

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Fergus Electric Taber Powerline and substation
Proposed Implementation Date:	July 2024
Proponent:	Fergus Electric Cooperative Inc.
Location:	6N 18E 34 S2S2
County:	Wheatland
Trust:	Common Schools

I. TYPE AND PURPOSE OF ACTION

Fergus electric has applied for an easement across trust lands to connect to a new substation on private land. There would be one mile of new overhead transmission line constructed along the county road.

II. PROJECT DEVELOPMENT

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

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

The Department of Natural Resources and Conservation (DNRC)
Northeastern Land Office (NELO) & Lewistown Unit Office
Proponent: Fergus Electric Cooperative Inc.
Surface Lessees: Wayne Cavill
Other: Montana Sage Grouse Oversight Team (MSGOT)

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

The DNRC, and NELO have jurisdiction over this proposed project.

The proponent is responsible for acquiring all necessary permits for the proposed project and settling all surface damages with the surface lessees.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Under this alternative, the Department does not grant permission to build a powerline across trust lands.

Alternative B (the Proposed Action) – Under this alternative, the Department does grant permission to build a powerline across trust lands.

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 soils along this project area are rated as slight for off road erosion and a mix of ratings for soil Rutting hazard and compactability risk. Due to these ratings if work only takes place during dry conditions there is not likely to be any issues. Since construction will be done after July 15th for sage grouse mitigation working in dry conditions should not be an issue.

No significant cumulative impacts to geology or soil quality, stability, and moisture are anticipated.

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.

No significant impacts to local or regional 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 significant impacts 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.

This project will disturb very little vegetation. Since it is an overhead powerline the only vegetation removal will be at the location of the poles. Otherwise, vehicles driving over the grass will create very little disturbance and no reseeding will be needed.

No rare plants or cover types are present. No significant impacts to vegetation are anticipated.

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, or aquatic habitats are anticipated.

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.

There are only three species of concern in the selected area and none of them have observations within .5 miles of the powerline location. The Redbelly dace is only in Fish Creek which is .75 miles away from any construction activity. The golden eagle and sage grouse have no observations in the immediate area and the stipulations placed by MSGOT (See attached letter) should effectively mitigate any impacts to either species. There is also a possibility of creating new nesting habitat for golden eagles with new power poles.

No significant impacts to unique, endangered, fragile or limited environmental resources are anticipated, though temporary displacement of local wildlife may occur during the project.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

A Class I (literature review) level review was conducted by the DNRC staff archaeologist for the area of potential effect (APE). This entailed inspection of project maps, DNRC's sites/site leads database, land use records, General Land Office Survey Plats, and control cards. The Class I search revealed that *Antiquities* have not been identified in the APE. No additional archaeological investigative work will be conducted in response to this proposed development. However, if previously unknown cultural or paleontological materials are identified during project related activities, all work will cease until a professional assessment of such resources can be made.

No significant effects on historical, archaeological, or paleontological resources anticipated.

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.

No significant impacts on the aesthetics of the area are anticipated.

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 limited environmental resources will be significantly impacted because of this project. This project will also not add any significant cumulative demands on environmental resources.

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 projects or plans being considered on the tracts listed in this EA Checklist.

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.

The only risk to human health and safety will be during the construction due to operation of equipment. It is the responsibility of the proponent and their contractors to mitigate these risks. After construction the only risks will be the same as those that exist with powerlines everywhere else.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

This project will not add to or deter from other industrial, agricultural, or commercial activities in the area.

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 project will not create or eliminate any jobs, so no significant effects to the employment market are anticipated.

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.

There are no direct or cumulative effects to taxes or revenue for the proposed project.

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 not be any significant increases in traffic, school attendance, or need for fire and police protection if this project is approved.

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 this project.

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 will be no significant direct or cumulative effects on access to or quality of recreation and wilderness activities because of this project.

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 project does not include any changes to housing or developments.

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 significantly 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 significant impact on any culturally 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 proposed project will not have any significant cumulative economic or social effect.

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative B (the Proposed Action) – Under this alternative, the Department does grant permission to build a powerline across trust lands.

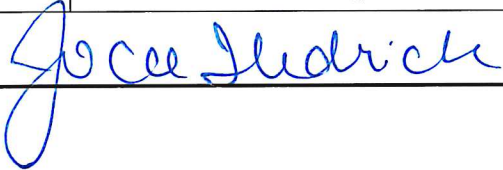
26. SIGNIFICANCE OF POTENTIAL IMPACTS:

I have evaluated the potential environment effects and have determined no significant impact to the environment because of this project.

