

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	MDT Stockpile Land Use License
<b>Proposed Implementation Date:</b>	April 2016
<b>Proponent:</b>	Montana Department of Transportation
<b>Location:</b>	Generally located in the NW¼SW¼SW¼ of Section 16, Township 2 North, Range 37 East (Common Schools Trust)
<b>County:</b>	Treasure County

### I. TYPE AND PURPOSE OF ACTION

The Proponent has applied to the DNRC Southern Land Office (SLO) for a Land Use License to permit the use of a 0.5± acre area generally located at the southwest corner of the intersection of Montana Highway 384 and Horse Creek Road for a sand stockpile area and to park a loader. This area is generally located in the NW¼SW¼SW¼ of Section 16, Township 2 North, Range 37 East in Treasure County.

The Montana Department of Transportation (MDT) is proposing to use the site to stockpile sand and park a loader to better facilitate their winter snow removal and sanding operations along Highway 384 between Hysham and Hardin. MDT may eventually construct a small building to house the loader. The license area is located immediately west of the highway, on an old road bed.

### 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 the Southern Land Office (SLO) for the proposed project. The state grazing lessee, Howard Ranch Inc., was contacted by the Proponent and has signed a Settlement of Damages form.

A site meeting with MDT was conducted on 29 January 2016 by Jocee Hedrick, SLO Land Use Specialist and Jeff Bollman, SLO Land Use Planner. A site inspection was also conducted at that time.

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

*Montana Sage Grouse Habitat Conservation Program:* The proposed license area is located in General Habitat and the MDT submitted a consultation request and review of the proposed project. The only stipulation required was regarding the seed mix that should be used on any disturbed lands.

#### 3. ALTERNATIVES CONSIDERED:

**Proposed Alternative:** Approve the issuance of a Land Use License to the Montana Department of Transportation to allow the use of a stockpile area on a ±0.5 acre portion of State Trust land generally located in the NW¼SW¼SW¼ of Section 16-T2N-R37E in Treasure County.

**No Action Alternative:** Deny the request by the Montana Department of Transportation to place a sand stockpile area on state Trust land.

### 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.*

No earthwork is proposed with the project, the equipment and materials will be placed on the existing vegetation which is part of an old road bed. No significant adverse impacts to geology and soils are expected by implementing the proposed alternative.

---

#### 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.*

Sarpy Creek is located to the east on the opposite side of Highway 384 and an unnamed tributary to Sarpy Creek is located approximately 400' south of the proposed stockpile area. Due to the distance of the proposed storage area from the creek and the nature of the request, no significant adverse impacts to water quality or quantity are expected by 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.*

There would be small increases in airborne particulates from the loader that will be stored on the site to load sand into the snow plow trucks, as well as from the idling trucks. The use will be seasonal (winter) and is not expected to increase the overall emissions but may actually reduce them some due to shorter travel times to get loads of sand. No significant adverse impacts are expected by implementing the proposed alternative.

---

#### 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.*

The stockpile area would displace the existing vegetation in the ±0.5 acre license area; however, much of the site is on an old roadbed and has been previously disturbed. The License will require the proponent to reclaim and/or reseed any impacted areas once the use ceases with a mix that complies with the Sage Grouse Habitat Program stipulation. No significant long term adverse impacts to vegetation cover, quantity or quality are expected by implementing the proposed alternative.

---

#### 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.*

A variety of big game (deer and elk), pheasants, turkeys, small mammals, raptors, and songbirds use this area. Due to the location of the license area immediately adjacent to the Highway, no significant impacts to terrestrial, avian and aquatic life and habitats are expected to 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 one vertebrate animal that is listed as a species of concern, the Greater Sage-Grouse. The closest confirmed active lek is approximately 3 miles west of the proposed stockpile area. This parcel is located within sage-grouse general habitat and the MDT did consult with the Montana Sage Grouse Habitat Program and the only stipulation was regarding the seed mix to use in the reclamation of disturbed areas. No significant adverse impacts to unique, endangered or fragile species are expected by implementing the proposed alternative.

