CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	**Montana Alberta Tie LTD. (MATL LLP)** **Marias South (HL Litigation Tracts)** **Land Use License – Temporary Road Use**
Proposed Implementation Date:	July 17, 2012
Proponent:	MATL LLP 30 West 14th Street, Suite 207 Helena, MT 59601
Location:	Several - See the below list
County:	Teton

I. TYPE AND PURPOSE OF ACTION

MATL LLP has applied for a Land Use License for general access across state land and temporary road use while installing an overhead 230 KV transmission line. This application is a part of proposed electrical transmission line between Great Falls, Montana and Lethbridge, Alberta. The applicant has applied to use 10,130 feet (1.92 miles) of existing roads and 2,393feet (.45 miles) of off road (cross country) travel on 2 parcels of state land for construction purposes. The below table includes the legal descriptions of the tracts where road use is proposed, length, lease number and lessee of record.

Parcel	TWN	RGE	SEC	Qtr	Existing Road Length (feet)	Cross Country Length (feet)	LEASE	LESSEE
039TE045	25N	1E	16	All	5,562	1,236	4271	Robert Stephens
T23NR2ES16	23N	2E	16	W2W2	4,568	1,157	866	Wilma Wheeler

An Environmental Impact Statement (EIS) was completed for the MATL transmission line project by the Montana Department of Environmental Quality (DEQ) and US Department of Energy (DOE). The final EIS, Record of Decision (ROD), and other permit information can be found at the following websites:

http://deq.mt.gov/MFS/MATL.mcpx
www.gc.enerby.gov/NEPA
http://www.gpoaccess.gov/fr/

DNRC was a cooperating agency for the EIS process and will be tiering off the final EIS for MEPA compliance. DNRC is also providing additional site specific information in this EA checklist as it pertains to road use on state lands State Land.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:
Provide a brief chronology of the scoping and ongoing involvement for this project.

Department of Natural Resources and Conservation (DNRC)
Department of Environmental Quality (DEQ)
US Department of Energy (DOE)
AMEC Earth and Environmental
Flaherty Inc. – ROW
Morrison Maierle Inc.

GCM Services Inc.
Ethnosceince Inc
Surface Lessee's

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

None

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – DNRC does not issue the proposed Land Use License.

Alternative B (the Proposed action) – DNRC issues the proposed Land Use License.

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.

Proposed action will utilize 1.92 miles existing roads and .47 miles of off road or cross country travel. Soil textures vary from silty to clayey and are suitable for road use. General road improvements such as grading, flattening, filling will be held to a minimum. The use of existing roads couple with the topography being relatively flat throughout the project area will also limit physical soil disturbances and excessive erosion. Wet areas will be bridged or avoided until dry. Soil erosion control measure will be implemented as needed on roads throughout the project area. No other fragile or unstable soils present in the area of the proposed area. All disturbed areas will be re-contoured and returned to the appropriate land use (agriculture, CRP, or grazing land) following installation.

No long term or cumulative impacts to soil erosion and /or other soil resources are expected.

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.

Erosion control practices will be implemented throughout the project area. Road improvements will be help to a minimum to minimize sediment movement to water ways. Wet areas will be avoided or bridged. No other important surface or groundwater resources will be impacted by the proposed activity. No cumulative effects to the water resources are anticipated.

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 effects to air quality will occur. No cumulative effects to air quality are anticipated

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.

There are no rare plants or cover types present in the project area. Current land use in the project area is a mixture of grazing land and CRP land. The tables below describe the existing vegetation (land use) on each tract, distance, and acres potentially impacted by the proposed transmission line.

Parcel	TWN	RGE	SEC	Qtr	Existing Road Length	Cross Country Length	LEASE	LAND USE
039TE045	25N	1E	16	All	5,562 ft	1,236 ft	4271	Grazing Land / CRP
T23NR2ES16	23N	2E	16	W2W2	4,568 ft	1,157 ft	866	Grazing Land

Land Use	Distance (Miles) Crossed	Acres (base on 30 feet wide)
Grazing Land – Native	2.26	8.19
Ag Land (Crop Land)	0	0
CRP	.11	.41
TOTAL	2.37 miles	8.6

The majority of the proposed action will be utilizing existing roads. Off road travel will be held to a minimum. Temporary disturbances are expected from the manipulation of vehicles and heavy equipment on the surface. All disturbed areas will be reclaimed to pre-existing conditions following use. Grazing land will be reseeded with noxious weed seed free native seed. CRP lands will be reseeded in accordance with FSA specifications.