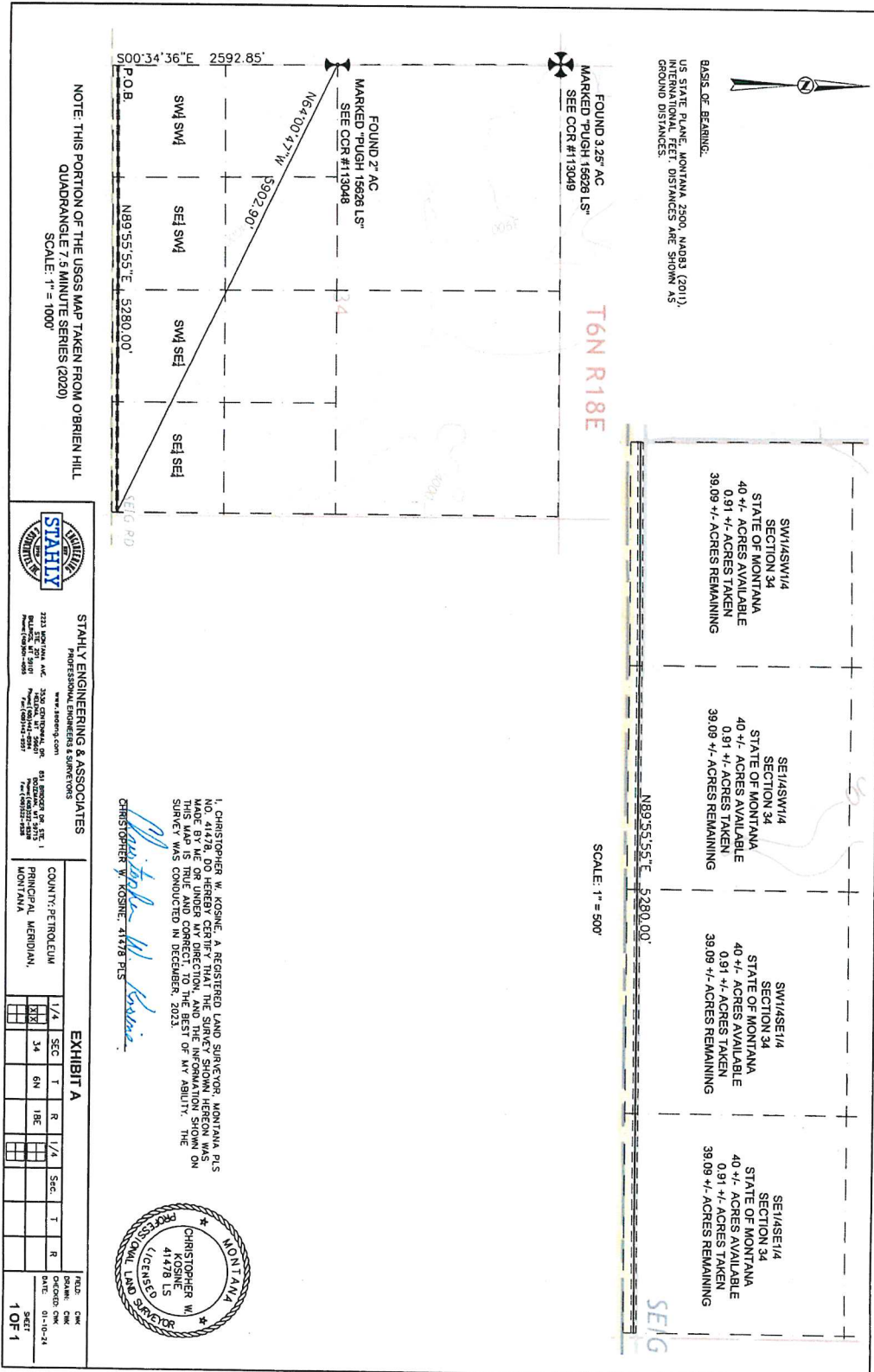
27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

☐ EIS ☐ More Detailed EA ☒ No Further Analysis

EA Checklist Prepared By:	Name: Dustin Lenz Title: Land Use Specialist
Signature: 	Date: 6 MARCH 2024

EA Checklist Approved By:	Name: Jocee Hedrick Title: Unit Manager, Northeastern Land Office
Signature: 	Date: 3/6/24

Appendix A: Map



Appendix B: Soil Ratings

Off Road Erosion Hazard

Table — Erosion Hazard (Off-Road, Off-Trail) — Summary by Rating Value				
Summary by Rating Value		Summary by Rating Value		
	Rating	Acres in AOI	Percent of AOI	
Slight		39.4	83.9%	
Null or Not Rated		7.6	16.1%	
Totals for Area of Interest		47.0	100.0%	

Soil Compactability Risk

Table — Soil Compactability Risk — Summary by Rating Value				
Summary by Rating Value		Summary by Rating Value		
	Rating	Acres in AOI	Percent of AOI	
Medium		37.6	79.9%	
High		1.9	3.9%	
Null or Not Rated		7.6	16.1%	
Totals for Area of Interest		47.0	100.0%	

Soil Rutting Hazard

Table — Soil Rutting Hazard — Summary by Rating Value				
Summary by Rating Value		Summary by Rating Value		
	Rating	Acres in AOI	Percent of AOI	
Severe		20.6	43.9%	
Moderate		12.7	26.9%	
Slight		6.1	13.0%	
Null or Not Rated		7.6	16.1%	
Totals for Area of Interest		47.0	100.0%	

Appendix C: Species of Concern Report



A program of the Montana State Library's
Natural Resource Information System

Model Icons	Habitat Icons	Range Icons	Num Obs
Suitable (native range)	Common	Native / Year-round	Count of obs with 'good precision' (<=1000m)
Optimal Suitability	Occasional	Summer	+ indicates additional 'poor precision' obs (1001m-10,000m)
Moderate Suitability		Winter	
Low Suitability		Migratory	
Suitable (introduced range)		Non-native	
		Historical	



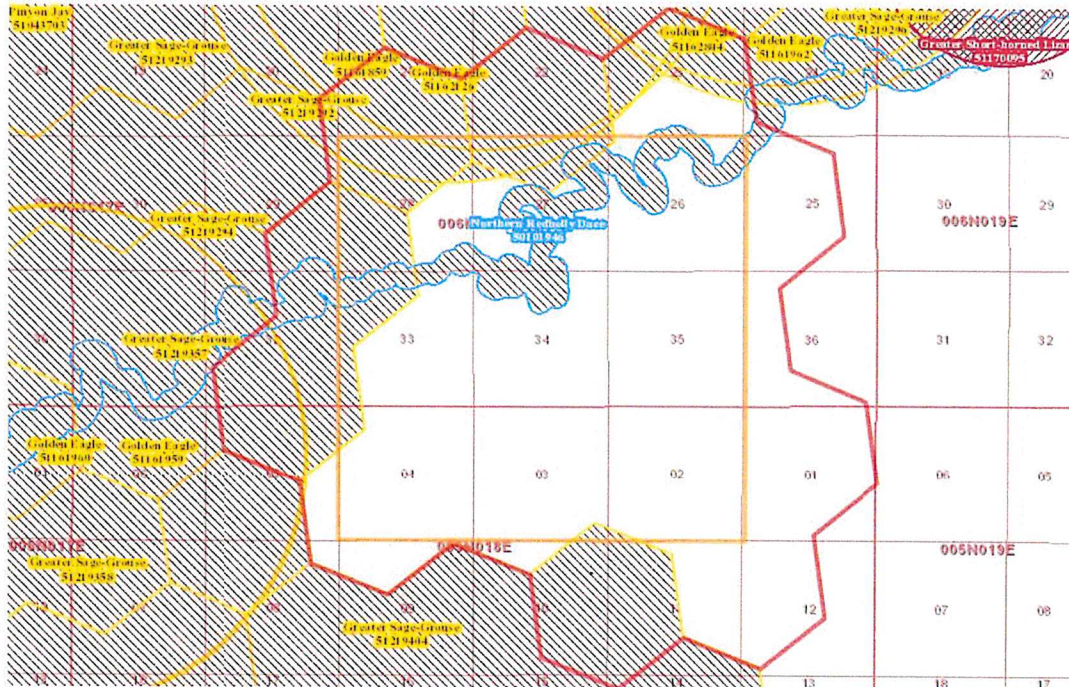
Latitude 45.18906 Longitude -109.40271
45.26253 -109.50589

