

**United States Department of the Interior
Bureau of Land Management**

Environmental Assessment MT- 070-07-023

September 5, 2007

Sheep Mountain Access Road ROW MTM-96439

Location: Principal Meridian Montana

**T. 9 N., R. 3 W., Sec. 31, Lots: 3, 6, 10 and 11,
SWNE, SENW, NESW, N½ SE.**

T. 9 N., R. 3 W., Sec. 32, Lots: 3, 7, 15 and 16, SWNE, NESW.

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CHAPTER 1

INTRODUCTION AND NEED FOR THE PROPOSED ACTION

INTRODUCTION

This Environmental Assessment (EA) has been prepared to disclose and analyze the environmental consequences of the Sheep Mountain Access Road Right-of-Way (ROW) MTM-96439, as proposed by the applicant. The EA is a site-specific analysis of potential impacts that could result with the implementation of a Proposed Action or alternatives to the Proposed Action. The EA assists the BLM in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any “significant” impacts could result from the analyzed actions. “Significance” is defined by NEPA and is found in regulation 40 CFR 1508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a statement of “Finding of No Significant Impact” (FONSI). If the decision maker determines that this project has “significant” impacts following the analysis in the EA, then an EIS would be prepared for the project. If not, a Decision Record may be signed for the EA approving the selected alternative, whether the Proposed Action or another alternative. A Decision Record (DR), including a FONSI statement, documents the reasons why implementation of the selected alternative would not result in “significant” environmental impacts (effects) beyond those already addressed in the Headwaters Resource Management Plan, July 1984.

PURPOSE AND NEED FOR THE PROPOSED ACTION

The Bureau of Land Management, Butte Field Office, is proposing to authorize the applicant a road right-of-way, which would be used to provide dependable, year long, legal access to his patented mining claims the Roosevelt (MS8079), Fairbanks (MS8098), Mt. Giant (MS4658), and Bunker Hill (MS 4657), in the Sheep Mountain area approximately 2.5 miles northwest of Clancy, Montana. The application, submitted to the Butte Field Office, requests a right-of-way term of 30 years with the right of renewal, in order to improve portions of the Sheep Mountain and Ohio Gulch Roads and construct five short segments of new road. Up to four pull outs would be constructed along the route, at locations specified by the BLM. All roads would be brought Jefferson County Road Standards, in order to obtain final plat approval for the Sheep Mountain Estates Subdivision. (See Exhibits A and B)

The private inholding surrounds a 1.43 acre parcel of public land, legally described as T. 9 N., R. 3 W., P.M.M., Section 32, lot 14. This small parcel of public land is currently identified for disposal in the Butte Field Office Draft Resource Management Plan / EIS.

It is anticipated that utility companies would apply for separate rights-of-way to install buried electrical, voice and data service to the inholding. The service would be buried within the road right-of-way east of the existing Vigilante Electric transmission line. (See Exhibit C)

One Environmental Analysis has been completed for all three actions.

CONFORMANCE WITH BLM LAND USE PLAN(S)

The Proposed Action and alternatives described below are in conformance with the Headwaters Resource Management Plan, approved July 1984. The proposed rights-of-way are located in Management Unit 24, which is discussed on page 160. Each of the actions can be considered to be consistent with the objectives of the plan although there are no specific recommendations in the RMP concerning the proposals.

RELATIONSHIPS TO STATUTES, REGULATIONS AND OTHER PLANS

The action would be processed pursuant to Title V of the Federal Land Policy and Management Act (FLPMA) of 1976, as amended {43 U.S.C 1761}. Any rights-of-way issued would be subject to the terms and conditions set forth in 43 CFR 2800.

In addition, the action would be consistent with the Final Environmental Impact Statement (EIS) for the Clancy-Unionville Vegetation Manipulation and Travel Management Project; Record of Decision (ROD) signed November 1, 2000.

Furthermore, the action would be consistent with the Off-Highway Vehicle Environmental Impact Statement and Proposed Plan Amendment for Montana, North Dakota and Portions of South Dakota, Record of Decision (ROD) signed January 2001.

CHAPTER 2

DESCRIPTION OF ALTERNATIVES

INTRODUCTION

This EA focuses on the Proposed and No Action alternatives. The No Action alternative is considered and analyzed to provide a baseline for comparison of the impacts of the Proposed Action.

ISSUES

Key Issues for the project were identified through public and internal scoping. The following issues were determined to be key and within the scope of the project. These issues are addressed within the EA.

- Wildlife
- Non-Native Invasive Species (Noxious Weeds)
- Sensitive Plants
- Riparian Areas
- Forest Resources
- Fire and Fuels Management
- Recreation / Travel Management
- Recreation Opportunity Spectrum (ROS)
- Visual Resource Management (VRM)
- Soils

Design features have been incorporated into the Proposed Action to address the identified issues. Highlights of public involvement activities and efforts are listed in Chapter 4.

NO ACTION

Under this alternative, none of the actions stated in the Proposed Action would take place. This alternative would leave the project area in its current condition. The No Action Alternative also provides a baseline from which to compare the amount and rate of change of the action alternative. It provides the opportunity to analyze the environmental effects of not granting a road right-of-way and maintaining the existing management in the area.

PROPOSED ACTION

The Proposed Action is to grant three separate rights-of-way: 1) to the applicant for an access road, 2) to an electrical utility to provide electrical service to the inholding, and 3) to a telephone utility, to provide voice and data service to the inholding.

No ancillary facilities would be authorized on public lands including, but not limited to: septic tanks, sewage disposal lines, septic absorption fields, driveways, signs, mail boxes, fences, outbuildings or sheds and lighting.

If approved, each right-of-way would be issued for a term of 30 years, pursuant to Title V of the Federal Land Policy and Management Act (FLPMA) of 1976{43 U.S.C 1761}and would be subject to the terms and conditions set forth in 43 CFR 2800.

Access Road Right-of-Way (See Exhibits A and B)

The applicant is proposing to improve portions of the existing Sheep Mountain and Ohio Gulch Roads and construct five short segments of new road: 1) connecting the Sheep Mountain Road to the southwest corner of the Roosevelt Mineral Survey, 2) a small loop to avoid a rock outcropping on the edge of the Mountain Giant Mineral Survey, 3) a short road between the northeast corner of the Roosevelt Mineral Survey to the southwest corner of the Fairbanks Mineral Survey 4) a small loop to avoid a rock out cropping on the northern edge of the Fairbanks Mineral Survey, and 5) a short road connecting the southeast corner of the Mountain Giant to the Sheep Mountain Road.

It is estimated that approximately 90% of the route could be brought to Jefferson County Road Standards by following the existing foot print of the Sheep Mountain and Ohio Gulch Roads. Portions of the roads would be widened to create a 24 foot driving surface and allow for ditching and associated water control features. Blasting of rock outcroppings could be necessary on some portions of the Sheep Mountain Road to obtain appropriate grade.

Up to four pull outs would be constructed along the route, at locations specified by the BLM.

Roads West Of The Vigilante Electric Transmission Line

- Improve approximately 9,020 feet of the existing Sheep Mountain Road.
- Construct approximately 1,245 feet of new road connecting the existing Sheep Mountain Road to the southwest corner of the Roosevelt Mineral Survey.
- Construct a loop road approximately 443 feet long to avoid a rock outcropping on the edge of the Mountain Giant Mineral Survey.
- Construct a short road approximately 66 feet long to connect the northeast corner of the Roosevelt Mineral Survey to the southwest corner of the Fairbanks Mineral Survey.
- Construct a small loop road approximately 70 feet long to avoid a rock outcropping on the northern edge of the Fairbanks Mineral Survey.

Roads East of the Vigilante Electric Transmission Line

- Construct approximately 438 feet of road from the southeast corner of the Mountain Giant Mineral Survey to the existing Sheep Mountain Road.
- Improve approximately 1,520 feet of the existing Sheep Mountain Road to the point where it intersects the existing Ohio Gulch Road.
- Improving approximately 5,274 feet of the existing Ohio Gulch Road from the southeast corner of the Bunker Hill Mineral Survey south to where it intercepts land in private ownership.

If approved, the access road right-of-way would be 60 feet wide (30 feet each side of centerline), by approximately 18,076 feet long (3.42 miles), with the Sheep Mountain and Ohio Gulch Roads having an average driving surface of approximately 24 feet, and would encumber approximately 24.89 acres of the following public land:

Principal Meridian Montana

T. 9 N., R. 3 W., Sec. 31, Lots: 3, 6, 10 and 11, SWNE, SENW, NESW, N½ SE.

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The applicant has obtained the services of a licensed professional engineer to locate survey, design and supervise the construction of the proposed project. Standard or typical cross sections depicting the improvements to the Sheep Mountain and Ohio Gulch Roads and the segments of new road to be constructed would be submitted to the Butte Field Office, for approval, no later than April 01, 2008. The cross sections would include, but are not limited to, the proposed road width, ditch dimensions, cut and fill slopes, and typical culvert location, skew and elevation. The centerline location of the road would be designated on the ground once the final design and engineering is completed and approved. The design and location of all facilities would be subject to approval by the authorized officer prior to any ground disturbing activities.

