

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Easement Application and Amendment
Proposed Implementation Date:	Summer 2016
Proponent:	Homestead Development, Corp., 376 St. James Golf Drive, St Augustine, FL 32092
Location:	SW¼NW¼, Sec. 36, T32N, R5W
County:	Toole
Trust:	Common Schools (CS)

I. TYPE AND PURPOSE OF ACTION

The proponent has applied for an easement to amend D-5581 to include additional area because a highway approach is being moved. Montana Department of Transportation is moving of the existing approach 300 feet east for safety reasons. The approach is located on the south side of Highway 2 located about 1 mile east of Shelby, Montana. The applicant will amend easement D-5581 to reflect the access change according to the new highway approach.

II. PROJECT DEVELOPMENT

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

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

DNRC-Surface and Mineral Owner
Montana DOT
Kate Davis-Surface Lessee, Lease #7998

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

Montana Department of Transportation is the authority on changing the Highway approach.
DNRC is not aware of any other agencies with jurisdiction or other permits needed to complete this project

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Deny the easement application and amendment of D-5581.

Alternative B (the Proposed action) – Approve the easement application and amendment of D-5581.

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.

Soils and geology in this area are generally suitable for road use and access. Approximately 300 feet of new access road will have to be built and graveled. This area is immediately adjacent to highway 2. All disturbed areas will be reseeded to limit long term erosion.

No cumulative effects to the soils 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 important surface or groundwater resources will be impacted by the proposed EASEMENT.

Other water quality and/or quantity issues will not be impacted by the proposed action.

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.

The proposed easement will consist of only minor disturbance to soils, so 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.

The vegetation within the proposed project area consists of native and introduced grasses and forbs. The proposed area is located adjacent to highway 2. Disturbed areas will be reclaimed and reseeded.

A review of Natural Heritage data through the NRIS was conducted and there were no plant species of concern noted or potential species of concern noted on the NRIS survey.

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 proposal does not include any land use change which would yield 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. The proposed action will not have long-term negative effects on existing wildlife species and/or wildlife habitat.

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 review of Natural Heritage data through the NRIS was conducted. There are no species of concern. Threatened or endangered species, sensitive habitat types, or other species of special concern or potential species of concern will not be impacted.

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. Additionally, DNRC-Conrad Unit staff conducted an onsite inspection of the proposed temporary road. Both the Class I and physical inspections revealed no cultural or paleontological resources in the APE. 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 lands. The proposed Easement will not substantially change the aesthetics in the area.

No direct or cumulative effects to aesthetics 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.

The demand on environmental resources such as land, water, air, or energy will not be affected by the proposed action. The proposed action will not consume resources that are limited in the area. There are no other projects in the area that will affect the proposed action.

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 on this EA.

IV. IMPACTS ON THE HUMAN POPULATION
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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.

The proposed easement will not impact human health or safety in the area.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

The proposed area will impact less than an acre of grazing land. The road corridor will be fenced separate.

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 associated with access to a small business and will indirectly benefit local 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.

Local and state taxes and revenues are indirectly benefited from the proposed action.

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 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.

The proposed action is in compliance with State and County laws. No other management plans are in effect for the area.

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.

This tract of state land generally has a low recreational value for hunting due to the close proximity to highway 2. This tract is legally accessible to the public from Highway 2. The proposed action is not expected to impact general recreational activities on this state land.

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 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 action will not impact the cultural uniqueness or diversity 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 received fair market value for the area encumbered by the easement.

EA Checklist Prepared By:	Name: Erik Eneboe	Date: Sept. 6, 2016
	Title: Conrad Unit Manager, Conrad Unit, Central Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative B (the Proposed action) – Approve the easement application and amendment of D-5581.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

No significant impacts are expected.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS

More Detailed EA

No Further Analysis

EA Checklist Approved By:	Name: Tony Nickol
	Title: Land Use Specialist, Conrad Unit, CLO
Signature: /S/ TONY NICKOL	
Date: Sept.6 , 2016	

SURVEY EXHIBIT
AMENDED ACCESS & UTILITY EASEMENT
LOCATED IN THE SW1/4NW1/4, SECTION 36,
TOWNSHIP 32 NORTH, RANGE 2 WEST,
P.M.M., TOOLE COUNTY, MONTANA



