enforceable controls limiting potential impacts of the proposed action? If not, no further evaluation is needed.</i>			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<i>If yes, are these controls being relied upon to limit impacts below the level of significance? If yes, list the enforceable control(s) below</i>			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Enforceable Control</b>	<b>Responsible Agency</b>	<b>Authority (Rule, Permit, Stipulation, Other)</b>	<b>Effect of Enforceable Control on Proposed Project</b>	
Streamside Management Zone	DNRC	Streamside Management Zone Law	Protect and maintain function of streamside management zones.	
Cultural Resource Protection	FWP, State Historic Preservation Office	Antiquities Law	Avoid actions that substantially alter heritage properties or paleontological remains on lands owned by the state.	
Noxious weed control	FWP, Lincoln County	Noxious Weed Law	Establishes noxious weed management agreements and programs.	
Smoke Management	DEQ, Montana/Idaho Airshed Management Group	Air Quality Law	Achieve and maintain levels of air quality that will protect human health and safety; prevent injury to plant and animal life and property; foster comfort and convenience of people; promote economic and social development; and facilitate the enjoyment of the natural attractions of the state.	
Forest Management Mandate	FWP	Forest Management Statutes – 87-1-201(9)(a)(iv), 87-1-621, & 87-1-622	Requires FWP to manage its forested lands for wildlife habitat enhancement, hazardous fuels reduction, and bark beetle infestation—based on a forest management plan and sustained yield—and to deposit any revenue generated from timber sales into the legislatively-created forest management account for use towards future forestry projects.	
Good Neighbor Policy	FWP	23-1-126, MCA	The good neighbor policy of public land use, as applied to public recreational lands, seeks a goal of no impact upon adjoining private and public lands by preventing impact on those adjoining lands from noxious weeds, trespass, litter, noise and light pollution, streambank erosion, and loss of privacy.	

## VI. Alternatives Considered

In addition to the proposed project, and as required by MEPA, FWP analyzes the "No-Action" alternative in this EA. Under the "No Action" alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The "No Action" alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

	Yes*	No
Were any additional alternatives considered and dismissed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\* If yes, a list and description of the other alternatives considered, but not carried forward for detailed review is included below

## VII. Summary of Potential Impacts of the Proposed Project on the Physical Environment and Human Population

The impacts analysis identifies and evaluates **direct**, **secondary**, and **cumulative impacts**.

- **Direct impacts** are those that occur at the same time and place as the action that triggers the effect.
- **Secondary impacts** "are further impacts to the human environment that may be stimulated or induced by or otherwise result from a direct impact of the action." ARM 12.2.429(18).
- **Cumulative impacts** "means the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures." ARM 12.2.429(7).

Where impacts are expected to occur, the impact analysis estimates the **extent**, **duration**, **frequency**, and **severity** of the impact. The duration of an impact is quantified as follows:

- **Short-Term:** impacts that would not last longer than the proposed project.
- **Long-Term:** impacts that would remain or occur following the proposed project.

The severity of an impact is measured using the following:

- **No Impact:** there would be no change from current conditions.
- **Negligible:** an adverse or beneficial effect would occur but would be at the lowest levels of detection.
- **Minor:** the effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.
- **Moderate:** the effect would be easily identifiable and would change the function or integrity of the resource.
- **Major:** the effect would irretrievably alter the resource.

Some impacts may require mitigation. As defined in ARM 12.2.429, mitigation means:

- Avoiding an impact by not taking a certain action or parts of a project;

- *Minimizing impacts by limiting the degree or magnitude of a project and its implementation;*
- *Rectifying an impact by repairing, rehabilitating, or restoring the affected environment; or*
- *Reducing or eliminating an impact over time by preservation and maintenance operations during the life of a project or the time period thereafter that an impact continues.*

*A list of any mitigation strategies including, but not limited to, design, enforceable controls or stipulations, or both, as applicable to the proposed project is included in **Section VI** above.*

*FWP must analyze impacts to the physical and human environment for each alternative considered. The proposed project considered the following alternatives:*

- **Alternative 1: No Action. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

Under the “No Action” alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

- **Alternative 2: Proposed Project. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

See **Table 3** (Impacts on Physical Environment) and **Table 4** (Impacts on Human Population) below.