The exterior boundaries of the right-of-way and / or temporary use areas would be marked with lath at 100 foot intervals. The tops of the lath would be painted and flagged in a distinctive color to improve visibility. The survey station numbers would be marked on the boundary laths at the entrance to and the exit from public land. Slope stakes, culvert locations and grade stakes and other construction control stakes would be marked to ensure construction stays in accordance with the design standards. All survey lath and / or stakes would remain in place until the final cleanup and restoration was completed and approved by the authorized officer.

Water diversion structures, such as culverts, water bars, rolling dips and drainage ditches would be built, as needed, to divert surface flows associated with seasonal weather conditions. The Sheep Mountain and Ohio Gulch Roads have existing culverts, which would be maintained, cleaned out and / or reset. Several culverts would have extensions added to both ends. Some existing culverts would be replaced with larger diameter pipes, or a second one placed next to the existing one (to avoid the need for additional fill material to raise the roadbed over a larger culvert). Should existing culverts need to be replaced, relocated, or realigned, the pipes would be uncovered with a backhoe and lifted out. The fill material removed would be temporarily stockpiled within the limits of the right-of-way. The channel bottom would be shaped to accommodate the culverts and aligned to minimize erosion. The pipes would then be reset and adequate backfill would be placed to protect the culvert pipe and thoroughly compacted. Tail ditches would be cleaned by tilting the blade of a grader or dozer and running it along the ditch. If a great deal of material must be cleaned out, a backhoe could be used instead, straddling the ditch and removing material with the bucket.

Disturbance would occur only within the stated boundaries of the right-of-way, and would require the use of mechanized earth moving equipment such as a bull dozers, road graders, backhoes, excavators, scrapers, dump trucks, water trucks, and / or belly dumps. Earthmoving equipment would be either of the tracked or wheeled variety. Cuts and fills of the existing topography would be kept to the minimum needed to meet the Jefferson County Road Standards. Water trucks would be used to minimize fugitive dust during the construction process. Size and type of equipment used would be no larger than necessary to perform the task.

Earthwork areas would be cleared of vegetative material which would include trees, shrubs, and grasses. Due to the nature of the soil, where little or no topsoil is present, it is anticipated that no top soil could be separated and stockpiled during construction. All unoccupied disturbed areas would be seeded with a native seed mixture approved by the authorized officer at the end of surface rehabilitation. An introduced cereal grain cover crop may be approved as well if needed. The seed mixture would have no primary or secondary noxious weed seeds, and would be certified or registered as noxious weed free. Seeding would be repeated as necessary if a satisfactory stand is not obtained after the second growing season.

Merchantable timber would be marked, cut, and stockpiled, and the applicant would pay fair market value for the timber removed during construction activities as determined by the Butte Field Office, at the time trees are removed. Down woody vegetation created by clearing would be disposed by burning and some may be left out side of the road corridor so that it can be used as small mammal cover, bird forage base and insect use, or for erosion control near the base of fill slopes and secondary drainages to provide temporary sediment barriers and traps until recovery of ground vegetation. All snag trees present within, or adjacent to, the proposed route would be protected and left for avian and mammalian cavity nesters.

The right-of-way would be sprayed with a BLM approved herbicide before construction activities occur to lessen the chance of spreading noxious weed seeds to surrounding lands. All heavy equipment and off-the-road vehicles would be cleaned to remove weed and weed seeds prior to starting construction and prior to using the access roads into public lands. The applicant would be responsible for weed control on disturbed areas within the limits of the right-of-way, and would be responsible for consultation with the authorized officer and the Jefferson County Weed Board for acceptable weed control methods.

Earthwork would be minimized when soils are very wet or very dry or before on coming storms. Construction would be completed during the milder, drier seasons such as late spring and early summer, and is expected to take approximately 3 months to complete. It is anticipated that one lane of the route would remain open for travel throughout the construction phase. No construction equipment or heavy truck traffic would be allowed on the right-of-way on weekends or holidays. The applicant would work with the Butte Field Office to develop and implement a sign plan to use during construction. The sign plan may include "Construction Ahead" signs, "Narrow, Single Lane" signs, and "Stay to the Right" signs. In addition, barricades for open trenches, and gates for any blasting operations would be placed to provide for additional safety of the public entering the right-of-way.

The applicant would be responsible at his own expense, for providing 3/4 inch minus gravel to be used as surfacing material. The Surfacing would be applied to a depth of 4 inches across the width of the road, and would be applied loose and compacted using hauling equipment. Materials and/or pit run rock sources would be approved by the authorized officer.

The right-of-way grant would be issued contingent upon obtaining approval of the stamped engineering drawings and proof that all Federal, state, county, and local permits have been secured from the appropriate agencies.

The applicant would not be able to initiate any construction or other surface disturbing activities on the right-of-way without the prior written "Notice To Proceed" from the authorized officer.

Furthermore; the applicant would be financially responsible for paying for the expenses of constructing, operating and maintaining the road system for which the authorization would cover.

The applicant would be required to construct, operate, and maintain the facilities, improvements, and structures within the right-of-way in strict conformity with the plan of development submitted with the application. Any relocation, additional construction, or use that is not in accordance with the approved plan of development and approved engineering drawings, would not be allowed without prior written approval from the authorized officer. Non-compliance with the above would be grounds for an immediate temporary suspension of activities.

A bond of \$40,000.00 would be required to assure compliance with the terms and conditions of the right-of-way grant. The bond would remain in place until the final cleanup and restoration was completed and approved by the authorized officer.

Once the majority of the lots are sold, the road right-of-way would be assigned to the Sheep Mountain Estates Homeowners Association which would be responsible for adhering to the terms, conditions and stipulations of the right-of-way grant. The homeowners association would form a Road Maintenance District (RID) with the assistance of Jefferson County for maintenance of all roads covered by the right-of-way. The association would assess a fee each year to cover the cost of maintenance and place that assessment with the county for collection via county property tax assessments.

Maintenance items that would be performed routinely includes: (1) Grading and shaping the native and graveled roadway surfaces to maintain a distinct insloped, outsloped, or crowned shape to move water rapidly off the road surface. (2) Compacting the graded roadway surface to keep a hard driving surface and prevent the loss of fines. (3) Removing ruts through rolling dips and water bars, and reshaping the structures to function properly. (4) Cleaning ditches and reshaping them when necessary to adequate flow capacity. (5) Removing debris from the entrance of culverts to prevent plugging and overtopping. (6) Replacing / repairing roadway gravel, rock armor, or vegetation used for grade and slope protection, scour protection, or energy dissipation. (7) Trimming roadside vegetation (brushing) adequately, but not excessively, to maintain sight distance and traffic safety.

Buried Electrical and Telephone Utilities (See Exhibit C)

It is anticipated that the electrical and telephone cables would be co-buried in the same trench at a minimum depth of approximately 30 inches. Buried utilities are generally installed using the split trench method, in which the cables would be plowed in by a single pass of the bulldozer mounted plow. However; should scheduling conflicts arise between the utility companies, it is possible that the cables would be individually buried.

If rock is encountered, a backhoe, small excavator or rock saw may be needed to excavate a trench for the cable. The disturbed soil and/or backfill material would be

compacted using a heavy rubber-tired or track machine to smooth and compact the area with its tires or track. Backhoe trenches, if required, would be filled and compacted with hand-operated vibrating tampers. It is anticipated that one pad mounted electrical transformer and approximately six telephone pedestal boxes would be installed as needed. They would be the typical green color used on these facilities. They would be offset from the cable but within the right-of-way. Warning signs would be installed as required to protect the cables. A marking tape would also be installed halfway between the ground surface and the cables to provide additional warning to anyone doing excavation along the route as in, for example, road maintenance.

The cables would be located within the road right-of-way east of the Vigilante Electric transmission line. Installation is expected to take no more than two weeks. Future maintenance needs are expected to be infrequent, if ever. The depth of burial should minimize the possibility of damage to the cable during road maintenance events.

The right-of-way for the buried electrical service would be 20 feet wide (10 feet each side of centerline) by approximately 7232 feet long (1.37 miles), encumbering approximately 3.36 acres of Federal land.

The right-of-way for the buried voice and data service would be 10 feet wide (10 feet each side of centerline) by approximately 7232 feet long (1.37 miles), encumbering approximately 1.66 acres of Federal land.

Principal Meridian Montana,

T. 9 N., R. 3 W., Sec. 32, Lots: 3 and 15, NESW.

CHAPTER 3

AFFECTED ENVIRONMENT/ENVIRONMENTAL IMPACTS

INTRODUCTION AND GENERAL SETTING

The analysis area is dominated by mature, dry forests of ponderosa pine with minor Douglas-fir components and interspersed with meadows of grass and shrubs, administered by the BLM in Jefferson County, approximately 2.5 miles northwest of Clancy, Montana. The Proposed Action would occur on mid-elevation granitic upland benches and footslopes dissected by a few ephemeral drainages in the area. The area is characterized as having moderate drainage density. Aspects are mostly to the south and southeast. The average elevation is 4,600 feet, with an average slope of 12 percent and a high slope of 45 percent. There is a large amount of granite stones, boulders, and outcrops within the area, with the soils tending to be skeletal and coarse-grained from granitic parent materials that have limited surface horizon development and acidic properties due to the pine woodland vegetation. These rocky features become increasingly dominate at higher elevations. Noxious weeds (Canada thistle, musk thistle, spotted knapweed, leafy spurge and Dalmatian toadflax, sulphur cinquefoil) are a major concern in the area especially along open roads and trails. Private forests and rangelands owned by local ranchers are located adjacent to this proposal. Lump Gulch Creek, on the south, is a perennial tributary flowing east to Prickly Pear Creek, continuing north towards the Missouri River.