Native Species

Summarized by: Fergus Electric Taber Substation (Custom Area of Interest)

Filtered by:

Native Species reports are filtered for Species with MT Status = Species of Concern



Species Occurrences

USFWS	Sec7	# SO	# Obs	Predicted Model	Range
F - Northern Redbelly Dace (<i>Chrosomus eos</i>)	SOC	1	3+		
View In Field Guide View Predicted Models View Range Maps Species of Concern - Native Species Global: G5 State: S3 FWP SWAP: SGCN3 Delineation Criteria: Stream reaches and standing water bodies where the species presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards. (Last Updated: Jul 18, 2022) Predicted Models: 47% Suitable (native range) (deductive)					
B - Golden Eagle (<i>Aquila chrysaetos</i>)	SOC	6	12		
View In Field Guide View Predicted Models View Range Maps Species of Concern - Native Species Global: G5 State: S3 USFWS: BGEPA; MBTA BLM: SENSITIVE FWP SWAP: SGCN3 Delineation Criteria: Confirmed nesting area buffered by a minimum distance of 3,000 meters in order to be conservative about encompassing the entire breeding territory and area commonly used for re-nesting and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Sep 21, 2023) Predicted Models: 53% Moderate (inductive), 47% Low (inductive)					
B - Greater Sage-Grouse (<i>Centrocercus urophasianus</i>)	SOC	6	+		
View In Field Guide View Predicted Models View Range Maps USFS: Sensitive - Known in Forests (BD) Species of Concern - Native Species Global: G3G4 State: S2 Species of Conservation Concern in Forests (CG) BLM: SENSITIVE FWP SWAP: SGCN2 PIF: 1 Delineation Criteria: Confirmed breeding area based on the presence of a nest, chicks, juveniles, or adults on a lek. Point observations are mapped in the center of a one-square mile hexagon to protect the exact locations of leks. The outer edges of this hexagon are then buffered by a distance of 6,400 meters in order to encompass a body of research indicating that females typically nest within this distance of a lek and that lek numbers are negatively impacted by fossil fuel drilling activities within this distance of a lek. If the locational uncertainty associated with the observation is greater than this distance, it is buffered by the locational up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record. (Last Updated: Jan 05, 2024) Predicted Models: 12% Moderate (inductive), 88% Low (inductive)					

MONTANA SAGE GROUSE HABITAT CONSERVATION PROGRAM



GREG GIANFORTE, GOVERNOR

1539 ELEVENTH AVENUE

STATE OF MONTANA

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PO BOX 201601
HELENA, MONTANA 59620-1601

Project No. 5444
Governor's Executive Orders 12-2015 and 21-2015
Taber T-Line & Substation

Melanie Foran
Fergus Electric Cooperative
84423 US HWY 87
Lewistown, MT 59457

January 24, 2024

Dear Ms. Foran,

The Montana Sage Grouse Habitat Conservation Program received a request for consultation and review of your mining project or proposed activity on December 21, 2023. Additional information necessary to complete the review was received on January 22, 2024. Based on the information provided, this project is located within General Habitat for sage grouse. The Bureau of Land Management (BLM) classifies a portion of this area as a General Habitat Management Area (GHMA).

Executive Orders 12-2015 and 21-2015 set forth Montana's Sage Grouse Conservation Strategy. Montana's goal is to maintain viable sage grouse populations and conserve habitat so that Montana maintains flexibility to manage our own lands, our wildlife, and our economy and to ensure that a listing under the federal Endangered Species Act is not warranted in the future.

The Program has completed its review, including:

Project Description:

Project Type: Infrastructure – Transmission Line

Project Disturbance: 2.18 Miles of Overhead Powerline; 0.37-Acre Substation

Construction Timeframe: July 31, 2024 to December 31, 2024; Temporary (< 1 Year)

Operations Timeframe: January 1, 2025; Permanent (> 25 Years)

Project Location:

Legal: Township 6 North, Range 18 East, Sections 33, 34, 35



Hosted by the Montana Department of Natural Resources and Conservation
Director's Office: (406) 444-2074



County: Wheatland

Ownership: Montana State Trust Lands, Private

Project Description and Executive Orders 12-2015 and 21-2015 Consistency:

The Taber T-Line & Substation Project proposes to construct a new transmission line and substation in designated General Habitat for sage grouse.

Fergus Electric Cooperative proposes to build a new overhead transmission line and substation approximately eight miles south-southeast of Shawmut, Montana in Wheatland County. See Figure 1 in the enclosed Mitigation Plan (Taber T-Line & Substation Project Location Map). The new transmission line and substation will provide power to a new pump station facility reviewed separately as Project #5425.

The proposed 100 kV transmission line will be routed from an existing substation located adjacent to Sieg Road. The transmission line will consist of multiple 56.5-foot-tall, single phase tangent poles. Existing roads will be utilized to construct the substation and transmission line. No additional new roads or the upgrade of existing roads will be required for this Project.

Based on the information you provided, your Project is not within two miles of an active sage grouse lek in General Habitat. See Figure 1 in the attached Mitigation Plan (Taber T-Line & Substation Project Location Map).

Mitigation:

For the Taber T-Line & Substation Project, the Program assessed mitigation for the new 0.37-acre substation and the 2.18 miles of overhead transmission line located within General Habitat. Anthropogenic structures including transmission and distribution poles can support avian predator nesting and contribute to increased risk to sage grouse. Here, the transmission line will consist of single-phase tangent poles and is considered non-nest facilitating. Projects with non-nest facilitating structures receive a 75% reduction of the Anthropogenic Score using the Habitat Quantification Tool (HQT). However, while poles may be designed as non-nest facilitating, additional impacts to sage grouse remain through direct avoidance by sage grouse and as perching potential for avian predators.

Additional spatial data provided by Fergus Electric Cooperative determined that an existing transmission line (<116 kV) is located immediately adjacent to and paralleling a portion of the proposed Project's transmission line along Sieg Road. The Program determined that the portion of the existing transmission line paralleling the proposed transmission line along Sieg Road are of similar feature type and size (<116 kV) and are considered to be co-located. See Figure 2 in the enclosed Mitigation Plan (Taber T-Line & Substation Project with Co-Located Existing Transmission Line Map). This portion of the existing transmission line was incorporated as an existing anthropogenic disturbance into the HQT Basemap.



