

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Leslie Auer Break Request
Proposed Implementation Date:	May 1, 2016
Proponent:	Leslie Auer, Lessee of State Leases #4064
Location:	Sec. 36, T3N, R24E
County:	Yellowstone Common Schools

I. TYPE AND PURPOSE OF ACTION

Leslie Auer has submitted a request to break 12 acres of an expired CRP contract and return those acres to small grain production. The total area requested to be broken is only a portion of the 44.5 acres that came out of CRP on this tract this past fall. The 12 acres were selected based on capability and suitability for cropland production.

II. PROJECT DEVELOPMENT

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

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

Leslie Auer-10701 MT Hwy 3, Broadview MT 59015
USDA-NRCS-Yellowstone County Office, Billings MT
MT DNRC-Southern Land Office, Billings MT
MT FWP-Region 5

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

USDA-NRCS-Yellowstone Field Office, Lessee must remain in cropland and farming practice compliance for litter and soil loss tolerances.

3. ALTERNATIVES CONSIDERED:

Alternative A: The "No Action" alternative.

Alternative B: The alternative to allow 12 acres of expired CRP acreage to be broken out and farmed for dryland crop production.

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.

There are no unusual geological features present. The soils in the 12 acres proposed for breaking are all clayey soils. The specific soils are: Arvada-Bone clays (0-1% slopes), Bew clay (0-1% slopes), Bew-Allentine clays (0-1% slopes, Pierre clay (4-7% slopes), and Kyle silty clay (4-7% slopes). All of these soils have a capability class rating of 4s except for Arvada-Bone clay which is a 6s soil and Pierre clay which is a 4e soil. The Arvada-Bone soil type is a very small portion of the proposed breaking area and therefore should not limit the approval of this proposed breaking.

No significant adverse impacts to geology and 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.

There is a very low probability of any water degradation from this project.

No significant adverse impacts to water quality, quantity and distribution 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.

Pollutants or particulates will not be produced.

No cumulative effects are expected.

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 present CRP stand of intermediate wheatgrass and crested wheatgrass will be destroyed. These are neither native nor rare.

No significant adverse impacts to vegetation cover, quantity and quality 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.

Aquatic life will not be adversely affected. There were no tract specific concerns raised from the Montana Department of Fish, Wildlife & Parks scoping process for this section at this time. If there are any populations present, they will be dispersed.

The MT DNRC has the responsibility of maintaining a positive revenue stream on this acreage for the Common Schools Trust.

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 are listed as a species of concern, threatened, or endangered: Greater Sage-Grouse. This species may traverse this section, but is not known to occupy it.

The area for the proposed breaking is in the General Habitat area for the Greater Sage-Grouse and the nearest active lek is approximately 5 miles to the southeast of the proposed project area. The mitigations required by the Governor's Executive Order No. 12-2015 will all be followed for the proposed project. These mitigations include:

- Vegetation removal as part of permitted activities will be limited to the minimum disturbance required by the project.
- The proposed project area has previously been actively farmed and is not native rangeland. Therefore the proposed project is not a conversion of sagebrush/native rangeland to cropland agriculture.

These mitigations, in my opinion, will be sufficient to avoid having any significant adverse impacts to the Greater Sage-Grouse General Habitat.

No significant adverse impacts to unique, endangered, fragile or limited environmental resources are anticipated.

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 no cultural or paleontological resources have been identified in the APE. Because the area of potential effect on state land was once cultivated, because the Holocene age soils in the APE are relatively thin, and because the local geology is not likely to produce caves, rock shelters, or sources of tool stone, 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.

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 and public lands.

The proposed project area is along and adjacent to Buffalo Springs Rd in Yellowstone County. There should not be any excessive noise or light associated with the proposed activity. The activity is expected to have minimal negative effects.

No significant adverse impacts 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 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 Montana Department of Fish, Wildlife & Parks has been scoped concerning this project. They have no major concerns regarding this conversion.

<p style="text-align: center;">IV. IMPACTS ON THE HUMAN POPULATION</p>

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| <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> |
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14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

There is some human safety risks associated with the operation of heavy equipment. The proponent, the contractor, and their employees accept these risks.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

Agricultural production will increase after the proposed breaking. The current lessee does not graze this tract, so the expired CRP acreage will only return a rental if broken for crop production.

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.

No new jobs will be created through the proposed project.

There are no direct or cumulative effects to the employment market.

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 tax base will not be affected.

There are no direct or cumulative effects to taxes for this 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

Additional services will not be required.

No cumulative effects are expected.

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.

The MT DNRC requires that the lessee control soil erosion and maintain proper litter cover by state of the art farming practices acceptable by the USDA-NRCS. Furthermore, in order to break the proposed acreage, the soils have to pass the strict requirements set by MT DNRC's Land Breaking Policy. The majority (over 85%) of the soils within the project area have passed that criteria set by the policy.

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 minimal recreational potential within this section. This section is publicly accessible via Buffalo Springs Rd, but the majority of this tract is already in crop production. The addition of 12 acres should not have any significant impacts to recreational activities.

No significant adverse impacts to recreation or wilderness activities are anticipated.

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.

Additional housing will not be a requirement of this project.

No direct or cumulative effects are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

Disruption is not likely. There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.

No direct or cumulative effects are anticipated.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

There should be no shift in the quality of the area.

No adverse impacts to cultural uniqueness and diversity are anticipated.

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 estimated return to the Common Schools Trust is between \$20.00-\$30.00 per acre from the proposed breaking and subsequent crop production. The expected revenue from crop production is much higher than the expired CRP acreage would produce if left in its current state.

EA Checklist Prepared By:	Name: Jocee Hedrick
	Title: SLO Land Use Specialist
Signature:	<i>Jocee Hedrick</i> Date: 3/24/16

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative B: Allow the 12 acres of expired CRP acreage to be broken out and converted to crop production.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

No significant adverse impacts are expected with this land break. Over 85% of the soils meet or exceed the MT DNRC's requirements for soils that can be broken under the Department's Policy and Procedures for granting Land Breaking on State Lands. The proposed land breaking will increase the quality of the vegetation of the tract and will increase the revenue the Trust receives from this acreage every year.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS
 More Detailed EA
 No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott
	Title: SLO Area Manager
Signature	<i>[Signature]</i> Date March 24 2016