The Clancy-Unionville Vegetation Manipulation and Travel Management Project Plan began early 1997 as a joint landscape management project between the Bureau of Land Management (Butte Field Office) and the U.S. Forest Service (Helena Ranger District of the Helena National Forest). The project area, approximately 64,000 acres total, includes 36,000 acres of National Forest, 5,400 acres of BLM lands near Sheep Mountain and Jackson Creek, and 23,000 acres of private ownership.

In November 2000, after nearly 3 years of public meetings and cooperative analysis, the Bureau of Land Management signed three decisions that authorized Vegetation Manipulation and Travel Management implementation actions that were recently completed in the application area. These actions included: (1) substantial selective harvest thinnings to enhance pine forest ecosystem health, (2) woody fuel reductions to reduce the extensive fire hazards in the tri-county fire protection area and Clancy wildland urban interface (WUI), and (3) stabilization and development of recreational roads, motorized trails, and trailheads for both motorized and non-motorized activities. These actions provided a healthy, recreational area that contained features suitable for similar and previously unregulated activities in the Sheep Mountain Area which have a relatively high demand in the vicinity of Helena.

The BLM portion of the Clancy-Unionville Travel Plan Area (approximately 5,400 acres) is located along the west side of I -15, approx. 3 miles northwest of Clancy, Montana, and approximately 6½ miles south of Helena. Another 420 acres of scattered BLM lands are located further south. As indicated above, BLM managed lands compose a small portion of the overall joint project area (64,000 acres total).

CRITICAL ELEMENTS		
Determination*	Resource	Rationale for Determination
NI	Air Quality	Air quality in the area is generally very good. It could be affected by the proposed action from dust being raised during construction activities. Any effects would be minimal, highly localized, and short-term. As soon as the activity is completed, it would quickly clear up. Use of a water truck to wet the road during construction would greatly reduce fugitive dust.
NP	Areas of Critical Environmental Concern	Not present in the area impacted by the proposed or alternative actions.
NP	Cultural Resources	The proposal is located within the Clancy-Unionville Vegetation Treatment EIS inventory area. No cultural resources or historic properties were recorded during that inventory. No further work is planned, so the project may proceed as planned.
NP	Environmental Justice	No alternative considered in the course of this analysis resulted in any identifiable effects or issues specific to any minority or low income population or community as defined in Executive Order 12898. The agency has considered all input from persons or groups regardless of age, race, income status, or other social and economic characteristics.
NP	Farmlands (Prime or Unique)	Not present in the area impacted by the proposed or alternative actions.
NP	Floodplains	Not present in the area impacted by the proposed or alternative actions.
PI	Invasive, Non-native Species	Weed inventories of the proposed right-of-way area show that it contains the following noxious weed species: Canada thistle, musk thistle, spotted knapweed, leafy spurge and Dalmatian toadflax, sulphur cinquefoil.
NP	Native American Religious Concerns	Not present in the area impacted by the proposed or alternative actions.
NI	Threatened, Endangered or Candidate Plant or Animal Species	While the area may provide potential habitat and is used as an important travel corridor, no Threatened, Endangered or Candidate Plant or animal species are known to inhabit the area.
NP	Wastes (hazardous or solid)	Not present in the area impacted by the proposed or alternative actions.
NI	Water Quality (drinking/ground)	Review of the Sediment Monitoring Photographs taken before and after completion of the forest treatments, road and trail developments at points shown on NAIP aerial photo view of the application area (Exhibit E) indicates that the drainages are ephemeral in nature and very little sediment was produced as a result of those management actions.
PI	Wetlands/Riparian Zones	A riparian area is present along Lump Gulch. Impacts would be limited. See discussion following this table.
NP	Wild and Scenic Rivers	Not present in the area impacted by the proposed or alternative actions.
NP	Wilderness	Not present in the area impacted by the proposed or alternative actions.

*Possible determinations:

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present and may be impacted to some degree. Will be analyzed in affected environment and environmental impacts. (NOTE: PI does not mean impacts are likely to be significant in any way).

WILDLIFE

Affected Environment

This area provides important habitat for a variety of wildlife and is known or suspected to be used by many species including but not limited to elk, mule deer, whitetail deer, moose, black bear, mountain lion, coyote, white-tailed jackrabbit, mountain cottontail, and other small mammals. Local residents report seeing lynx, wolverine, Grizzly bear and wolves. However, the area is not within the Northern Continental Divide Ecosystem for Grizzly bear as mapped by the Forest Service in 2002. This area is elk and mule deer summer and winter range, as well as moose winter range. This area is also in the Northwest Montana Recovery Area for the gray wolf. The area is used by many bird species and the rock and cliff areas of Sheep Mountain provide excellent raptor habitat. Golden eagles (a BLM sensitive species) and kestrels have nested on the cliffs in past years and Prairie falcons have been observed around the cliffs. Another BLM sensitive species, Peregrine falcons, may use this habitat. The analysis area also provides habitat for the flammulated owl and potential habitat for the northern goshawk (BLM sensitive species). The rock and cliff areas are possible habitat for two other BLM sensitive species, the spotted bat and long-legged myotis.

There is one live, fish bearing stream in the proposed right-of-way, Lump Gulch. The predominate fish species in Lump Gulch is the non-native brook trout. However, the creek also provides habitat for the non-native brown trout and rainbow trout. Westslope cutthroat trout are rarely found in the creek and have been virtually displaced by brook trout. Lump Gulch has been impacted by roads, past and present mining, livestock grazing and timber harvest and is on the Montana Department of Environmental Quality 303D list due to acid mine drainage from abandoned mine lands. Soil movement from roads and trails was identified as a source of sediment in streams, the major limiting factor on fish habitat.

Additionally, this area is in an important wildlife movement corridor linking the Continental Divide and the Elkhorn Mountains. This corridor may be used by listed or BLM sensitive species, Grizzly bear, wolves, lynx and wolverine, as well as many other wildlife species. There is also seasonal movement of big game animals between summer and winter range.

Impacts of No Action

The No Action Alternative would maintain the existing condition of the habitat for wildlife and create less disturbance and displacement of wildlife than the Proposed Action Alternative. Under the No Action Alternative there would be no direct loss of habitat since construction of access roads would not occur. It is expected that the spread of noxious weeds and soil movement would both be less. There would be no additional impacts to aquatic species due to the No Action Alternative.

Impacts of Action

Although no Threatened/Endangered/Candidate species or BLM sensitive species are known to inhabit the project area at the present time, approval of the right-of-way would inhibit movement along an important wildlife movement corridor, possibly affecting Grizzly bear, wolves, lynx and wolverine. Direct effects of construction of access roads and increased traffic would include loss of approximately one acre of wildlife habitat for the access roads themselves. Weeds are expected to increase, at least in the short term,

resulting in loss in both quantity and quality of wildlife habitat, and soil movement would increase.

Under the Action Alternative, there could be an increase in runoff and sedimentation to Lump Gulch from road reconstruction. The Action Alternative could have more detrimental impacts to fish and other aquatic species than the No Action Alternative.

Indirect effects would include increased disturbance to wildlife resulting from a change in traffic patterns or use, and from development of the subdivision (ie. use of adjacent BLM lands by homeowners, lights, disturbance from pets, et cetera).

The Proposed Action would have greater negative effects to wildlife than the No Action Alternative.

NON-NATIVE INVASIVE SPECIES

Affected Environment

For purposes of this document noxious weeds are defined as plants that are not native to this region and have the capacity to invade and eventually dominate certain portions of the landscape. Noxious weeds found in the project area include: Canada thistle, musk thistle, spotted knapweed, leafy spurge and Dalmatian toadflax, sulphur cinquefoil.

Noxious weeds are scattered across the landscape and their existing populations and the rate at which these weeds are expanding, are of concern to public land managing agencies, wildlife agencies, private landowners, recreationists, and grazing permittees alike. These noxious weeds are of concern because of their tendency to out compete native plants for scarce water, soil nutrients and sunshine. Left unchecked these weed populations would eventually out compete and crowd out native vegetation. The weeds do not bind the soil as effectively as native grasses, so areas can become susceptible to increased erosion. Cattle and wildlife depend on these native plants for forage, but for the most part do not eat the weed species; therefore, forage available for grazing animals and wildlife is reduced as the weed populations expand. The loss of these native plants in turn results in a reduction of suitable habitat or homes for a variety of small mammals and birds.

Most of the weeds in the project area originated from Europe or Asia, but how they arrived on the landscape is unclear. What is clear, however, is that they can generally become well established in open ponderosa forest areas. Although the BLM has no long term weed management records, it is likely that the spotted knapweed and thistles have been present on the landscape for decades. In general, the spurge, toadflax and sulphur cinquefoil have not been a serious problem in this part of Montana until the last decade or so. Spotted knapweed and Dalmatian toadflax are the two most prevalent noxious weeds growing in the project area.

