

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	NorthWestern Energy Communications Tower
Proposed Implementation Date:	Spring 2012
Proponent:	NorthWestern Energy Corporation
Location:	Section 16, Township 8 North, Range 25 East
County:	Musselshell County

I. TYPE AND PURPOSE OF ACTION

NorthWestern Energy (NWE) is proposing to install a 70 foot tall lattice communications tower in the NE¼SE¼ of Section 16, T8N, R25E in Musselshell County, as well as utilize an existing 2-track trail to access the communications site from Horsethief Road. The Southern Land Office would also require that NWE make improvements to the existing access gate from Horsethief Road along with making some minor improvements to the access road. NorthWestern Energy is proposing to use the tower for internal communication use only. The tower would provide: control and monitoring to the Roundup Substation; a NWE mobile radio repeater antenna and a microwave link to the NWE backbone system.

II. PROJECT DEVELOPMENT

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

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

No formal public scoping was performed by DNRC for this proposed project. The applicant for the Land Use License contacted the State grazing lessee, Walter Newton, regarding this project and obtained a signed lessee settlement.

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

- DEQ Stormwater Discharge permit
- FAA Aeronautical Evaluation Report

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Issue a Land Use License to NorthWestern Energy to allow the erection of a 70 foot tall communications tower in a 100'x100' area and utilize an existing 2-track trail for access to the site.

No Action Alternative: Deny the request by NorthWestern Energy to erect the communications tower.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

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

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

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

The communications tower is proposed to be located on the top of a plateau that is generally located in the SE¼ of this section. There is an existing AT&T cell tower that is located immediately east of the proposed site on

private land in Section 15. The soils in the Land Use License (LUL) communications site area consist mostly of Twilight sandy loam. The NRCS Soil Survey indicates that this soil rates as “moderate” for building site development. Additionally, NorthWestern Energy will be required to make moderate improvements to the existing two-track trail by adding gravel which should reduce erosion and eliminate the need to drive off the road when conditions are poor. It is not anticipated that the action will cause any significant impacts to geology or soils.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

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

There are no water sources on this Section near the proposed location for the tower and access road. No significant impacts to water quality, quantity and distribution are expected to occur as a result of implementing the proposed alternative.

6. AIR QUALITY:

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

No significant impact is expected to air quality if the proposed Land Use License is issued.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

A search of the Montana Natural Heritage Program database indicated that no plant species of concern are located on the subject section. The actual area that will be disturbed by the tower and associated structures is minimal. The total area included in the License is 100'x100' while the tower base, equipment building and emergency generator would cover an area less than 400 square feet. Additionally, the 2-track trail that will be used for access already exists and there will be minor improvements made to it, mostly the addition of gravel to make it more of an all weather road. No significant impacts to vegetation cover, quantity or quality are expected as a result of implementing the proposed action.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

No significant impacts to terrestrial, avian and aquatic life and habitats would occur as a result of implementing the proposed alternative.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

A proposed project area search of the Montana Natural Heritage Program database identified three vertebrate animals that are listed as a species of concern, threatened, or endangered: greater sage-grouse, Townsend's Big-eared bat and spiny softshell turtle.

Greater Sage-Grouse is listed as a sensitive species and is known to exist in the vicinity north of the proposed project. The proposed action is not expected to have a significant impact on greater sage-grouse based on the fact that the project area does not contain desirable Sage-Grouse habitat.

Townsend's Big-eared Bat is listed as a species of concern. Their distribution includes most of the state, with the exception of the High Line. There could be hibernacula or roosting areas in the vicinity, but they would most likely be south of the subject property where there are abandoned mines. The subject property could certainly be used as a forage area, as their range can extend from 10-25 kilometers from their roosting area. The proposed action is not expected to have a significant impact on the Townsend's Big-eared Bat.

Spiny Softshell is listed as a sensitive species. Their habitat consists of rivers and river impoundments and they may occupy areas in or around the Musselshell River which is located approximately 1 mile southeast of the proposed project area. No significant impacts to spiny softshell are expected by implementing the proposed action.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

A review of the tower site was conducted during a site visit by Jeff Bollman, Area Planner and no cultural resources were identified in the project area. No significant impacts to historical or archaeological sites are expected from implementing the proposed action.