Estimated Functional Acres Lost Over the Life of the Project and Total Debit Obligation

The Program has calculated functional acres lost within the Project area using the Habitat Quantification Tool (HQT) October 2018 v1.0, and Policy Guidance Document October 2018 v1.0. The HQT was calculated on January 19, 2024, with a one-year construction phase, 49 years of operations, and the default 75 years of reclamation. The results for this Project are described as follows.

HQT Functional Acres Lost: 2,990.71
Reserve Account (20%): 598.14
Advance Payment (10%): 299.07
Site Specific Deviations from Executive Order 12-2015: 0
Total Debit Obligation: 3,887.92

The direct footprint, indirect impact area, and applicable policy multipliers for the Project will result in a total of 3,887.92 debits. See Figure 3 in the attached Mitigation Plan (Taber T-Line & Substation Project HQT Map). Fergus Electric Cooperative has provided a Mitigation Plan outlining project specific avoidance, minimization, reclamation and compensatory mitigation to address project impacts.

Mitigation Plan

The Mitigation Plan describes avoidance, minimization, reclamation, and compensatory mitigation measures Fergus Electric Cooperative will implement to address and mitigate for unavoidable impacts from Executive Order 12-2015. Fergus Electric Cooperative has voluntarily committed to this Mitigation Plan (including compensatory mitigation).

The Mitigation Plan:

- describes the project and summarizes activities that would occur within it;
- describes project mitigation in accordance with Executive Orders 12-2015 and 21-2015;
- summarizes potential impacts to sage grouse and sage grouse habitats;
- describes where the project adheres to the mitigation hierarchy through avoidance, minimization, reclamation; and
- Fergus Electric Cooperative will make a contribution to the Stewardship Account to fulfill the mitigation debit obligation.

Fergus Electric Cooperative chose to fulfill the mitigation obligation by making a contribution to the Stewardship Account. Instructions for making a contribution to the Stewardship Account are enclosed and require your signature. The Payment Cover Memo is intended to assist with the Program's recordkeeping. The Stewardship Account Donation Form includes instructions for wire transfer or check payments, found at the bottom of the form.



Let us know what form of payment you would like to use when you return the signed forms. Payment should be made **after** you obtain your necessary permits but **before** initiating the project activity.

Program Recommendations:

The following stipulations are taken from Montana Executive Order 12-2015. These stipulations are designed to maintain existing levels of suitable sage grouse habitat by managing uses and activities in sage grouse habitat to ensure the maintenance of sage grouse abundance and distribution in Montana. Development should be designed and managed to maintain populations and sage grouse habitats.


- Reclamation should re-establish native grasses, forbs, and shrubs during interim and final reclamation. The goal of reclamation is to achieve cover, species composition, and life form diversity commensurate with the surrounding plant community or desired ecological condition to the benefit of sage grouse and replace or enhance sage grouse habitat to the degree that environmental conditions allow.
- Weed management is required within General Habitat for sage grouse. Reclamation of disturbed areas must include control of noxious weeds and invasive plant species, including cheatgrass (*Bromus tectorum*) and Japanese brome (*Bromus japonicas*).

Subject to the stipulations described above, your activities are consistent with the Montana Sage Grouse Conservation Strategy. Your activities are consistent with the Montana Sage Grouse Conservation Strategy. Your proposed project or activity may need to obtain additional permits or authorization from other Montana state agencies or possibly federal agencies. They are very likely to request a copy of this consultation letter, so please retain it for your records.

Please be aware that if the location or boundaries of your proposed project or activity change in the future, or if new activities are proposed within one of the designated sage grouse habitat areas, please visit <https://sagegrouse.mt.gov/> and submit the new information.

Thanks for your interest in sage grouse and your commitment to taking the steps necessary to ensure Montana's Sage Grouse Conservation Strategy is successful.

Sincerely,



Therese Hartman
Montana Sage Grouse Habitat Conservation Program Manager



Enclosures:

1. Taber T-Line & Substation Project Mitigation Plan
2. Stewardship Account Contribution Forms

cc. Shawn Thomas
DNRC-Forestry-Trust Land Division Administrator
P.O. Box 201601
Helena, MT 59620-1601



Taber T-Line & Substation
Project ID - 5444

January 24, 2024

Table of Contents

List of Tables.....	1
List of Figures.....	1
1.0 Introduction and Project Description	2
1.1 Vegetative Community	2
1.2 Sage Grouse Populations Affected.....	2
2.0 Executive Order 12-2015 Consistency Review	2
2.1 Montana EO 12-2015 Stipulations That Apply to Projects in Designated Habitat	2
2.2 Deviations that Apply to the Taber T-Line & Substation Project	3
2.3 Adherence to the Mitigation Hierarchy	3
2.3.1 Avoidance.....	3
2.3.2 Minimization	3
2.3.3 Reclamation	3
3.0 Compensatory Mitigation.....	3
3.1.1 Habitat Quantification Tool Results	3
3.1.2 Application of Policy Modifiers	4
3.1.3 Total Mitigation Debit Obligation	4
4.0 Mechanism Selected to Fulfill the Compensatory Mitigation Obligation	5

List of Tables

Table 1. Raw HQT Score Applied to the Taber T-Line & Substation Project.....	3
Table 2. Policy Multipliers Applied to the Taber T-Line & Substation Project.....	4
Table 3. Total Debits Applied to the Taber T-Line & Substation Project.	5
Table 4. Total When Making Contribution to Stewardship Account.	5

List of Figures

Figure 1. Taber T-Line & Substation Project and Lek Location Map.....	6
Figure 2. Taber T-Line & Substation Project with Co-Located Existing Transmission Line Map.....	7
Figure 3. Taber T-Line & Substation Project HQT Results Map.....	8

1.0 Introduction and Project Description

Fergus Electric Cooperative proposes to build a new overhead transmission line and substation approximately eight miles south-southeast of Shawmut, Montana in Wheatland County. See Figure 1 (Taber T-Line & Substation Project Location Map). The new transmission line and substation will provide power to a new pump station facility reviewed separately as Project #5425.