Spotted knapweed is a biennial or short lived perennial, which grows and produces a large number of seeds for several years. Where knapweed becomes established in rangeland it slowly expands from the point where it initially took root. It spreads by seed dispersal and can gain a toehold in disturbed and undisturbed areas. Knapweed is a prolific seed producer and the seeds stay viable in the soil for over ten years. This makes herbicide treatment a continuous long-term effort, but one where results can be seen. Effective initial herbicide treatments would reduce future efforts to a maintenance level

strategy, requiring periodic spot applications in future years. Spotted knapweed thrives on drier soil types.

Dalmatian toadflax is a perennial plant that is widely established over the project area, including areas not necessarily having been disturbed. Once established, Dalmatian toadflax does not respond readily to herbicide treatment as it has a deep and extensive root system which makes the plant less vulnerable to herbicide control. Dalmatian toadflax spreads through an extensive root system as well as by seed dispersal, and it is known to expand rapidly once established.

Current BLM efforts to reduce non-native invasive species include chemical control along roads and special areas, and through contracts with Jefferson County subject to the availability of appropriated funds. Spraying is currently performed along Lump Gulch and the Sheep Mountain Access Road. Use of biological control agents in this area is also being promoted as agents are developed and become available.

Impacts of No Action

Under the No Action alternative, the road would not be reconstructed. The weeds would continue to expand in this area without additional weed treatment. The alternative to increase weed treatment, along the road, would be foregone.

Impacts of Action

Reconstructing the subject road would disturb the soil in this area and create a seedbed that would encourage additional weed and nonnative invasive plant growth. However; should the Proposed Action be approved and a right-of-way grant be issued, the holder would be required to treat the right-of-way corridor for noxious weeds prior to construction with an applicable herbicide. All heavy equipment and off-the-road vehicles would be cleaned to remove weed and weed seeds prior to starting construction and prior to using the access roads into public lands. The applicant would be responsible for weed control on disturbed areas within the limits of the right-of-way, and would be responsible for consultation with the authorized officer and the Jefferson County Weed Board for acceptable weed control methods.

SENSITIVE PLANTS

Affected Environment

Lesser rushy milkvetch has been found 3 to 4 miles to the northeast of this location. However, no lesser rushy milkvetch plants or other sensitive plant species were found in a site visit to the potential disturbance areas. The habitat in the area is marginal for this species.

Impacts of No Action

No impacts.

Impacts of Action

Very little suitable lesser rushy milkvetch or other sensitive plant species habitat was found on a field survey, therefore there would be no impacts.

RIPARIAN

Affected Environment

The proposed right-of-way crosses a short BLM reach—J-56—Lump Gulch. This reach was rated to be functioning-at-risk (FAR) with an upward trend in 1995. Roads were affecting and limiting some riparian vegetation growth at that time.

Impacts of No Action

No impacts

Impacts of Action

Installing a wider culvert on Lump Gulch would cause bank disturbance during construction. The few extra feet of wider culvert would not change the functioning condition of the stream reach because the existing culvert and road have already altered the channel characteristics and vegetation. A small area of riparian vegetation would be removed. After construction, if regularly maintained, the improved road surface and water control design features would reduce sedimentation into the Lump Gulch riparian area as compared to the existing road. If regular and frequent maintenance does not occur on the road and the water control features, sedimentation into Lump Gulch would increase due to increased traffic volumes.

FOREST RESOURCES

Affected Environment

The analysis area is dominated by mature, dry forests of ponderosa pine with minor Douglas-fir components and interspersed with meadows of grass and shrubs. The stands in the application area tend to have warm and dry characteristics, similar to Douglas-fir/bunchgrass habitat types often found on south facing exposures on the east side of the Continental Divide and are moderate to low in timber productivity. Timber productivity in the draws and along the drainages such as Ohio Gulch tends to be moderate where larger quantities of bigger, taller trees occur due to the higher moisture availability in those areas. Douglas-fir is found in higher proportions in these areas, with aspen and/or willow also occurring in some of those areas.

The majority of the stands along the Sheep Mountain Road were selectively harvested in 2004, removing between 35 to 40 percent of the timber volume mainly in the small and medium sized trees. The treatment area is highlighted on the attached NAIP aerial photo view of the application area (Exhibit E), taken in 2005. The harvest was designed to mimic a low intensity fire event thereby retaining many of the larger, more fire resistant pine trees, also tending to remove Douglas-fir which often increases substantially under selective harvest management in the local pine stands. The stands along Ohio Gulch were not treated in 2004, except where necessary for access for the treatments and tree removals from the upland areas west of the Gulch. The average volume of remaining timber along the Sheep Mountain Road in the application area is estimated to be 3,600 board feet per acre and along the Ohio Gulch Road is 11,200 board feet per acre.

Impacts of No Action

Under the No Action alternative, there would be no impact to the forest resources or their management.

Impacts of Action

While the impact of granting and developing suitable residential access would have little immediate impact on forest health and resources on the south side of Sheep Mountain, current clearing of forest vegetation would be permanently increased in size of the current road clearing by 1½ times. This would reduce the forested acreage by six acres between Lump Gulch and Sheep Mountain. This is not considered to be significant, as there is more than 1,000 acres of forest stands in the application area. It is estimated that approximately 30,000 board feet of timber would need to be clear for the road construction, with an estimated value of \$3,350.00.

FIRE / FUELS MANAGEMENT

Affected Environment

The analysis area is dominated by mature, dry forests of ponderosa pine with minor Douglas fir components and interspersed with meadows of grass and shrubs. The analysis area would be classified into two different Fire Behavior Fuel Models: Fuel Model 2 and Fuel Model 9. Aids to Determining Fuels Models for Estimating Fire Behavior (Anderson, 1982) was used to determine fuels models. In 2002-2006 fuels treatments, 300 ft wide along eight miles of ownership boundaries and roads and 690 acres of selective individual and group tree harvesting were implemented in accordance with Clancy-Unionville Vegetation Manipulation Project (DOI, BLM, Butte Field Office 2000). These treatments reduced tree stocking density and broke up vertical arrangement of fuels, which translates to less probability of fire running through the crowns of the trees in the treated areas in the event of a wildland fire. Prescribed fire treatment on approximately 220 acres of harvested units and grass/shrub meadows are scheduled to be implemented in 2007 through 2009.

Impacts of No Action

Under the No Action alternative, there would be no impact to the existing fire/ fuels environment and or management.

Impacts of Action

Under the action alternative, motorized access on the Sheep Mountain and Ohio Gulch Roads would be improved due to the right-of-way construction (road widening, grade reduction, maintenance). This would improve access for fire vehicles into the area. The effects of the construction of access roads would also be beneficial to fire suppression by providing access to fire suppression vehicles and providing a possible fire-line or break in fuels, to implement fire suppression tactics from (i.e. burn out operations, anchor points, access and egress routes).

RECREATION

Affected Environment

The BLM portion of the Clancy-Unionville Vegetation Manipulation and Travel Management Project Plan area (approximately 5,400 acres) is located along the west side of I-15, approximately 22.5 miles northwest of Clancy, Montana, and approximately 10 miles south of Helena. Another 420 acres of scattered BLM lands are located further south. BLM managed lands compose a small portion, approximately 9% of the overall joint project area (64,000 acres). The majority of BLM managed lands are located in and around the rocky geographic feature known as Sheep Mountain; bracketed by the Jackson Creek road to the north and the Lump Gulch road to the south.

Recreational activities and sports have grown steadily in Montana over the past decade, and the Clancy-Unionville area is no exception. Recreational growth can be attributed to a variety of factors, including, population increase and residential growth in the Helena and Clancy area. This trend is expected to continue into the foreseeable future and the Clancy-Unionville area would continue to be under pressure to accommodate many recreational activities, particularly from area residents adjacent to BLM managed lands.

Known recreational activities include: OHV riding (ATV, Motorcycle), dispersed camping, rock climbing, horseback riding, hiking, mountain bike riding, hunting, recreational shooting, and folging (“frisbee golf”). OHV riding (ATVs, Motorcycles) continues to be the most popular recreation use of this area (as well as the project area at large). Under BLM’s travel management plan, 9 miles of Designated Off Highway Vehicle trails and 12 miles of designated (primitive dirt) roads are available for motorized wheeled use, with an additional 2 miles of OHV trail pending development. The remaining area is closed to motorized use, affording opportunities for the non-motorized activities listed above.

The OHV riding area is a concentrated network of trails located east of Ohio Gulch, accessed from either the Jackson Creek or Sheep Mountain roads. A designated trailhead, located just west of Ohio Gulch, has been provided for (out of area) users who need to trailer their OHV vehicles to the riding area. OHV use is expected to continue to increase, especially as the riding area becomes more popularized. While the trail system has been primarily developed for OHV use, it receives use as well from horseback riders, joggers, hikers, and mountain bikers.

Technical rock climbing is another popular recreation use of the area. The Sheep Mountain area is used periodically by local climbers from the Helena area, and on occasion by the military (National Guard, Air Force) for training purposes. Granitic faces within this Boulder Batholith formation provide opportunities for technical climbing and scrambling at variable difficulty levels. Several routes have permanent anchor points. Most routes are relatively short and are considered ideal for early season practice.

Impacts of No Action

Under the No Action alternative, there would be no impact to the existing Recreation environment.

Impacts of Action

Under the action alternative, motorized access on the Sheep Mountain road would be improved due to the right-of-way construction (road widening, grade reduction, maintenance). This would be a positive impact for some recreation users, but a negative impact for those that enjoy a less developed road conditions and overall environment, such as mountain bike and horseback riders.

