

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name: Fall Line Farms/State of Montana Reciprocal Access Agreement

Proposed Implementation Date: May 16th, 2016

Proponents: FALL LINE FARMS MONTANA, LLC, 119 S B Street, San Mateo, CA 94401

Type and Purpose of Action:

History: Fall Line Farms requested historic access easements across several sections of State land in order to complete the sale of their property near St. Marie, MT that is commonly known as Prairie Creek Ranch. Since the DNRC currently has no means of legal access to the majority of the State land involved, the Glasgow Office of the DNRC wasn't interested in issuing these easements without first exploring the possibility of creating a reciprocal access agreement that would benefit all parties. Fall Line Farms and the future purchasers of the property were accepting of this proposal.

Proposed Action: Through the proposed reciprocal access agreement, Fall Line Farms would grant the State of Montana 2.41 miles of access road easements across their private land within Prairie Creek Ranch and the State of Montana would grant Fall Line Farms 7.25 miles of access road easements across School Trust lands. All access road easements would utilize existing 2-track trails and no new trails would be established through this agreement.

Purpose: Fall Line Farms would be able to guarantee prospective buyers access to all property within Prairie Creek Ranch if the reciprocal access agreement is approved. Prospective purchasers increase their ability to secure financing to both purchase the land involved and also their ability to sell the land involved in the future. The State gains public and administrative access to 2,808 acres of previously inaccessible lands.

Location: 30 foot access easements across State owned lands in Sections 22, 23, 24, 25 and 27 in Twp. 31 N – Rge. 40 E and Sections 19 and 30 in Twp. 31 N – Rge. 41 E.

County: Valley

I. PROJECT DEVELOPMENT

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

Fall Line Farms requested historic access easements across several sections of State land in order to complete the sale of their property near St. Marie, MT. The Glasgow Office of the DNRC wasn't interested in issuing these easements without exploring the possibility of creating a reciprocal access agreement that would benefit all parties. Fall Line Farms and the future purchasers of the property were accepting of this proposal.

Jonathan Septer, an attorney for Messerli & Kramer PA, is representing Fall Line Farms.

Matthew Knierim is the attorney representing both parties (Doug and Carla Tihista and Matthew Miller) that are purchasing the Fall Line Farms property.

Dennison Butler, an attorney for DNRC Trust lands, is representing the State of Montana.

	<p>Ed Hanson of Benchmark Land Services assisted the DNRC with completion of the reciprocal access agreements documents.</p> <p>Numerous other DNRC personnel including Clive Rooney, NELO Area Manager; Lisa Axline, ROW Manager; Kelly Motichka, ROW Specialist; and Matthew Poole, Glasgow Unit Manager, have been involved.</p>
2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:	Fort Peck Indian Reservation - The reservation's boundary line crosses through a portion of the lands proposed for sale/transfer.
3. ALTERNATIVES CONSIDERED:	<p>Action Alternative: Approve of the proposed reciprocal access agreement.</p> <p>No Action Alternative: Deny the proposed reciprocal access agreement.</p>

II. IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	POTENTIAL IMPACTS
4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are fragile, compactible or unstable soils present? Are there unusual geologic features? Are there special reclamation considerations?	<p>All proposed access easements utilize existing 2-track trails that have likely been present on the landscape for over 60 years.</p> <p>Action: The access easement's 2 track trails would receive additional vehicle traffic and would be more susceptible to compaction and erosion as a result. These roads historically required very little to no maintenance; the need for maintenance may increase if traffic increases to levels that are detrimental to the integrity of the trails.</p> <p>No Action: No impacts to the soils would occur.</p>
5. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?	<p>Action Alternative: No impacts to the water quality, quantity and/or distribution within the project area and/or surrounding landscape are anticipated.</p> <p>No Action: No impacts to the water quality, quantity and/or distribution would occur.</p>
6. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	<p>Action: No impacts to the air quality would occur.</p> <p>No Action: No impacts to the air quality would occur.</p>
7. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be permanently altered? Are any rare plants or cover types present?	<p>Action: The vegetation within the access trails would be slightly impacted from increased traffic. No significant impacts to vegetation cover, quantity, and/or quality are anticipated.</p> <p>No Action: No impacts to vegetation cover, quantity, and/or quality would occur.</p>
8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?	<p>Action: The area would be more accessible to the public and human disturbances would likely increase. No significant impacts to terrestrial, avian, and/or aquatic life and habitats are anticipated.</p>