The proposed 100 kV transmission line will be routed from an existing substation located adjacent to Sieg Road. The transmission line will consist of multiple 56.5-foot-tall, single arm tangent poles. Existing roads will be utilized to construct the substation and transmission line. No additional new roads or the upgrade of existing roads will be required for this Project.

1.1 Vegetative Community

The Montana Spatial Data Infrastructure Land Use/Land Cover database (MSDI LULC, last updated December 2017) classifies the vegetation within the direct footprint as Cultivated Crops. The vegetation adjacent to the direct footprint is classified similarly with the addition of Introduced Upland Vegetation – Annual and Biennial Forbland, Great Plains Mixedgrass Prairie, Great Plains Riparian, and Big Sagebrush Steppe.

1.2 Sage Grouse Populations Affected

The Taber T-Line & Substation Project is not within two miles of an active sage grouse lek in General Habitat. See Figure 1 (Taber T-Line & Substation Project Location Map).

2.0 Executive Order 12-2015 Consistency Review

The Taber T-Line & Substation Project is located completely within General Habitat. Stipulations recommended in Executive Order 12-2015 (EO) are designed to maintain existing sage grouse populations and levels of suitable sage grouse habitat, and guide development activities in a General Habitat in a manner that sustains sage grouse abundance and distribution in Montana.

Delineated Core Areas are important for maintaining the abundance and distribution of sage grouse across Montana. Development scenarios in General Habitat are more flexible than in Core Areas but must still be designed and managed to maintain sage grouse populations and habitats.

2.1 Montana EO 12-2015 Stipulations That Apply to Projects in Designated Habitat

The entire Taber T-Line & Substation Project is located in General Habitat. Projects located in General Habitat are subject to the following stipulations per Executive Order 12-2015.

- **Surface Occupancy:** Within 0.25 miles of the perimeter of active sage grouse leks there will be no surface occupancy (NSO) for new activities.
- **Seasonal Use:** As authorized by permitting agency or agencies, activities will be prohibited from March 15 through July 15 within 2.0 miles of an active lek where breeding, nesting, and early brood-rearing habitat is present.
- **Vegetation Removal:** Should be limited to the minimum disturbance required by the project.

- **Noise:** New project noise levels, either individual or cumulative, should not exceed 10dBA (as measured by L50) above baseline noise at the perimeter of an active lek from 6:00 p.m. to 8:00 a.m. during the breeding season (March 1 through July 15).

2.2 Deviations that Apply to the Taber T-Line & Substation Project

The entire Taber T-Line & Substation Project is beyond two miles of an active sage grouse lek in General Habitat. Therefore, activities associated with the Project are not expected to deviate from Executive Order 12-2015 guidance and stipulations.

2.3 Adherence to the Mitigation Hierarchy

2.3.1 Avoidance

The Taber T-Line & Substation Project is located in designated General Habitat for sage grouse. Therefore, the Project does not avoid impacts to sage grouse habitat.

2.3.2 Minimization

The entire Taber T-Line & Substation Project is beyond two miles of an active sage grouse lek in General Habitat. Therefore, impacts to sage grouse are minimized through Project siting.

2.3.3 Reclamation

There is no reclamation associated with the Taber T-Line & Substation Project.

3.0 Compensatory Mitigation

The Program ran the Habitat Quantification Tool (HQT) using HQT v1.0 October 2018. The HQT models direct and indirect impacts from a project, and overlays those impacts on the HQT Basemap to calculate the total amount of functional acres lost due to the project (Table 1). The HQT was calculated on January 19, 2024, with a one year of construction, 49 years of operations, and the default 75 years of reclamation. See Figure 3 (Taber T-Line & Substation Project HQT map). The Raw HQT Score is 2,990.71 functional acres lost.

3.1.1 Habitat Quantification Tool Results

Table 1. Raw HQT Score Applied to the Taber T-Line & Substation Project.

Raw HQT Score - Preliminary Results			
Habitat Type	Project Phase	Impact Area	Raw HQT Score
General Habitat	Construction	Direct Impact	0.00
		Indirect Impact	60.51
	Operations	Direct Impact	0.00
		Indirect Impact	2,930.20
	Reclamation	Direct Impact Only	0.00
	All Phases	Direct Impact	0.00
		Indirect Impact	2,990.71
Total Raw HQT Score			2,990.71

3.1.2 Application of Policy Modifiers

The Mitigation System Policy Guidance v1.0 October 2018 document was applied to the Taber T-Line & Substation Project. The Policy outlines specific multipliers to incentivize consistency with the EO stipulations. Multipliers also ensure that mitigation is timely and effective throughout the life of the project.

Risk and The Reserve Account Contribution is accounted for through the Reserve Account multiplier. It is mandatory. Twenty percent of the Raw HQT Score is calculated and added to the Raw HQT Score. This accounts for the fact that impacts are estimated. The Reserve Account also functions as a shared insurance pool so that credits may be replaced if credit sites do not produce as many credits as predicted or credits are lost due to an Act of God, such as a wildfire.

Advance Payment of 10% is applied to the total Raw HQT Score for direct and indirect impacts for the life of the project where the proponent will not undertake permittee responsible mitigation and would make a contribution to the Stewardship Account.

Federal Net Gain of 10% is applied when the project involves a federal nexus.

Site-Specific Impacts are addressed through a multiplier of 10% for a Core Area, or 5% for General Habitat for each aspect of a proposed project that is not consistent with the EO 12-2015 stipulations during either construction or operations phase of a project.

Programmatic Multipliers for all phases of the Taber T-Line & Substation Project are shown on Table 2. The Raw HQT Score of 2,990.71 was multiplied by 20% to calculate Reserve Account debits of 598.14. A 10% Advance Payment of 299.07 debits is added because here the State assumes responsibility to find offsets in that Fergus Electric Cooperative opted to make a contribution instead of undertaking a permittee responsible mitigation project. No site-specific multipliers were added to the HQT score. The Policy Multipliers resulted in 897.21 debits.

Table 2. Policy Multipliers Applied to the Taber T-Line & Substation Project.

Policy Multiplier			
Policy Application (conversion from Functional Acres Lost to Debits)			
Multiplier Type	Specific Multiplier	General Habitat	Debits
Programmatic Multipliers (Construction Operation and Reclamation)	Reserve Account (20%)	1	598.14
	Adv. Payment (10%)	1	299.07
Total Policy Multiplier Debits			897.21

3.1.3 Total Mitigation Debit Obligation

The total mitigation debit obligation is based on the total Raw HQT Score of 2,990.71 plus the total Policy Multiplier debits of 897.21, applicable to the Taber T-Line & Substation (Table 4). The final total mitigation debit obligation for the Project is 3,887.92 debits.