---

**10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

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

There are no cultural resources known to exist within the proposed project area. Additionally, when SLO staff visited the site in January, a visual survey of the proposed project area was conducted and no cultural features were noted in the proposed project area. In addition, the license area is located on an old road bed, so it has previously been disturbed. No significant adverse impacts to historical and archaeological sites are expected by implementing the proposed alternative.

---

**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 project activities would be restricted to a ±0.5 acre area that is at the southwest corner of the intersection of Montana Highway 384 and Horse Creek Road. The proposed license area would run parallel to the Highway and would consist of a sand stockpile and a front end loader. There are no houses in the immediate area. No significant adverse impacts to aesthetics are expected by implementing the proposed alternative.

---

**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 adverse impacts to environmental resources of land, water, air or energy are expected 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 or federal environmental reviews taking place on the subject state Trust land.

---

**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 proposed action would allow for MDT to have a stockpile of sand between Hardin and Hysham and allow for the plows to refill with sand faster and get it onto the area roads faster than is currently possible and improve public safety on the Highway. No significant adverse 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.*

No significant adverse impacts to industrial, commercial and agricultural activities and production are expected to occur as a result of implementing the proposed alternative.

---

**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 is not expected to have a significant impact on the quantity and distribution of 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.*

The proposed action and the nature of the activity is not expected to have a significant positive or negative impact to the local or state tax base.

---

**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 is not expected to generate a significant increase in the demand for services provided by Treasure County.

---

**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.*

Implementation of the proposed alternative will not conflict with any locally adopted plans.

---

**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.*

Persons possessing a valid state lands recreational use license may conduct recreational activities on the subject Trust land and it does have legal public access from Highway 384. The portion of Trust land where the proposed project is located is not likely to get much recreational use due to its proximity to the highway. The proposed project is not expected to have a significant adverse impact on access and quality of recreational 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.*

No significant adverse impacts to density and distribution of population and housing are expected to occur as a result of implementing the proposed alternative.

---

**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 proposed alternative to issue a Land Use License would provide a \$25 application fee and an annual payment of \$200 to the Common Schools Trust.

<b>EA Checklist Prepared By:</b>	<b>Name:</b> Jeff Bollman	<b>Date:</b> 19 April 2016
	<b>Title:</b> Southern Land Office Area Planner	

---

**V. FINDING**

---

**25. ALTERNATIVE SELECTED:**

After reviewing the Environmental Assessment, the proposed alternative has been selected and it is recommended that a Land Use License be issued to permit a ±0.5 acre sand stockpile area, along with the parking of a loader. The site is generally located at the southwest corner of the intersection of Montana Highway 384 and Horse Creek Road. The proposed alternative can be implemented in a manner that is consistent with the long-term sustainable natural resource management of the area while also generating revenue for the common school trust.

---

**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

The potential for significant impacts from the proposed action is minimal based on the relatively small size of the licensed area and the type of action proposed. All identified potential impacts will be avoided or minimized by utilizing the mitigations listed below and no significant impacts are expected to occur as a result of implementing the proposed alternative.

The mitigation measures that will be required by the issuance of the Land Use License include:

1. Stockpiling of sand and parking of the loader is only allowed in the area permitted, as shown on attached Exhibit A.

2. The Licensee shall obtain written approval from the Licensor prior to the erection of any structures on the site.
3. The Licensee shall be responsible for restoring any damage to the land after the use of the stockpile area is completed. Site reclamation shall include any regrading and replanting of the area in a native seed mix that is approved by the Southern Land Office and consistent with recommendations from the Montana Sage Grouse Habitat Conservation Program.
4. The Licensee shall be responsible for controlling any noxious weeds introduced by Licensee's activity on state Trust land and shall prevent or eradicate the spread of those noxious weeds onto land outside the licensed area.
5. The Licensee will be required to monitor and control weeds during the License period and for two years after termination of License.

**27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:**

EIS                     
  More Detailed EA                     
  No Further Analysis

<b>EA Checklist Approved By:</b>	<b>Name:</b> Matthew Wolcott
	<b>Title:</b> Southern Land Office Area Manager
<b>Signature:</b> /s/ Matthew Wolcott	
<b>Date:</b> 4/20/2016	

Exhibit A – Trust Land and Proposed Sand Stockpiling Location