II. IMPACTS ON THE PHYSICAL ENVIRONMENT	
	No Action: No impacts to terrestrial, avian, and/or aquatic life and habitats would occur.
9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Sensitive Species or Species of special concern?	Action Alternative: The project area contains no known unique, endangered, fragile or limited environmental resources. No Action: No impacts to unique, endangered, fragile, and/or limited environmental resources would occur.
10. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	Action Alternative: No impacts to historical and/or archaeological sites would occur. No Action: No impacts to historical and/or archaeological sites would occur.
11. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?	The landscape consists of rolling hills and plains being used primarily for ranching operations. The town of St. Marie and the St. Marie Air Base are adjacent to the area involved. Signs and parking areas may be required to keep the public from leaving the designated access routes. These features would be similar to the markings/structures used by Montana Fish, Wildlife and Parks to manage their Block Management Areas (BMAs). Northeast Montana has numerous BMAs, so these markings would not be any more of a disturbance than the markings currently found throughout existing BMAs. Action: No significant impacts to the areas aesthetics are anticipated. No Action: No impacts to the areas aesthetics would occur.
12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project?	The prospective purchasers have been managing both the private and State lands involved for several years, so it is anticipated that the lands would be utilized very similarly to how they are currently being managed. Action: No impacts to the demands of environmental resources such as land, water, air, and/or energy resources are anticipated. No Action: No impacts to the demands of environmental resources such as land, water, air, and/or energy resources would occur.
13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA: Are there other studies, plans or projects on this tract?	Action: No impacts to studies, plans, and/or projects pertinent to this area are anticipated to occur. No Action: No impacts to studies, plans, and/or projects are anticipated to occur.

III. IMPACTS ON THE HUMAN POPULATION	
RESOURCE	POTENTIAL IMPACTS AND MITIGATION MEASURES
14. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	Action: No impacts to human health and/or safety risks are anticipated. No Action: No impacts to human health and/or safety risks would occur.
15. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	Action: Fall Line Farms would be able to complete the sale of their property. The prospective purchasers are currently managing the State land involved in this proposal and they would continue to do so. No Action: Fall Line Farms may not be able to sell

	<p>their property to the prospective purchasers since the purchasers require financing and have been unable to secure title insurance due to lack of legal access to the property. The purchasers may choose to no longer manage the State land due to the sale falling through. This could be temporarily detrimental to the State land until Fall Line Farms found someone else to physically manage the State land (they are not physically engaged in the management of the land involved). Furthermore, the State would not have legal access to ensure proper management is taking place if this agreement is not finalized.</p>
<p>16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.</p>	<p>Action: The private land and State leases would be sold/transferred to 2 local families and would no longer be owned by an investment group based out of California. The specific impacts of this are unknown.</p> <p>No Action: Without legal access, only purchasers not requiring financing would be able to purchase the property. The impacts of this are unknown.</p>
<p>17. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?</p>	<p>Action: Local and State taxes may be positively impacted as the land would be sold from an LLC based out of California to 2 local Montana families.</p> <p>No Action: No impacts to the state tax base and/or tax revenues would occur.</p>
<p>18. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed?</p>	<p>Action: No impacts to the level of demand for road use or government services are anticipated.</p> <p>No Action: No impacts to the level of demand for road use or government services would occur.</p>
<p>19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?</p>	<p>Action: No impacts to local environmental plans and goals are anticipated occur.</p> <p>No Action: No impacts to local environmental plans and goals would occur.</p>
<p>20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?</p>	<p>Action: Recreational opportunities would increase as 2,808 acres of Trust land would become legally accessible to the public. Determining whether the quality of recreation would increase or decrease with any action is nothing more than speculation because the quality of recreation is based solely on the opinion of the individual recreating.</p> <p>No Action: No impacts to the quality of recreational and wilderness activities would occur.</p>
<p>21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?</p>	<p>Action: No impacts to the density and/or distribution of population and housing would occur.</p> <p>No Action: No impacts to the density and/or distribution of population and housing would occur.</p>
<p>22. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?</p>	<p>The land involved has already been managed by the prospective purchasers for several years.</p> <p>Action: No impacts to the areas social structures, native/traditional lifestyles, or communities are anticipated to occur.</p> <p>No Action: No impacts social structures, native/traditional lifestyles, or communities would occur.</p>
<p>23. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?</p>	<p>Action: No impacts to the areas cultural uniqueness and/or diversity are anticipated to occur.</p> <p>No Action: No impacts to the areas cultural uniqueness and/or diversity would occur.</p>
<p>24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:</p>	<p>Action Alternative: Approving of the reciprocal access agreement would likely allow the sale of Prairie Creek Ranch to be finalized. This would transfer lands and leases contained within Prairie Creek Ranch from a California based LLC to local Montana residents. The State and public would be</p>

granted access to 2,808 acres of currently inaccessible School Trust lands.

No Action Alternative: The financial implications of the "No Action Alternative" may be severe for both the sellers and buyers involved in the proposed sale of the land known as Prairie Creek Ranch. The State and public would not be granted access to 2,808 acres of currently inaccessible School Trust lands.

EA Checklist Prepared By: Matthew Poole Glasgow Unit Manager
Name Title

s/Matthew Poole\s Date: May 6, 2016
Signature

IV. FINDING

25. ALTERNATIVE SELECTED:

Action

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

No significant impact

27. Need for Further Environmental Analysis:

EIS More Detailed EA No Further Analysis

EA Checklist Approved By: Clive Rooney NELO Area Manager
Name Title

s/Clive Rooney\s Date: May 6, 2016
Signature