**Table 3 - Potential Impacts of Proposed Project on the Physical Environment**

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Terrestrial, avian, and aquatic life and habitats	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>While proposed the treatments will temporarily affect the canopy cover and density of trees on potential elk and white-tailed deer winter range, the activity area is small and the duration of activity is short.</p> <p>FWP does not expect any impacts to non-game wildlife species or their habitats as a result of the proposed treatment.</p> <p>FWP does not expect any short-term or long-term impacts to aquatic life and habitat as a result of the proposed project.</p>
Water quality, quantity, and distribution	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Forestry treatments on the subject property may slightly alter the rate and volume of spring runoff and retained snowpack. Given the limited scale of the project and condition of adjacent stands, this effect is expected to be negligible.
Geology	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed action would not impact any significant geological formations in the affected area; therefore, no impact to geology would be expected as a result of the proposed action
Soil quality, stability, and moisture	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approximately 3,000 feet of existing roads within the FAS would be used and maintained to facilitate removal of timber and timber byproduct. These roads would be maintained to Montana Forestry BMP standards and applicable laws to minimize impacts to riparian areas and prevent sediment delivery to (or siltation of) perennial water bodies. Minor soil impacts are expected where mechanized equipment operates off roads and where slash accumulations are burned. These impacts would be concentrated on skid trails and slash pile burn scars which



PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
									is expected to be a small proportion of the area treated. To minimize these impacts, FWP would require mechanized equipment operating off-roads to comply with Montana Forestry BMPs and only operate under relatively dry, frozen or snow-covered conditions. Slash, waterbars, and/or grass seed may be applied to disturbed areas, if needed, to reduce the potential for soil erosion. Any impacts from the proposed action to soil quality, stability, and moisture would be short-term and minor.
Vegetation cover, quantity, and quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project intent is to reduce the susceptibility of the subject property and adjacent lands to high-severity wildfire. The proposed action would thin forest stands, reducing moisture stress for the remaining trees. The thinning would also support growth of shrubs and other deciduous vegetation by opening the canopy and allowing more sunlight to get to the forest floor. Noxious weed spread would be mitigated by requiring equipment to be washed before entering the FAS, minimizing ground disturbance, immediately reseeding disturbed areas, and treating affected areas with herbicide following the treatment. Any impacts to vegetation cover, quantity, and quality would be short and long-term, minor, intentional, and generally beneficial.
Aesthetics	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The treatment area would be visible from the open road system. The project's intent is to create a more fire-resilient forest condition. The risk of catastrophic wildfire and beetle damage, which would also modify the scenic vista, would be reduced. Variable spacing and leave clumps up to ½ acre in size would be retained to maintain the natural character of the forest. Any impacts to the aesthetic nature of the area would be short and long-term, minor, and generally beneficial.

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Air quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Much of the slash and residual byproduct generated during the course of the proposed treatments would be burned on-site, having the potential to affect air quality. FWP would comply with Airshed 1 smoke management restrictions, Lincoln County open burning timing restrictions, and comply with inter-agency slash treatment regulations. Any impacts to air quality in the area would be short-term, limited by applicable regulations, and minor.
Unique, endangered, fragile, or limited environmental resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	While occasional sightings of collared grizzly bears have occurred within a few miles of the proposed area, they are rare. In addition, the treatment area would include shaded fuel breaks which would provide some amount of hiding cover. Also, no activity would be completed in the proposed activity area from April 1 – June 15 for grizzly bear security.
Historical and archaeological sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no known historical or archeological sites within the proposed treatment area. If cultural artifacts were to be discovered during the project, FWP would cease activities and contact the State Historic Preservation Office, and potentially adjust the project design to avoid impacting these resources.
Demands on environmental resources of land, water, air, and energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fuel and electricity would be required to remove trees and process the timber byproduct. Roads and other infrastructure that would be used by contractors were designed (and would be maintained) to support commercial logging and log transport activities. Any impacts to demands on environmental resources of land, water, air, and energy would be short-term and minor.