Noxious weeds associated with access and road use route will be the responsibility of MATL. MATL has a noxious weed plan implemented to address on the ground weed control along the route.

No long term impacts to the existing vegetation are expected.

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.

The tracts proposed to cross are not considered critical wildlife habitat. However, these tracts provide habitat for a variety of big game species (mule deer, whitetail deer, pronghorn antelope), predators (coyote, fox, badger), upland game birds (sharp tail grouse, Hungarian partridge), other non-game mammals, raptors and various songbirds. Temporary displacement of wildlife during road use and construction is likely to occur. However, the proposed action does not include any land use change which would yield significant changes to the wildlife habitat. The proposed action will not impact wildlife forage, cover, or traveling corridors. Nor will this action change the juxtaposition of wildlife forage, water, or hiding and thermal cover. There are no unique or critical wildlife habitats associated with the state tracts and do not expect direct or cumulative wildlife impacts would occur as a result of implementing the proposal. The proposed action will not have long-term negative effects on existing wildlife species and/or wildlife habitat because of its relatively small scale.

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.

No specific on-site observations of Threatened or Endangered species have been recorded and no important habitat has been identified on the state lands. The proposal does not include any activities which would alter any habitat, so no effects are expected. No threatened or endangered species are known to exist in this area.

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

A class III Cultural Resource Inventory was completed for this project. Several archaeological sites were identified on state land in throughout the entire project area. All cultural sites will be avoided. All individual cultural features will be avoided along the entire length of the project by at least 100 feet. Sites will be marked with orange fencing and/or flagging prior to construction to ensure avoidance. Patrick Rennie, DNRC Archeologist, has been notified of the proposed project, and has a copy of the Cultural Resource Inventory.

No historical, cultural or paleontological artifacts or resources will be impacted as a result of this project.

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 state land does not provide any unique scenic qualities not also provided on adjacent private lands. General access and temporary road use will not change the long term aesthetic character of the landscape.

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 demands on limited resources are required for this project.

No direct or cumulative effects to environmental resources are anticipated.

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.

The MATL transmission line project has had extensive environmental review (EIS) and public comment facilitated by the Montana DEQ and the DOE. The DOE record of decision (ROD) to issue a Presidential Permit is published in the federal register Volume 73, No. 222 Monday November 17, 2008 or at http://www.gpoaccess.gov/fr/. The DOE final EIS and the ROD is available at: www.gc.enerby.gov/NEPA . The DEQ ROD, Findings Necessary of Certification and Certification Determination for the Major Facility Siting Act, and final EIS are published at: http://deq.mt.gov/MFS/MATL.mcpx.

IV. IMPACTS ON THE HUMAN POPULATION

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

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

No impacts on human health or safety are expected.

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

The proposed action will provide critical access for contractors who are building an electric transmission line between Lethbridge Alberta and Great Falls, Montana. This will allow for electricity generated from existing and proposed wind power generation to enter the grid. This will benefit t he area economy and industry. Temporary road use and access for construction activities may cause small scale and temporary damage to grazing lands, agricultural lands and CRP, but will not greatly impact surface use in the long term. The proponent has developed a surface damages payment process to compensate surface lessees and the DRNC for damages cause from road use.

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.

Road use and transmission line construction will be completed by private contractors, several of which are based in Montana. Cumulative effects to state and local employment are expected to be very positive.

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.

The proposed action will provide significant tax revenues to local counties and the State of Montana.

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

There will be a temporary increase in traffic and traffic patterns on rural roads during construction. No long term or cumulative impacts on traffic is expected. Area fire protection or police services will not be changed as a result of this project.

There will be no direct or cumulative effects on 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.

There are no zoning or other agency management plans affecting these lands.

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.

There is no wilderness or recreational areas or access to wilderness or recreational areas through these tracts. The proposed action is not expected to create conflict to any general recreational activities within the area.

There will be no direct or cumulative effects on recreational or wilderness activities.

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.

Local communities are expected to welcome contractors for this project. The proposal does not include any changes to housing or developments. No direct or cumulative effects to population or housing are anticipated.

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 proposal.

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

The proposed project will have no effect on any unique quality of the area.

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 school trust will receive a one-time LUL fee of $500.00 plus a $25.00 application fee.