TRAVEL MANAGMENT

Affected Environment

Under BLM’s Travel Management Plan for this area, 11 miles of designated Off Highway Vehicle trails and 12 miles of designated road are available for motorized wheeled use. This plan was specifically developed in response to issues centering around

wildlife/habitat, with emphasis given to big game security and winter range. In addition, efforts were made to provide for a system of roads and trails to serve the needs of a wide variety of area users, both motorized and non-motorized, while protecting important natural resource values.

Although the travel plan was first approved November 2000, implementation efforts were delayed until September 2005, pending the completion of the Clancy-Union Vegetation Manipulation Project. As of this date, 80% of the travel management implementation has been completed (signing, OHV trailhead/trail construction), with the remainder pending approval of the mitigation measures proposed in this document (see Action Alternative discussion, Travel Management).

Impacts of No Action

Under the No Action alternative, there would be no impact to the existing travel management plan.

Impacts of Action

Under the Proposed Action alternative, the existing travel management plan would remain largely in effect. The entirety of the Sheep Mountain road would continue to be managed as Open Yearlong to street legal motorized vehicles. The Ohio Gulch road would continue to be managed as Open Yearlong to street legal motorized vehicles as well, with one exception. The exception concerns the portion of the Ohio Gulch road that extends north from junction "P" to Junction "B". This segment is currently managed as part of the Designated OHV Trail system, and provides access to the main trail system located further west (refer to OHV Designated Trail system map). As such, motorized use on this trail is restricted to OHV vehicles only (no full-size vehicles allowed). (See Exhibit D)

Under the Action Alternative (refer to Action Alternative map), this trail segment has been proposed to provide yearlong access to several lots located on private property. If the Action Alternative is chosen, BLM would need to amend the travel plan to allow full-sized vehicle access to the private property.

RECREATION OPPORTUNITY SPECTRUM

Affected Environment

Defining recreation opportunities is used as a tool to help recreation managers create and maintain the appropriate recreation experiences that suits various types of land and visitors. The Recreational Opportunity Spectrum (ROS) continuum characterizes recreation opportunities in terms of setting, activity, and experience. The spectrum contains six classes: primitive, semi-primitive non-motorized, semi-primitive motorized, roaded natural, rural, modern urban.

Given the density of roads and trails scattered throughout the landscape, and the proximity of residential homes, all of the BLM lands within the Clancy-Unionville project area are classified as Roaded Natural. Road densities are greatest in the south and central portions of the Clancy-Unionville BLM lands where access needs for mining, timber harvesting, grazing and utility lines have historically been the greatest. This area is the most popular for OHV riding, primarily from ATVs and motorcycles.

Impacts of No Action

This area is currently classified as “Roaded Natural” under BLM’s Recreational Opportunity Spectrum (ROS). Under the No Action alternative, there would be no impact to this classification.

ROS	Class Descriptions
Primitive	Opportunity for isolation from man-made sights, sounds, and management controls in an unmodified natural environment. Only facilities essential for resource protection are available. A high degree of challenge and risk are present. Visitors use outdoor skills and have minimal contact with other users or groups. Motorized use is prohibited.
Semi-primitive non-motorized	Some opportunity for isolation from man-made sights, sounds, and management controls in a predominantly unmodified environment. Opportunity to have a high degree of interaction with the natural environment, to have moderate challenge and risk and to use outdoor skills. Concentration of visitors is low, but evidence of users is often present. On-site managerial controls are subtle. Facilities are provided for resource protection and the safety of users. Motorized use is prohibited.
Semi-primitive motorized	Some opportunity for isolation from man-made sights, sounds, and management controls in a predominantly unmodified environment. Opportunity to have a high degree of interaction with the natural environment, to have moderate challenge and risk and to use outdoor skills. Concentration of visitors is low, but evidence of other area users is present. On-site managerial controls are subtle. Facilities are provided for resource protection and the safety of users. Motorized use is permitted.
Roaded Natural	Mostly equal opportunities to affiliate with other groups or be isolated from sights and sounds of man. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate, but facilities for group activities may be present. Challenge and risk opportunities are generally not important in this class. Opportunities for both motorized and non-motorized activities are present. Construction standards and facility design incorporate conventional motorized uses.
Roaded Modified	Similar to the Roaded Natural setting, except this area has been heavily modified (roads or recreation facilities). This class still offers opportunity to have a high degree of interaction with the natural environment and to have moderate challenge and risk and to use outdoor skills.
Rural	Area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. The convenience of recreation sites and opportunities are more important than a natural landscape or setting. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses.
Urban	Area is characterized by a substantially urbanized environment, although the background may have natural-appealing elements. High levels of human activity and concentrated development, including recreation opportunities are prevalent. Developed sites, roads and other recreation opportunities are designed for high use.

Impacts of Action

Under the action alternative, although the character of the first 2.5 miles of the Sheep Mountain would change from a primitive dirt road to an improved (widened, moderated grade) graveled road, the ROS classification would remain unchanged. However, the natural qualities of the rock climbing area would be moderately impacted due to the sights and sounds of increased vehicular traffic.

VISUAL RESOURCE MANAGEMENT (VRM)

Affected Environment

Visual Resource Management (VRM) classes are categories assigned to public lands. The classes serve two purposes: (1) an inventory tool that portrays the relative value of the visual resources, and (2) a management tool that portrays the visual management objectives.

Visual Resource Management classifications (field office wide inventory/classifications) were never established under the existing Resource Management Plan. As such, VRM analysis has been conducted on a case by case basis, utilizing existing management direction, and desired future conditions. There are four classes, I, II, III, and IV, described below. The Sheep Mountain/Ohio Gulch area is considered to be Class 3. The area is visible from Interstate highway I-15, with Sheep Mountain being the most notable feature. None of the existing roads and trails are visible from the highway.

VRM	Class Objectives
Class I	The objective of this class is to preserve the existing character of the landscape. This class provides for natural ecological changes; however, it does not preclude very limited management activity. The level of change to the characteristic landscape should be very low and must not attract attention.
Class II	The objective of this class is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape.
Class III	The objective of this class is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.
Class IV	The objective of this class is to provide for management activities which require major modifications of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements.

Impacts of No Action

Under the No Action alternative, there would be no impact to the existing visual environment.

Impacts of Action

Under the action alternative, the visual impacts from the right-of-way construction (road widening, grade reduction, maintenance) would be moderate, and would not effect the current Class 3 rating.

SOILS

Affected Environment

With the exception of the soils derived from alluvium in the Lump Gulch drainage, most soils the right-of-way traverses are derived from coarse-grained granitic diorites. These soils are well drained, have moderate or greater permeability rates, have moderate to low water holding capacities, and exhibit low fertility. These soils generally have sandy clay loam or gravelly sandy loam textures. Depth to bedrock for most soils in the area is shallow (10 to 20 inches), although some soils have greater depths to bedrock (20 to 40 inches). The deepest soils have 40 to 60 inches depth to bedrock and are found at the section of the right-of-way on the existing road northeast of Lump Gulch. Many soils in the area have a high percentage of rock content (skeletal) in the soil profile. Most of the soils are bouldery to very bouldery, and rock outcrops are common. These soils are found on slopes that range from 8 to 45%.

Most of the proposed right-of-way is on soils that are rated as “very limited” for use as local roads to carry automobile and light truck traffic (NRCS, Web Soil Survey—Jefferson County Area and Part of Silver Bow County). “Very Limited” indicates that the soils have one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without special design features, or expensive installation procedures. Poor performance and high maintenance can be expected. In the case of the soils in this area, slope, depth to hard bedrock, and frost action are limiting properties. Additionally, shrinking and swelling features of the soils may affect performance.

All of the soils in the area of the proposed subdivision are rated as “very limited” for use as septic tank absorption fields (NRCS, Web Soil Survey—Jefferson County Area and Part of Silver Bow County). The limitations generally cannot be overcome without special design features, or expensive installation procedures. In the case of these soils, the primary limiting factors in this area are depth to bedrock and slope. Depth to bedrock affects the ability of the soil to absorb effluent, and both depth to bedrock and slope may cause lateral seepage and surfacing of the effluent in downslope areas.

Impacts of No Action

The existing rate of erosion on soils on the current road network would continue. If regular maintenance of water bars, rolling dips and culverts occurs, soil erosion problems on the road system would be minimal.

Impacts of Action

Alteration of the existing road system and construction of new roads would disturb two to six acres of land and soils. During construction and reclamation some soil erosion may occur until the road surface is stabilized and the borrow ditches are re-vegetated. The existing rates of soil erosion on the current road network would likely be reduced with the proposed upgraded road surface and water control design features. Regular and frequent maintenance would be expected to keep up the integrity of the road surface and water control design features. If regular and frequent maintenance does not occur, soil erosion would accelerate due to the increased traffic volumes.

No impacts to soils on public lands are anticipated from septic tank absorption fields because septic tanks, absorption fields or sewage disposal lines would not be allowed on public lands. Lateral seepage and surfacing of septic tank effluent from private land onto public lands is not anticipated because the subdivision would have to follow State of Montana Department of Environmental Quality regulations on subdivision sewage treatment and Jefferson County sanitation requirements on septic systems.