**Table 4 - Potential Impacts of Proposed Project on the Human Population**

HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Social structures and mores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed project would not impact current land use; therefore, the proposed project would not impact any pre-project social structures, customs, values, and conventions.
Cultural uniqueness and diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant impacts to cultural uniqueness and diversity in the affected area would be expected because of the proposed project. The proposed project involves mitigation of hazardous fuels and would not result in any relocation of people into or out of the affected area. Therefore, no impacts to the existing cultural uniqueness and diversity of the affected area would be expected because of the proposed project.
Access to and quality of recreational and wilderness activities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No closures would occur as a result of the project. Signage would be placed near the entrance to the FAS to alert recreationists of logging activity in the affected area during the proposed project. Logging and related forest management activities could impact the quality of the recreational experience for some individuals. Once the proposed project is completed no additional impacts would occur. Therefore, any adverse impact to access and the quality of recreational and wilderness activities in the affected area would be short-term and negligible.
Local and state tax base and tax revenues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project would be expected to increase state and local tax revenues from the sale of fuel, supplies and/or equipment and from contractor employees' income. Any impacts to the local and state tax base and tax revenue would be short-term and minor, lasting only as long as the proposed project.
Agricultural or Industrial production	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is estimated that the project will generate 75 thousand board feet of sawlogs 100 tons of non-sawlog material

HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
									that will be sold to local mills in western Montana and/or north Idaho. Any impacts to agricultural or industrial production associated with timber sales would be short-term and minor.
Human health and safety	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Timber management activities are inherently dangerous. All contractors would be required to comply with federal and state safety standards for logging operations as established by the United States Department of Labor, Occupational Safety and Health Administration (OSHA; 29 Code of Federal Regulations 1910 and any other such applicable regulations promulgated by OSHA) and as required by Title 50, Chapter 71 of the Montana Code Annotated (MCA), and any regulations promulgated to implement the affected statutes. Any impacts to human health and safety would be short-term and minor.
Quantity and distribution of employment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Jobs would be created or sustained by project work while the project is ongoing. According to the Montana Bureau of Business and Economic Research (Sorenson et al. 2016), the harvest of a million board-feet of timber equates to roughly 10 direct jobs (in forestry, logging, wood and paper product manufacturing, and forestry support activities) annually. Any impact to the quantity and distribution of employment in the affected area would be beneficial, short-term and minor, lasting only as long as the proposed project.
Distribution and density of population and housing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to the distribution and density of population and housing in the affected area would be expected because of the proposed project. The proposed project constitutes fuels reduction activities within the FAS and when completed will result in reduced fire hazards within the FAS and on lands immediately adjacent to the FAS. Contractors would be used to accomplish proposed project, which may result in the



HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
									need for temporary housing if the contractors selected for the proposed project do not live in the affected area. Any impacts from contracted work would be short-term and negligible and, when completed, would not impact the distribution and density of population and housing in the affected area. Further, the proposed project takes place on land owned by FWP and historically used for recreational purposes. Therefore, any impacts to the distribution and density of population and housing in the affected area because of the proposed project would be short-term and negligible.
Demands for government services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed project constitutes fuels reduction treatments to mitigate hazardous fuels in the affected area. Private contractors would conduct these activities under the proposed project. FWP and other government staff would perform the necessary work and manage contracts to allow private contractors to do the work. These types of activities are typical in the affected area. Therefore, any impact to demands for government services would be short-term, negligible, and consistent with current impacts in the affected area.
Industrial, agricultural, and commercial activity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is estimated that the project will generate 75 thousand board feet of sawlogs 100 tons of non-sawlog material that will be sold to local mills in western Montana and/or north Idaho. Any impacts to agricultural or industrial production associated with timber sales would be short-term and minor.
Locally adopted environmental plans and goals	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to locally adopted environmental plans and goals would be expected because of the proposed project. The proposed project constitutes hazardous fuels reduction and, when completed, would result in reduced risk of severe fire within and immediately adjacent to the proposed project

HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Resource									area. The project area has been identified as a 'Priority Area for Focused Attention' in DNRC's 2020 Montana Forest Action Plan and this project would address those concerns. Therefore, any impacts would be short- and long-term, minor, and beneficial.
Other appropriate social and economic circumstances	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	At this time, FWP is not aware of any other appropriate social and economic circumstances that would be impacted by the proposed project. Any impacts from the proposed project would be consistent with current practices in the affected area.