EA Checklist Prepared By:	**Name:**	Erik Eneboe
	Title:	Conrad Unit Manager, CLO
Signature:		**Date**: July 17, 2012

V. FINDING

25. ALTERNATIVE SELECTED:

Issue Land Use License authorizing temporary road use for power line construction

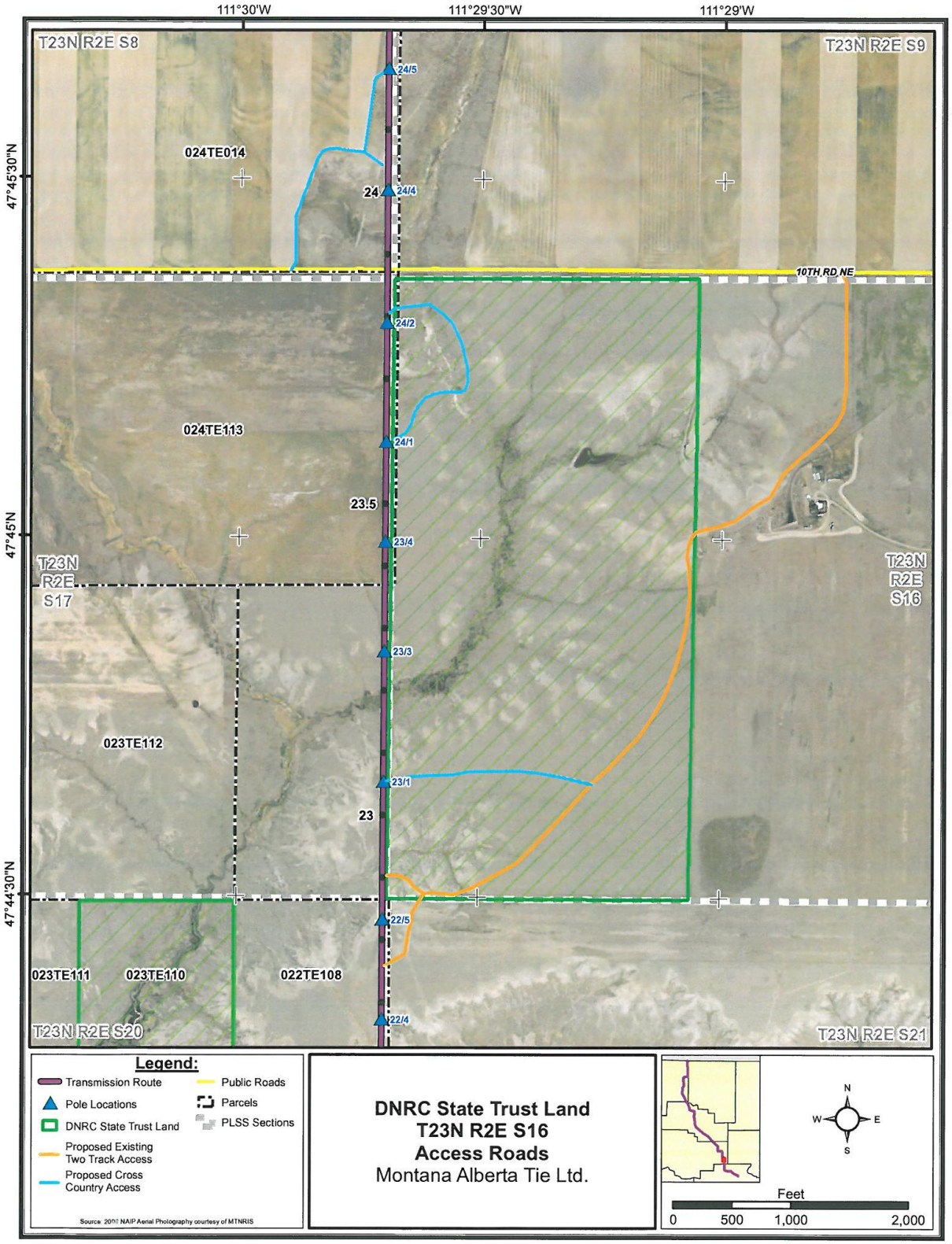
26. SIGNIFICANCE OF POTENTIAL IMPACTS:

Significant impacts are not expected as a result of the proposed action on State land. The power line project was extensively evaluated under the joint DEQ and DOE Environmental Impact Statement. There are no unique conditions, resources or habitat on these state lands not discussed in the EIS.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