CUMULATIVE IMPACTS

Cumulative impacts are those impacts resulting from the incremental impact of an action when added to other past, present, or reasonably foreseeable actions regardless of what agency or person undertakes such other actions.

The analysis area has seen a variety of activities over the past century, including historic mining activity, development of roads, powerline placement, development and management of private lands, and some livestock grazing. It is expected that the area would continue to see recreational use in the form of motorized use of designated roads and trails, as well as other forms of non-motorized recreation (hiking, wildlife viewing, etc.). Unauthorized use of roads and trails that are not designated for travel is also likely to continue into the future, as well as unauthorized off-road motorized travel. As a result of implementation of BLM decisions made regarding vegetation, the area has also been treated to reduce conifer encroachment and to push vegetation patterns toward desired conditions outlined for the Clancy-Unionville area. Livestock grazing in the area is limited; BLM lands in most of the analysis area are currently vacant and are not being grazed under a BLM permit. It is expected that the private lands in the analysis area would be developed for residential use either as yearlong or seasonal homes, a trend that continues to occur throughout western Montana. The current proposal for Sheep Mountain Estates would provide for 20 family homesites on a 68 acre private inholding surrounded by BLM managed lands that are regularly used by the public for a range of recreation activities, including OHV recreation.

With the on-going development of nearby private lands, this area has become increasingly important to wildlife. During development of both the Vegetation Manipulation and Travel Management projects, public comments addressed concerns about impacts to wildlife and loss/degradation of wildlife habitat, especially regarding big game security. Although thinning dry forest stands increased forage and improved the condition of ponderosa pine and dry Douglas fir in the analysis area, it also opened the forest and reduced hiding cover for big game as well as for numerous other wildlife species. The use of the area by ATV's and other motorized users causes disturbance to wildlife. The amount of disturbance along with the loss of hiding and security cover as a result of vegetative thinning may have caused some species to abandon use of the area. An issue identified by the public was that increased use by motorized vehicles detracts from enjoyment of the area, disrupts wildlife and often leads to harassment and displacement. Approval of this right-of-way and the subsequent development of the private property would result in increased traffic and increased use of these public lands. This increase in traffic and human influence would increase disturbance to wildlife, negatively affect movement of wildlife and reduce the value of the surrounding public lands to wildlife. The development of the private land in the middle of public land, as opposed to development on the edge of public land, increases the negative effects to wildlife and would result in reduced wildlife use of a large area. Development of the

subdivision in the middle of public lands would also reduce or eliminate many traditional uses of the surrounding public lands (e.g. wildlife viewing, hunting). While some habitat impacts would be temporary in nature (construction noise, some ground/cover disturbance), other impacts would be long-lasting. In addition to the loss of habitat resulting from the road construction, habitat fragmentation would also increase. Increased illegal off-road travel/ATV abuse is likely, compounding the soil and vegetation degradation that would occur with road construction, as well as increasing disturbance to wildlife. Habitat quality would be degraded and the value of the area for wildlife would decrease if the right-of-way is approved. Authorization of the proposed right-of-way may also lead to the development of additional motorized trails to mitigate for increased traffic and conflicts with subdivision residents along the proposed right-of-way. The creation of new motorized trails to reduce the use by ATVs on the right-of-way would also cause an additional loss of wildlife habitat, an increase in disturbance to wildlife and would further reduce the quality of wildlife habitat in the area.

The purpose of the Proposed Action (right-of-way, road improvement) is to provide legal access to the Sheep Mountain Estates residential development. Under the Proposed Action, the cumulative impacts to fire/fuels management from the residential development would be far greater than the direct impacts from the right-of-way development. The current proposal for Sheep Mountain Estates is for the development of 20 family home-sites. The development is a 68 acre inholding surrounded by BLM managed lands. The possible addition of 20 homes located at the head of a gulch in a fire/fuels environment would add complexity and risk to fire suppression activities in the event of a wildland fire. It may also warrant more fuels reduction treatment in the area which may be more difficult and expensive if the addition of roads cause the spread of noxious weeds.

Under the Proposed Action, the cumulative impacts to Recreation from the residential development would be far greater than the direct impacts from the right-of-way development.

There would be a noticeable increase in motorized traffic on Sheep Mountain road due to the residential development. The increase would be commensurate with the level of residential development, and guest visits and other activities associated with developments. Recreation traffic is expected to increase as well, especially as the designated OHV riding area becomes popularized. There may be some conflicts resulting from this dual use, given that the home association would be responsible for road maintenance.

Conflicts between OHV enthusiasts and Sheep Mountain residents may constitute the greatest area of conflict, especially if OHV vehicles (ATVs, Motorcycles) are allowed to continue to use the Sheep Mountain access road to access the trail system. Even if the proposed OHV bypass route and alternate trailhead are developed (discussed under the Cumulative Impacts section for Travel Management section), noise and dust from the OHV trail system may lead to pressure from the residents to close the trail system, or convert it to non-motorized use.

Rock Climbing – Impacts to the climbing community may be mixed. For climbers seeking a semi primitive rock climbing experience, the presence of a residential

development would have a negative impact. For other climbers, especially those accustomed to climbing near urban areas, there may be no impact whatsoever.

Recreational target shooting/hunting – Safety concerns from Sheep Mountain residents may lead to demands for a residential area “no shooting zone” or similar shooting restrictions on BLM managed lands.

Folfing – Conflicts between “folfers” and residents may arise. At present, there is a user created “folf” course located adjacent to the Sheep Mountain road, approximately halfway between the Lump Gulch/Sheep Mtn. road junction and the Jack Mountain Estates property. Underage drinking, littering, and similar activities associated with the “Folf” course may lead to conflicts.

Overnight camping- Conflicts between overnight campers and Sheep Mountain residents may occur, depending on proximity to the development.

As a positive impact, there could be more resource protection of public lands due to yearlong residential presence. Area residents would be unlikely to tolerate underage drinking, noisy parties, vandalism, resource damage, unsafe firearms use, littering, unattended fires, dumping, etc, occurring on public lands adjacent to the development.

The cumulative impacts to travel management from the residential development would be far greater than the direct impacts from the right-of-way development.

Under the No Action alternative, there would be no cumulative impacts to the existing travel management plan.

Under the Proposed Action, the cumulative impacts to travel management from the residential development would be far greater than the direct impacts from the right-of-way development. The current proposal for Sheep Mountain Estates is for the development of 20 family home-sites. The development is a 68 acre private inholding surrounded by BLM managed lands, regularly used by the public for a range of recreation activities, including OHV recreation. Given an estimated average of 3 persons and 2 vehicles per home, the greatest cumulative impacts under the Proposed Action are likely to be between the Sheep Mountain residents and public recreation users.

As previously addressed (see Environmental Consequences section), under the Proposed Action, at a minimum, BLM would need to alter the existing travel management plan to allow full-size vehicle access on the section of OHV trail that extends north from junction “P” to Junction “B”. At present, this section is restricted to OHV use only. By itself, this change would have little impact on existing travel management. However, limiting travel management changes to this action alone would lead to sharp conflict between OHV enthusiasts and Sheep Mountain residents.

In order to minimize conflicts, and help safeguard the future of the OHV riding area, BLM proposes the following 2 OHV travel management changes.

First, given the proximity of this OHV trail segment to private property, the current level of use (major access route), and likelihood of sharp conflict between OHV users and future residents, BLM should eliminate this segment from the Designated Trail system.

To accomplish this, BLM would decommission the portion of trail located between the extreme southeast corner of the private property and Junction “B”, and prohibit recreational OHV use to the private property boundary. To mitigate for this loss, BLM could consider constructing an alternate access route off of the Ohio Gulch road, south of Junction “P”. If not feasible, the OHV bypass trail proposed below would add an additional 1 mile to the trail system.

Second, under the current travel plan, the first 2.5 miles of Sheep Mountain road are restricted to street legal motorized OHV vehicles only. The intent of this restriction is to minimize safety issues that might result from mixing full size and OHV vehicles on this road. However, the majority of motorized use is from local OHV enthusiasts who access the Designated OHV trail system by riding their non street legal ATVs and Motorcycles up the Sheep Mountain road (or Jackson Creek road) to the trail system. In addition, users that need to trailer their OHVs (Helena, Boulder residents, etc.) to the riding area prefer to park just off the Lump Gulch/Sheep Mountain junction, in order to avoid the additional 2.5 miles up the relatively steep, windy, Sheep Mountain road. Using the lower parking area gains them an extra 2.5 miles of riding opportunity. Note: At present, BLM has not been enforcing the “street legal only” restriction on the Sheep Mountain road, pending final implementation of the Clancy-Union travel plan (and the proposed bypass trail and alternate trailhead discussed below).

Under the Proposed Action Alternative, full-size vehicle use on the Sheep Mountain road would increase due to residential development. To alleviate safety concerns resulting from increased mixed vehicle use, BLM would consider minimizing OHV use on the Sheep Mountain road by constructing a separate OHV use only bypass trail (ATVs, Motorcycles). Refer to map. This trail would be available to street legal as well as non-street legal OHVs. The OHV bypass trail would begin from the lower portion of the Sheep Mountain road, and travel west to intersect with the Ohio Gulch Trailhead and main trail system. In order to minimize trailer traffic on the Sheep Mountain, an alternate trailhead/parking area could be developed lower down on the Sheep Mountain road (see proposed site). This trailhead would provide access to the OHV bypass trail discussed above. As the OHV riding area grows in popularity, some overnight camping use might still occur at the upper Ohio Gulch trailhead, but in general the lower trail head site would be expected to receive the bulk of use.