Table 3. Total Debits Applied to the Taber T-Line & Substation Project.

Total Debits	
Total Raw HQT Score	2,990.71
Total Policy Multiplier Debits	897.21
Total Debit Obligation	3,887.92

To fulfill the 3,887.92-mitigation debit obligation, Fergus Electric Cooperative elected to make a contribution to the Stewardship Account. Credits obtained through the Stewardship Account are currently \$13 per debit. The total mitigation debit obligation of 3,887.92 is multiplied by \$13. The total is then discounted by 3% over the life of the project using a discounting method. The final total for the Taber T-Line & Substation Project is \$26,795.10 (Table 4).

Table 4. Total When Making Contribution to Stewardship Account.

Total	
Total Debit Obligation	3,887.92
Contribution After Applying Credit Discount Method	\$26,795.10

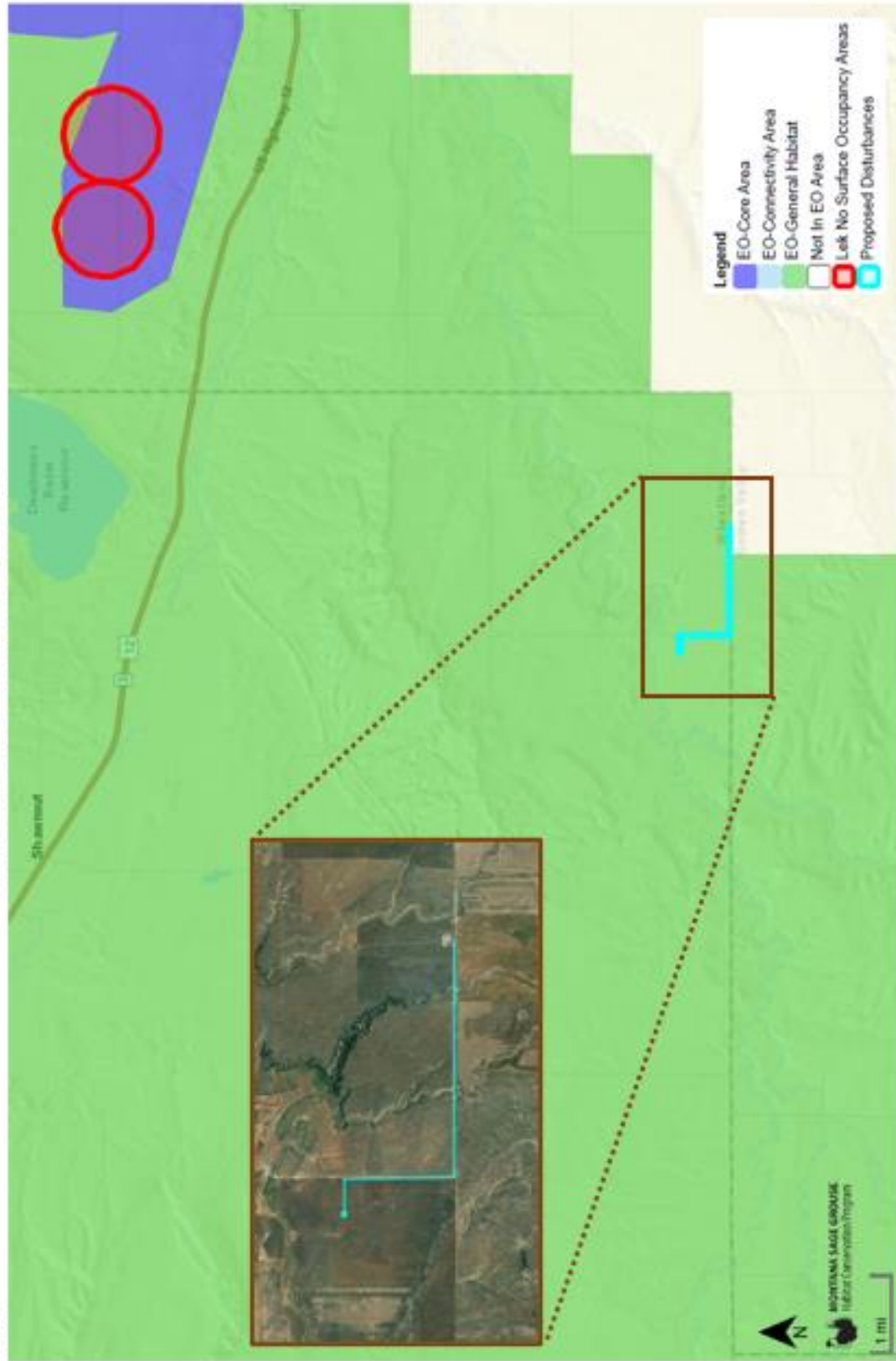
4.0 Mechanism Selected to Fulfill the Compensatory Mitigation Obligation

Fergus Electric Cooperative has committed to a compensatory mitigation obligation of \$26,795.10 to be deposited in the Montana Sage Grouse Stewardship Fund (see MCA 87-5-909((1)(a)(ii))). Funds would be deposited after confirmation of approval for permits but before construction begins.

The MSGOT and Program would disburse these funds through the Stewardship Account granting process to conserve habitat and sage-grouse populations through offsite mitigation. Any benefit of onsite mitigation would be negated until such activities were completed and disturbed lands fully reclaimed. The Taber T-Line & Substation Project is in the Central Service Area. MSGOT will be encouraged to apply these funds to mitigation within the Project's same Service Area so that greater conservation benefits to sage-grouse can be secured offsite.