**Table 6: Determining the Significance of Impacts on the Quality of the Human Environment**

<p>If the EA identifies impacts associated with the proposed project FWP must determine the significance of the impacts. ARM 12.2.431. This determination forms the basis for FWP's decision as to whether it is necessary to prepare an environmental impact statement. An impact may be adverse, beneficial, or both. If none of the adverse effects of the impact are significant, an EIS is not required. An EIS is required if an impact has a significant adverse effect, even if the agency believes that the effect on balance will be beneficial. ARM 12.2.431.</p> <p>According to the applicable requirements of ARM 12.2.431, FWP must consider the criteria identified in this table to determine the significance of each impact on the quality of the human environment. The significance determination is made by giving weight to these criteria in their totality. For example, impacts identified as moderate or major in severity may not be significant if the duration is short-term. However, moderate or major impacts of short-term duration may be significant if the quantity and quality of the resource is limited and/or the resource is unique or fragile. Further, moderate or major impacts to a resource may not be significant if the quantity of that resource is high or the quality of the resource is not unique or fragile.</p>	
Criteria Used to Determine Significance	
1	<p>The <b>severity, duration, geographic extent, and frequency</b> of the occurrence of the impact</p> <p><b>"Severity"</b> describes the density of the potential impact, while <b>"extent"</b> describes the area where the impact will likely occur, e.g., a project may propagate ten noxious weeds on a surface area of 1 square foot. Here, the impact may be high in severity, but over a low extent. In contrast, if ten noxious weeds were distributed over ten acres, there may be low severity over a larger extent.</p> <p><b>"Duration"</b> describes the time period during which an impact may occur, while <b>"frequency"</b> describes how often the impact may occur, e.g., an operation that uses lights to mine at night may have frequent lighting impacts during one season (duration).</p>

2	The probability that the impact will occur if the proposed project occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur
3	Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts
4	The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values
5	The importance to the state and to society of each environmental resource or value that would be affected
6	Any precedent that would be set as a result of an impact of the proposed project that would commit FWP to future actions with significant impacts or a decision in principle about such future actions
7	Potential conflict with local, state, or federal laws, requirements, or formal plans

## VIII. Private Property Impact Analysis (Takings)

*The 54<sup>th</sup> Montana Legislature enacted the Private Property Assessment Act, now found at § 2-10-101. The intent was to establish an orderly and consistent process by which state agencies evaluate their proposed projects under the "Takings Clauses" of the United States and Montana Constitutions. The Takings Clause of the Fifth Amendment of the United States Constitution provides: "nor shall private property be taken for public use, without just compensation." Similarly, Article II, Section 29 of the Montana Constitution provides: "Private property shall not be taken or damaged for public use without just compensation..."*

*The Private Property Assessment Act applies to proposed agency projects pertaining to land or water management or to some other environmental matter that, if adopted and enforced without due process of law and just compensation, would constitute a deprivation of private property in violation of the United States or Montana Constitutions.*

*The Montana State Attorney General's Office has developed guidelines for use by state agencies to assess the impact of a proposed agency project on private property. The assessment process includes a careful review of all issues identified in the Attorney General's guidance document (Montana Department of Justice 1997). If the use of the guidelines and checklist indicates that a proposed agency project has taking or damaging implications, the agency must prepare an impact assessment in accordance with Section 5 of the Private Property Assessment Act.*