The Sheep Mountain area is currently classified as “Roaded Natural” under BLM’s Recreational Opportunity Spectrum (ROS). Under the No Action alternative, there would be no cumulative impacts to this classification.

Under the action alternative, the combined effects of the improvement to the first 2.5 miles of the Sheep Mountain and the residential development (and associated activities) could impact the natural qualities of the current “Roaded Natural” ROS classification.

Under the No Action alternative, there would be no cumulative impacts to the existing visual environment. Under the action alternative, the moderate visual impacts from the right-of-way construction (road widening, grade reduction, maintenance) and residential development would not effect the current Class 3 rating.

Unauthorized off-road travel and ATV use of closed trails would continue to cause some accelerated soil erosion and degradation. If future budgets allow for increased administration and enforcement in the area, these soil impacts would be reduced.

Increased unauthorized off-road travel/ATV use is likely from the proposed subdivision. Greater accelerated soil erosion and degradation on closed routes and off-road areas near the subdivision would be anticipated.

CHAPTER 4

PERSONS, GROUPS, AND AGENCIES CONSULTED

The public has been involved and interested throughout the development of this EA. Public comment helped to define issues and develop alternatives for accomplishing management goals and objectives. Following are the highlights of public involvement activities and efforts.

- Public notification of the Proposed Action through a posting on the Butte Field Office NEPA register in October of 2006.
- Public comment was solicited with a scoping letter distributed to approximately 240 individuals and organizations on March 19, 2007. The letter gave a brief overview of the right-of-way proposal with a public comment deadline of April 13, 2007.
- A March 22 press release titled “BLM Seeks Comment on Proposed Right-Of-Way near Clancy” was incorporated into a comprehensive story and published in the Helena Independent Record on March 25. An additional story appeared June 1 to further inform the public of the proposal.
- The comment period ended on April 13, 2007 and the Butte Field Office received 48 written comments from individuals.
- On May 31, 2007 a letter was sent to the same group of individuals and organizations informing them that the Butte Field Office would be hosting a public meeting on June 14 to hear comments on the project. Flyers were posted in the Clancy, Jefferson City and Montana City area.
- The public meeting was held in the old gym at the Clancy Montana School on June 14, 2007 with approximately 70 people attending. A follow-up story dated June 16 was published in the Helena IR after the public meeting.
- A Congressional Inquiry was received from Congressman Denny Rehberg on July 5, 2007 on behalf of Donald and Terry Petersen. After coordination with the Butte FO, the Montana State Office sent a response on July 13, 2007.

Table 4.1. List of Persons, Agencies and Organizations Consulted

Name/Agency	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Jefferson County Commissioners	Consultation / Coordination on subdivision plats and approval process. Variance process for right-of-way in conjunction with subdivision plat approval.	County requires a 60 foot right-of-way for subdivision development. 24 foot driving surface with 10% grade maximum unless a variance is granted from the County Commission.
Jefferson County Road Department	Consultation / Coordination on County Road Standard Requirements	County requires a 60 foot right-of-way for subdivision development. 24 foot driving surface with 10% grade maximum unless a variance is granted from the County Commission.
Jefferson County Planning Department	Consultation / Coordination on Jefferson County Planning requirements and Process.	Numerous telephone conversations regarding the BLM process and Jefferson County Planning and Commission Process.
Vigilante Electric Cooperative	Consultation / Coordination on electrical distribution to the private parcels.	Electrical distribution would be placed though Ohio Gulch. Service would be buried within the Ohio Gulch Road portion of the right-of-way.
QWEST Corporation	Consultation / Coordination on phone service to the private parcels.	Voice and data service would be placed though Ohio Gulch. Service would be buried within the Ohio Gulch Road portion of the right-of-way.
Montana Fish Wildlife and Parks	Received Scoping Letter dated March 19, 2007.	Expressed concerns over the negative effects to wildlife should this right-of-way be approved.
Montana Department of Environmental Quality	Received Scoping Letter dated March 19, 2007.	No comments were received from DEQ.

List of Preparers

Staff Specialists who determined the affected resources for this document are listed in Appendix A. Those who contributed further analysis in the body of this EA are listed below.

Table 4.2. List of Preparers
Preparers

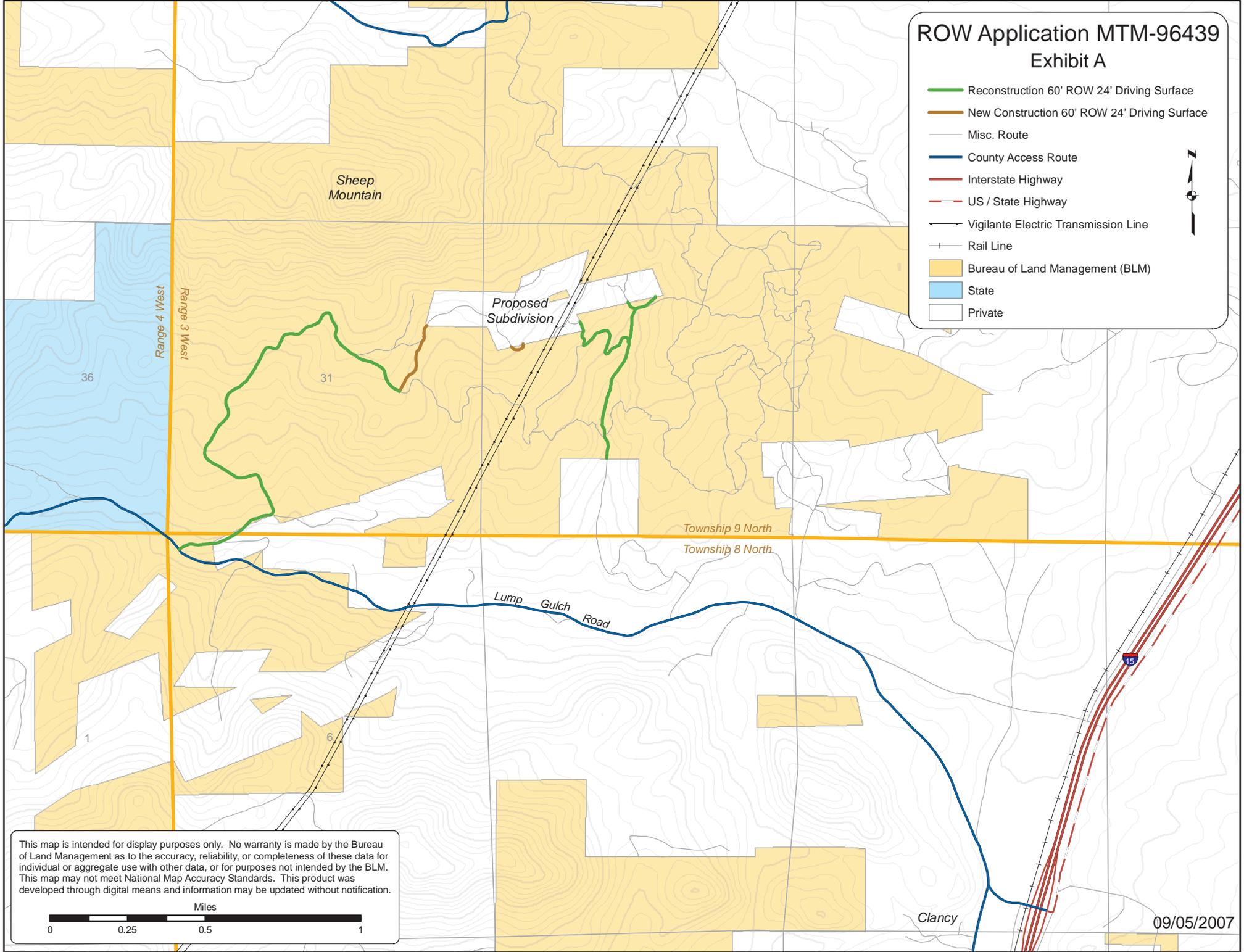
Name (and agency, if other than BLM)	Title	Responsible for the Following Section(s) of this Document
Kelly Acree	Realty Specialist	Project Leader / Proposed Action / Lands / Access
Tom Everett	Wildlife Biologist	Wildlife / Fisheries/ Threatened, Endangered or Candidate Animal Species
John Sandford	Range Management Specialist	Non-Native Invasive Species / Noxious Weeds
Floyd Thompson	Range Management Specialist	Threatened or Endangered or Sensitive Plants / Soils / Riparian
Mike Small	Forester	Forest Resources
Charles Tuss	Fuels Mitigation Specialist	Fire / Fuels Management
Pat Zurcher	Recreation Planner	Recreation, Travel Management / Recreation Opportunity Spectrum (ROS) / Visual Resource Management (VRM)
Carolyn Kiely	Archeologist	Cultural Resources / Native American Religion Concerns
Brian Mueller	GIS Specialist	GPS / Mapping
Renee Johnson	Assistant Field Manager Renewable Resources	Coordination / Consultation / Review
Mary Figarelle	Assistant Field Manager Non-Renewable Resources	Coordination / Consultation / Review