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

EA Checklist Approved By:	**Name:** Garry Williams **Title:** Area Manger, CLO	
Signature:		**Date**: 7/18/2012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Legend:
Transmission Route
Pole Locations
DNRC State Trust Land
Proposed Existing Two Track Access
Proposed Cross Country Access
Public Roads
Parcels
PLSS Sections
Source: 2000 NAIP Aerial Photography courtesy of MTNRIS
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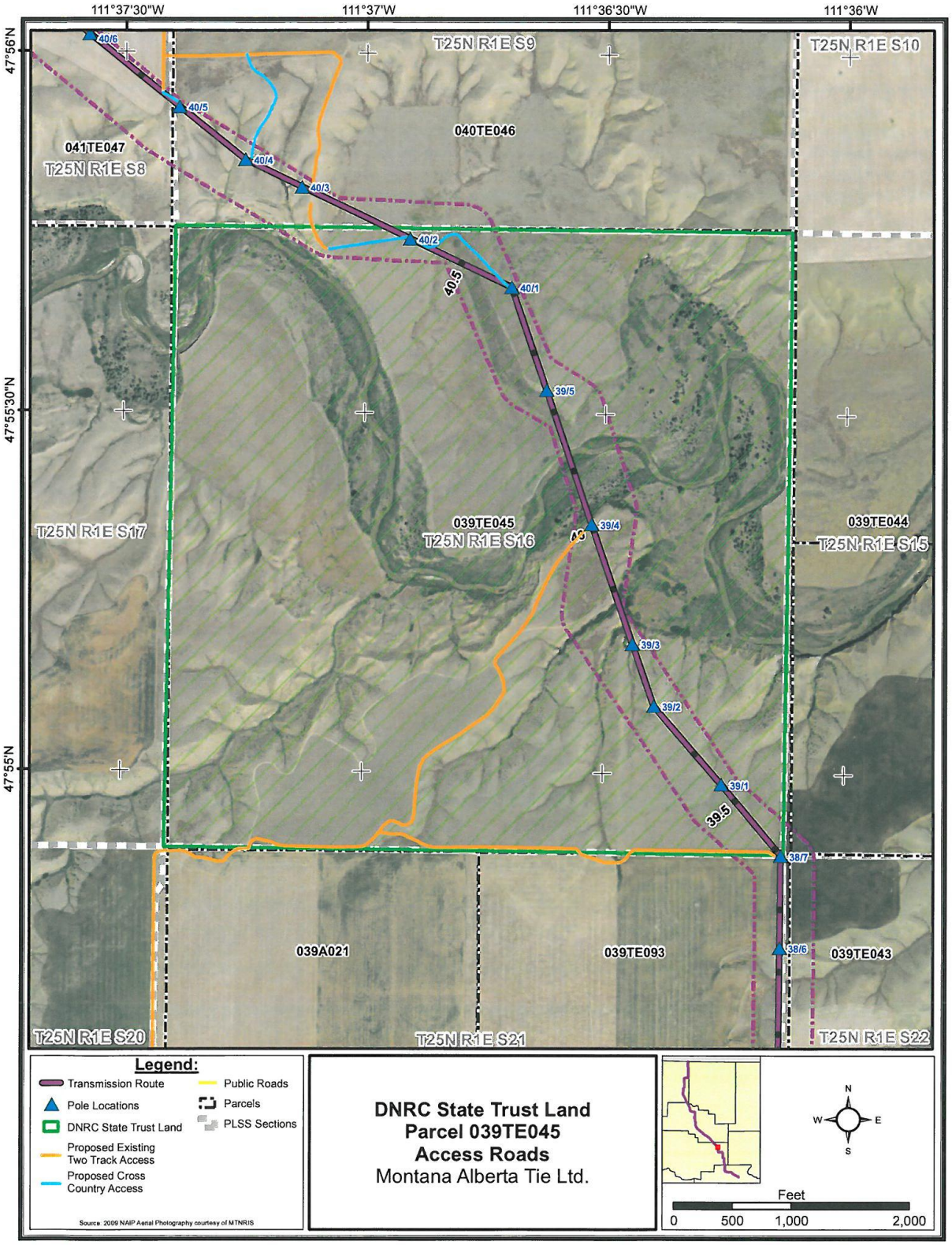
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