5444_Taber T-Line & Substation Project Location

Figure 1



Path: G:\CARBON 10 Sage Grouse MCP\Projects\Projects GENERAL HABITAT\5444 Taber T-Line & Substation\DEBIT NOT 5444 20240119\DEBIT NOT 5444 20240119.MXD

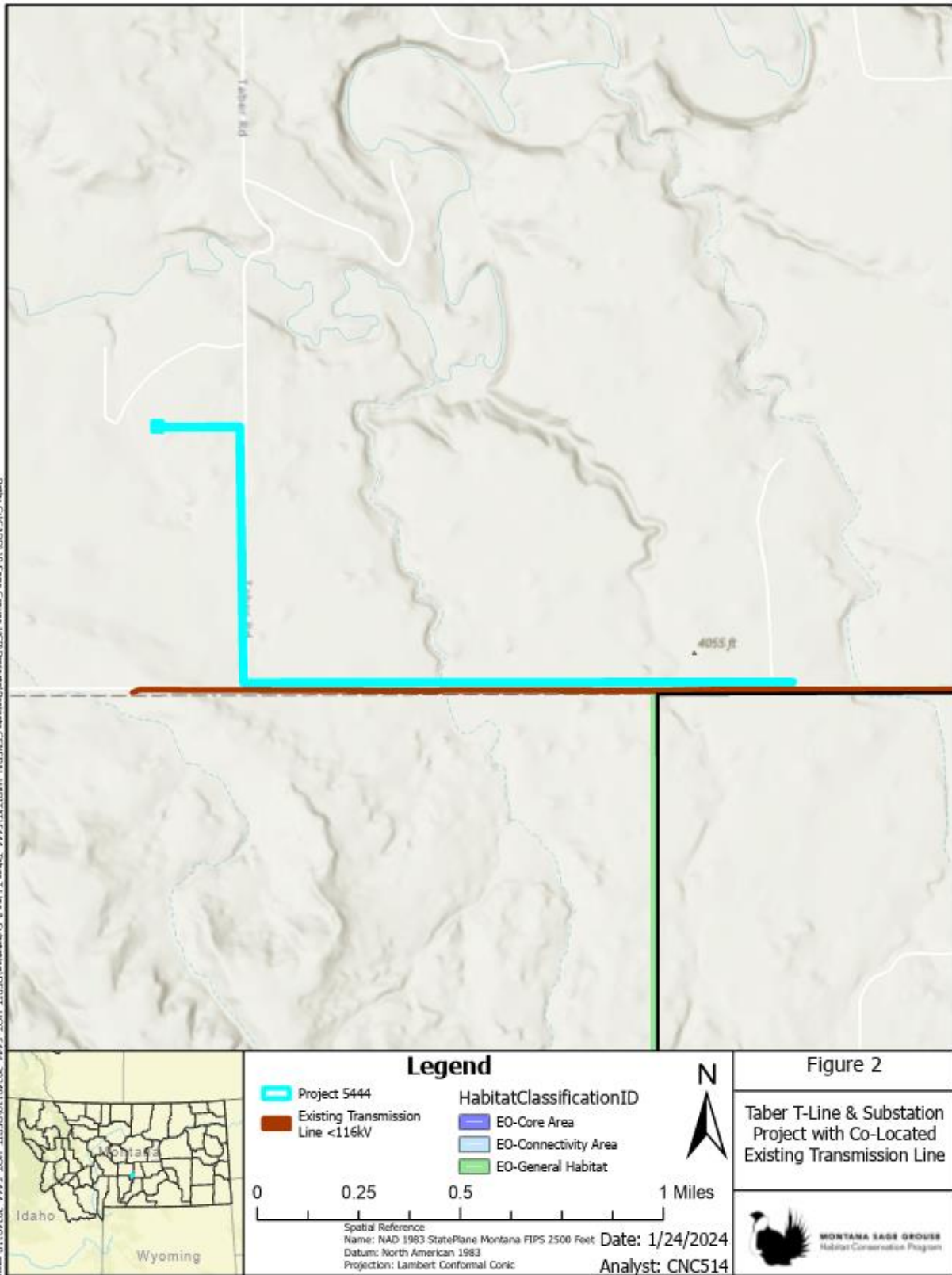
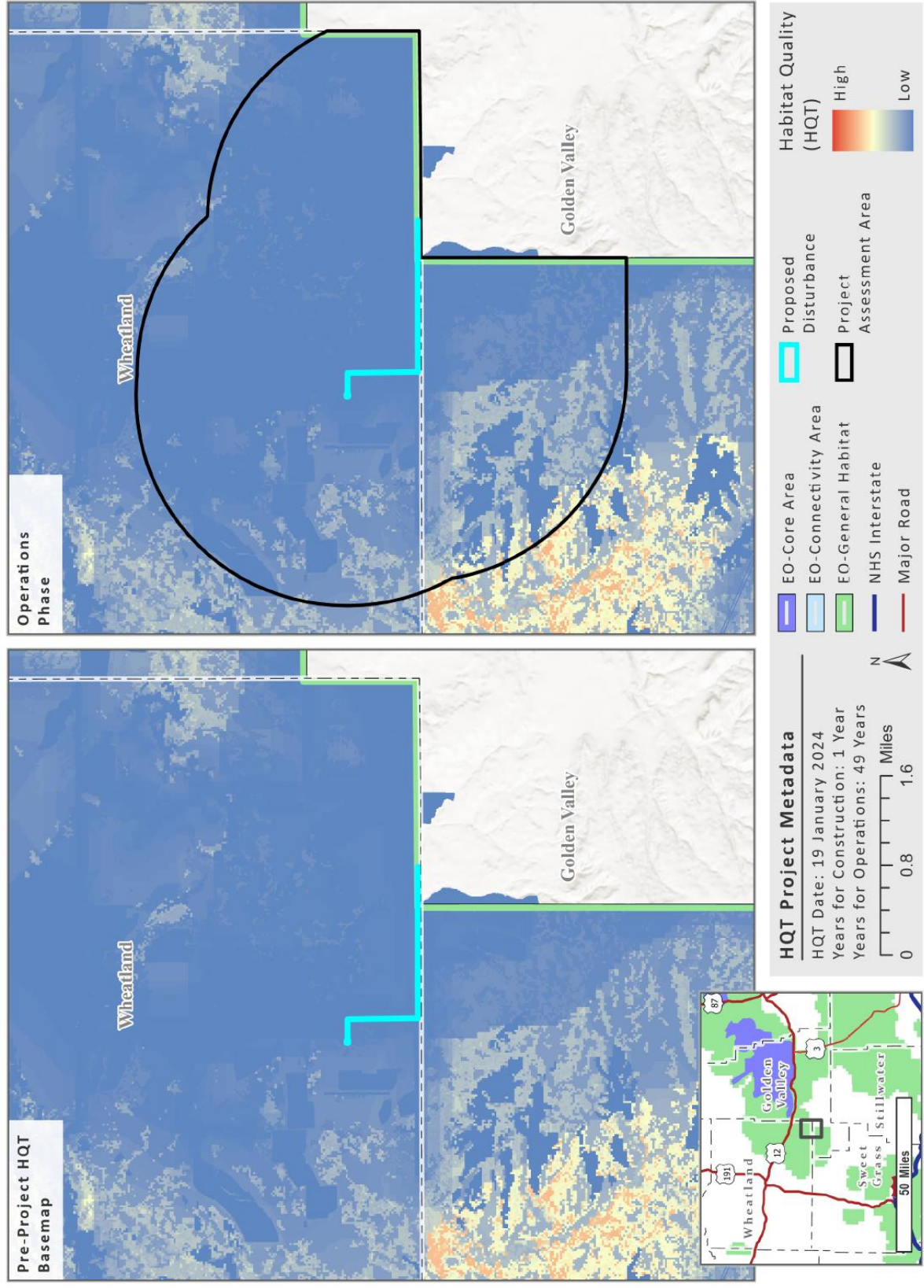