11. AESTHETICS:

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

The proposed lattice tower would be 70 feet in height and within approximately 200' west of an existing AT&T tower on private land, immediately to the east of the state land. Due to its size and location on a plateau, it will be partially visible during certain times of the day. Additionally, the Federal Aviation Administration (FAA) may require some type of light on the structure that will be visible at night, but a final determination has not been made by the FAA. The initial FAA Aeronautical Evaluation Report indicated that no painting or marking would be required on the tower. The overall impact on the aesthetics of the area is not expected to be significant due to the lattice nature of the structure and the fact there is an existing tower in the immediate area.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No significant impacts to environmental resources of land, water, air or energy are expected to occur as a result of implementing the proposed alternative.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

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

There are no other known state actions or projects in the area.

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

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

No significant impacts to human health and safety are expected to occur as a result of implementing the proposed alternative.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

The issuance of the proposed Land Use License will allow NorthWestern Energy to erect a communication tower. The tower would provide: control and monitoring to the Roundup Substation; a NWE mobile radio repeater antenna and a microwave link to the NWE backbone system.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed action of erecting the tower and improving the 2-track trail will not create any new jobs. It is expected that NorthWestern will be responsible for completing most of the construction work; however, there could be some outside contractors utilized for short periods. Therefore, the proposed action would not have a significant impact on employment.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

NorthWestern Energy would be responsible for paying taxes on the tower, however the amount is not expected to be very large based on the type of structure proposed.

18. DEMAND FOR GOVERNMENT SERVICES:

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

The implementation of the proposed alternative will not generate an increase in demand for government services.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

Musselshell County does have an adopted Growth Policy that covers the entire County and the proposed alternative does not conflict with the Growth Policy. Also, the subject section is not zoned by Musselshell County.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The subject State land currently has legal access via a county road, Horsethief Road, which bisects the north half of the section and generally runs east to west. The approval of the Land Use License would also permit the use of an existing 2-track trail to access the tower site as well as upgrading this 2-track to facilitate year around access. In addition, NorthWestern Energy would be required to install a new gate at this access point where the SLO has presently chained in a barricade fence to prevent illegal driving on this section. The location of a communications tower on this site is not expected to have an adverse effect on the recreation or hunting activity on this section.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

The proposed alternative would have no adverse effect on density and distribution of population and housing.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposed alternative.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

The proposed alternative would not directly impact cultural uniqueness or diversity.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The Common Schools Trust will benefit by getting a rental fee from NorthWestern Energy of \$1,200.00/year for the use of the 2-track trail and the communications site in the first 5 years of the LUL and then \$1,500.00/year for the second five year period.

EA Checklist Prepared By:	Name: Jeff Bollman, AICP	Date: 31 January 2012
	Title: Area Planner, Southern Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that a Land Use License (LUL) be issued to NorthWestern Energy. This LUL would permit NorthWestern to erect a 70 foot communication tower and utilize the existing two-track trail from Horsethief Road to access the tower site. This alternative can be implemented in a manner that is consistent with the long-term sustainable natural resource management of the area.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant adverse impacts is minimal for the proposed project. Potential adverse impacts will be avoided or mitigated by the project scope and the required mitigation measures.

Mitigation measures:

1. Licensee shall be required to rebuild the access off of Horsethief Road by replacing the existing gate with a "powder river" type gate (steel gate and hinged on one side) as well as move the gate location to the south and create a pull-out area between the new gate location and the edge of Horsethief Road.

The Licensor will be provided final plans and specifications which shall be approved by Licensor prior to any construction. The final plans shall be similar to those shown in "Exhibit B".

2. Licensee shall be responsible for improving the access road from Horsethief Road to the tower site by adding gravel to provide for all weather access. The maintenance responsibility of this all weather surface shall be borne by the Licensee.
3. The use of the tower is limited to the Licensee's internal communications system. Any other user on this tower shall be approved by Licensor prior to installation. The addition of other tower users may result in an increase in rent due to Licensor based on the type of user and service proposed.
4. All necessary permits will be secured before any activities begin.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS More Detailed EA No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott
	Title: Area Manager, Southern Land Office
Signature: /s/ Matthew Wolcott	Date: 2/1/12