**Table 7: Private Property Assessment (Takings)**

<b>PRIVATE PROPERTY ASSESMENT ACT (PPAA)</b>			
<b>Does the Proposed Action Have Takings Implications under the PPAA?</b>	<b>Question #</b>	<b>Yes</b>	<b>No</b>
Does the project pertain to land or water management or environmental regulations affecting private property or water rights?	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action result in either a permanent or an indefinite physical occupation of private property?	2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action deprive the owner of all economically viable uses of the property?	3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action require a property owner to dedicate a portion of property or to grant an easement? (If answer is NO, skip questions 4a and 4b and continue with question 5)	4	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a reasonable, specific connection between the government requirement and legitimate state interest?	4a	<input type="checkbox"/>	<input type="checkbox"/>
Is the government requirement roughly proportional to the impact of the proposed use of the property?	4b	<input type="checkbox"/>	<input type="checkbox"/>
Does the action deny a fundamental attribute of ownership?	5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action have a severe impact of the value of the property?	6	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public general? (If the answer is NO, skip questions 7a-7c.)	7	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the impact of government action direct, peculiar, and significant?	7a	<input type="checkbox"/>	<input type="checkbox"/>
Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?	7b	<input type="checkbox"/>	<input type="checkbox"/>
Has the government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?	7c	<input type="checkbox"/>	<input type="checkbox"/>
<b>Does the proposed action result in taking or damaging implications?</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>



Taking or damaging implications exist if **YES** is checked in response to Question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if **NO** is checked in response to question 4a or 4b.

If taking or damaging implications exist, the agency must comply with MCA § 2-10-105 of the PPAA, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.

**Alternatives:**

The analysis under the Private Property Assessment Act, §§ 2-10-101 through -112, MCA, indicates no impact. FWP does not plan to impose conditions that would restrict the regulated person's use of private property to constitute a taking.

## IX. Public Participation

*The level of analysis in an EA will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. FWP is responsible for adjusting public review to match these factors (ARM 12.2.433(1)). Because FWP determines the proposed action will result in limited environmental impact, and little public interest has been expressed, FWP determines the following public notice strategy will provide an appropriate level of public review:*

- *An EA is a public document and may be inspected upon request. Any person may obtain a copy of an EA by making a request to FWP. If the document is out-of-print, a copying charge may be levied (ARM 12.2.433(2)).*
- *Public notice will be served on the Montana Fish, Wildlife and Parks website at: <https://fwp.mt.gov/news/public-notices>*
- *Copies will be distributed to neighboring landowners to ensure their knowledge of the proposed project and opportunity for review and comment on the proposed action.*
- *FWP maintains a mailing list of persons interested in a particular action or type of action. FWP will notify all interested persons and distribute copies of the EA to those persons for review and comment (ARM 12.2.433(3)).*
- *FWP will issue public notice in the following newspaper periodical(s) on the date(s) indicated.*

Newspaper / Periodical	Date(s) Public Notice Issued
Daily Inter Lake	October 16, 2023
The Western News	October 13, 2023

- *Public notice will announce the availability of the EA, summarize its content, and solicit public comment.*
  - ***Duration of Public Comment Period:*** *The public comment period begins on the date of publication of legal notice in area newspapers (see above). Written or e-mailed comments will be accepted until 5:00 p.m., MST, on the last day of public comment, as listed below:*

**Length of Public Comment Period:** 15 days

**Public Comment Period Begins:** October 11, 2023

**Public Comment Period Ends:** October 25, 2023

Comments must be addressed to the FWP contact, as listed below.

○ **Where to Mail or Email Comments on the Draft EA:**

Name: DAVE BENNETTS

Email: [dbennetts@mt.gov](mailto:dbennetts@mt.gov)

Mailing Address:

490 N. Meridian Rd

Kalispell, MT 59901

## X. Recommendation for Further Environmental Analysis

<b>NO</b> further analysis is needed for the proposed action	<input checked="" type="checkbox"/>
FWP must conduct <b>EIS</b> level review for the proposed action	<input type="checkbox"/>

## XI. EA Preparation and Review

	Name	Title
<b>EA prepared by:</b>	Jason Parke	Forester
	Dave Bennetts	Park Manager
	Tonya Chilton-Radandt	Libby Wildlife Biologist
	Jessy Coltrane	Non-Game Wildlife Biologist
	Brian Stephens	Libby Fisheries Biologist
<b>EA reviewed by:</b>	Dave Landstrom	Recreation Manager, Region 1