EXHIBITS

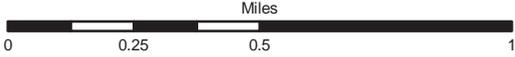
ROW Application MTM-96439

Exhibit A

- Reconstruction 60' ROW 24' Driving Surface
- New Construction 60' ROW 24' Driving Surface
- Misc. Route
- County Access Route
- Interstate Highway
- US / State Highway
- Vigilante Electric Transmission Line
- Rail Line
- Bureau of Land Management (BLM)
- State
- Private



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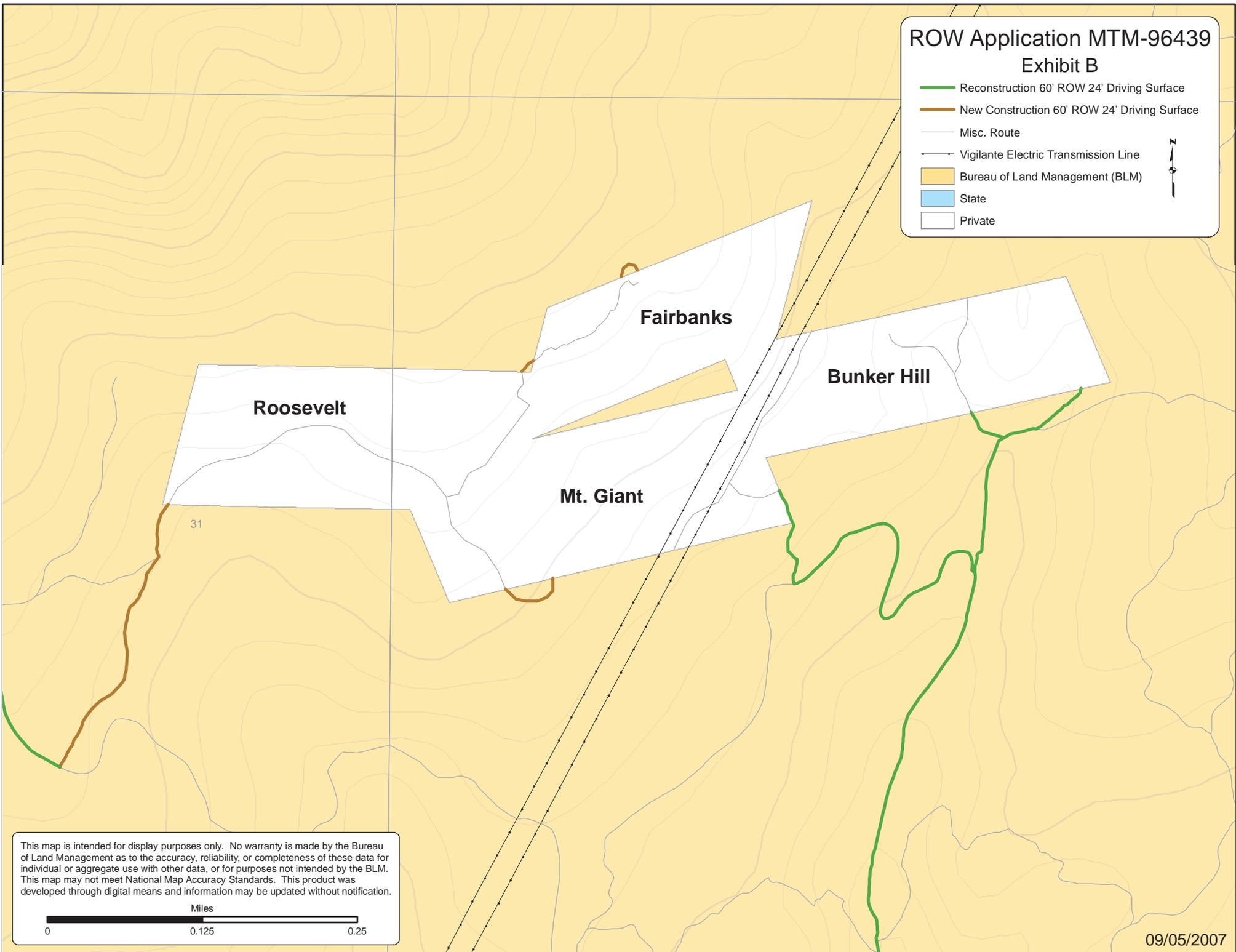
Clancy

09/05/2007

ROW Application MTM-96439

Exhibit B

-  Reconstruction 60' ROW 24' Driving Surface
-  New Construction 60' ROW 24' Driving Surface
-  Misc. Route
-  Vigilante Electric Transmission Line
-  Bureau of Land Management (BLM)
-  State
-  Private



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Proposed Location of Buried Utilities

Exhibit C

-  Buried Utilities ROW within Road Bed
-  Misc. Route
-  County Access Route
-  Interstate Highway
-  US / State Highway
-  Vigilante Electric Transmission Line
-  Rail Line
-  Bureau of Land Management (BLM)
-  State
-  Private



Sheep Mountain

Proposed Subdivision

Township 9 North

Township 8 North

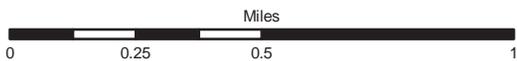
Lump Gulch Road

15

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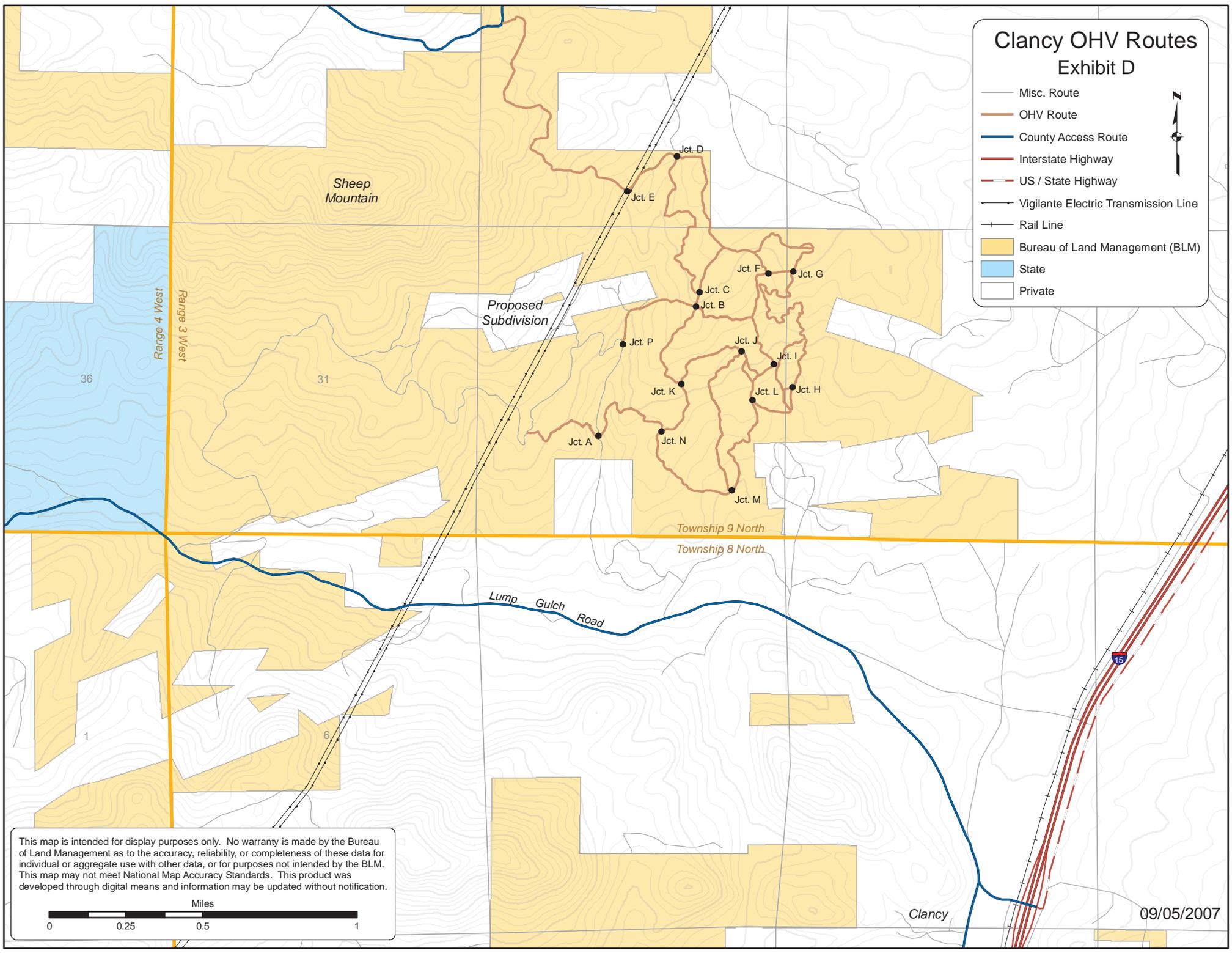
09/05/2007

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Clancy OHV Routes Exhibit D

-  Misc. Route
-  OHV Route
-  County Access Route
-  Interstate Highway
-  US / State Highway
-  Vigilante Electric Transmission Line
-  Rail Line
-  Bureau of Land Management (BLM)
-  State
-  Private



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