Figure 3
Project 5444 - Taber T-Line & Substation





MONTANA SAGE GROUSE
Habitat Conservation Program

Instructions for Contribution to the Stewardship Account

1. The project developer/permit holder or applicant should review the two attached forms.
 - The Payment Acknowledgment Form allows DNRC fiscal staff and the Program to track of the transaction.
 - The Stewardship Account Contribution Form recaps your mitigation approach and serves as an invoice for payment. You are welcome to forward this form to your accounting office or bookkeeper.
2. The forms should be signed by the developer, authorized permit applicant or permit holder and returned to the Program prior to making a payment.

The signed forms may be scanned and emailed to the Program reviewer:

Adam.Kauth@mt.gov

or mailed to:

Montana Sage Grouse Habitat Conservation Program
P.O. Box 201601
Helena, MT 59620

3. Payment should be made **after** you obtain your necessary permits but **before** initiating the project activity.

Instructions for wire transfer or check payments are found at the bottom of the Stewardship Account Contribution Form.

4. The Program will sign the forms and will save the completed Payment Acknowledgment Form and Stewardship Account Donation Form as a package within your online project file, if you need a copy of the documents in the future.

Payment Acknowledgment

FOR DNRC AND SAGE GROUSE PROGRAM USE ONLY

DeveloperName(Payor):
ProjectName:
ProjectIDNo:
TotalNumberOfDebits:
Sage Grouse ServiceAreaofProject:
Majorand MinorVersion oftheHQTTechnicalManual:
Majorand MinorVersion ofthePolicyGuidance:

Amount of Deposit:
Date of Wire Transfer or Check Deposit:
Multiple Payments Expected: Yes No If Yes, date anticipated:
Purchasing Stewardship Account Credits: Yes No If Yes Grant Project Name:
Contribution Equivalent to Average Cost of Credits: Yes No If Yes, Average Cost of Credit:
Donation for Purposes Other than Mitigation: Yes No Purpose:

Fund Name: Sage Grouse Stewardship Account (Payee) Fund No. 02318 Org. No: 13 Speed Chart:R2310

APPROVED / DATE

MSGOT: _____
SG Program Manager: _____
CARDD Administrator: _____



MONTANA SAGE GROUSE
Habitat Conservation Program

Taken together, Executive Orders 12-2015 and 21-2015 and the 2015 Greater Sage Grouse Stewardship Act (Act) set forth that Montana will observe the mitigation hierarchy and that compensatory mitigation is consistent with the purpose of incentivizing voluntary conservation measures for sage grouse habitat and populations. MCA §§ 87-5-902, 87-5-911(1)(a)-(b), (2), and (3). The number of debits attributed to a development project, and ultimately the final mitigation obligation is determined by applying the Habitat Quantification Tool and accompanying policy guidance, and as approved by the Montana Sage Grouse Oversight Team. MCA §§ 87-5-903(5), 87-5-903(9), 87-5-903(10), 87-5-905(1)(g), 87-5-911(1)-(3).

Once the amount of compensatory mitigation is determined and approved, developers select their own method for offsetting debits. The Act provides for many different methods, and developers can use more than one method. MCA § 87-5-910(1)(b). Among the available methods, the Act provides that developers can purchase an equal number of credits from the available credits tracked by the Montana Sage Grouse Oversight Team or, if sufficient conservation credits are unavailable for purchase, making a financial contribution to the Sage Grouse Stewardship Account established in MCA § 87-5-909. MCA §§ 87-5-903(4), 87-5-909, 87-5-911(1)(b)(i)-(ii).

This payment to the Sage Grouse Stewardship Account is made by _____ to provide compensatory mitigation for the debits of the project in designated sage grouse habitat pursuant to MCA §§ 87-5-911(1)-(3). The purpose of the funds is to mitigate and offset impacts to sage grouse populations and habitats resulting from the Project. Additional details can be found in the approved mitigation plan and donation form.

The Montana Sage Grouse Oversight Team will approve expenditures of funds deposited to the Sage Grouse Stewardship Account consistent with the approved mitigation plan, the Greater Sage Grouse Stewardship Act, and applicable administrative rules.

Date

By: _____
Developer or Authorized Representative (Payor)

Date

By: _____
Sage Grouse Habitat Conservation Program (Payee)

Date

By: _____
Department of Natural Resources & Conservation (Payee)

STATE OF MONTANA
SAGE GROUSE STEWARDSHIP ACCOUNT
CONTRIBUTION FORM



Developer's Name _____ Date _____
Address _____
City _____ State _____ Zip _____
Phone _____

Description of Purpose of Funds	Amount

Developer's Signature: _____
Date: _____

COMMENTS FOR SPECIAL INSTRUCTION:

Funds can be remitted by check or wire.

Check Payments:

Make checks payable to:

DNRC
Re: Sage Grouse Stewardship
P.O. Box 201601
1539 11th Avenue
Helena, MT 59601

Wire Instructions:

Name on Account: State of Montana
Routing # 092900383 (last digit is a check digit)
Checking Account # 156041200221
Bank: US Bank NA MT
US Bank Contract: Kimberly Spiroff at 406-447-5251

Please include on wire info:

DNRC 57060, Sage Grouse Stewardship

Sage Grouse Contact:

<https://sagegrouse.mt.gov/>