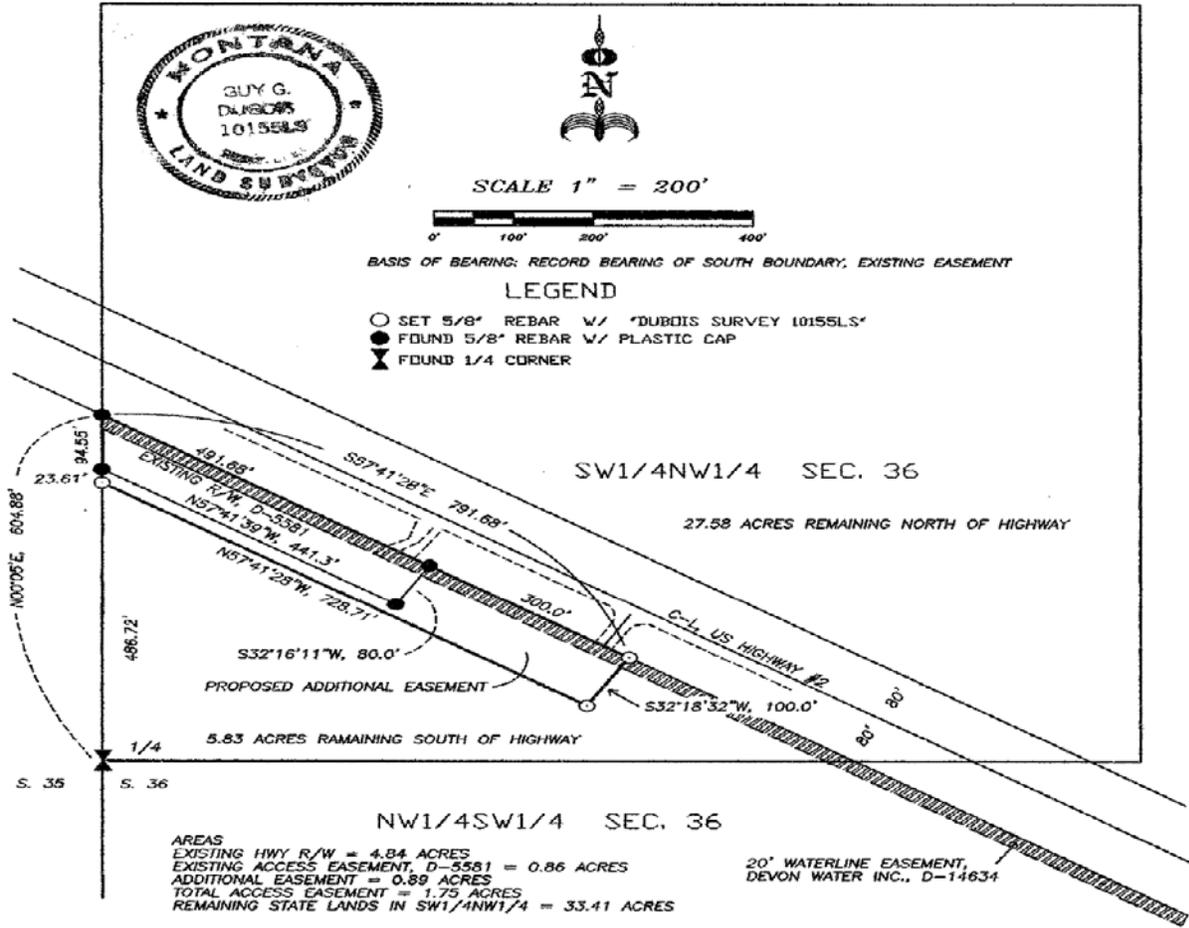
SCALE 1" = 200'



BASIS OF BEARING: RECORD BEARING OF SOUTH BOUNDARY, EXISTING EASEMENT

LEGEND

- SET 5/8" REBAR W/ 'DUBOIS SURVEY 10155LS'
- FOUND 5/8" REBAR W/ PLASTIC CAP
- ⌵ FOUND 1/4 CORNER



AREAS
 EXISTING HWY R/W = 4.84 ACRES
 EXISTING ACCESS EASEMENT, D-5581 = 0.86 ACRES
 ADDITIONAL EASEMENT = 0.89 ACRES
 TOTAL ACCESS EASEMENT = 1.75 ACRES
 REMAINING STATE LANDS IN SW1/4NW1/4 = 33.41 ACRES

LEGAL DESCRIPTION, R/W EASEMENT D-5581
 AN 80 FOOT WIDE ACCESS AND UTILITY EASEMENT CORRIDOR IN THE SW1/4NW1/4, SECTION 36, TOWNSHIP 32 NORTH, RANGE 2 WEST, P.M.M., TOOLE COUNTY, MONTANA FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE 1/4 CORNER OF SECTIONS 35 AND 36, TOWNSHIP 32 NORTH, RANGE 2 WEST; THENCE ALONG THE SECTION LINE TO THE SOUTH RIGHT-OF-WAY OF US HIGHWAY 2, N00'05"E, 604.88 FEET TO A FOUND REBAR AND CAP, THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT-OF-WAY, S57'41'28"E, 491.68 FEET TO A FOUND REBAR AND CAP; THENCE S32'16'11"W, 80.0 FEET TO A FOUND REBAR AND CAP; THENCE N57'41'39"W, 441.3 FEET TO THE WEST BOUNDARY OF SECTION 36, A FOUND REBAR AND CAP; THENCE ALONG SAID WEST BOUNDARY, N00'05"E, 94.55 FEET TO THE POINT OF BEGINNING, CONTAINING 0.86 ACRES.

LEGAL DESCRIPTION, PROPOSED EASEMENT
 AN ACCESS AND UTILITY EASEMENT CORRIDOR IN THE SW1/4NW1/4, SECTION 36, TOWNSHIP 32 NORTH, RANGE 2 WEST, P.M.M., TOOLE COUNTY, MONTANA FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE 1/4 CORNER OF SECTIONS 35 AND 36, TOWNSHIP 32 NORTH, RANGE 2 WEST; THENCE ALONG THE SECTION LINE TO THE SOUTH BOUNDARY OF R/W EASEMENT D-5581, N00'05"E, 510.33 FEET TO A FOUND REBAR AND CAP, THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT-OF-WAY, S57'41'28"E, 441.3 FEET TO A FOUND REBAR AND CAP; THENCE N32'16'11"E, 80.0 FEET TO A FOUND REBAR AND CAP; THENCE ALONG THE SOUTH BOUNDARY OF US HIGHWAY 2, S57'41'28"E, 300.0 FEET TO A SET REBAR AND CAP; THENCE N57'41'28"W, 728.71 FEET TO THE WEST BOUNDARY OF SECTION 36; THENCE N00'05"E, 23.61 FEET TO THE POINT OF BEGINNING, CONTAINING 0.89 ACRES.

On the basis of my knowledge, information, and belief, I certify that as a result of a survey made on the ground to the normal standard of care of Professional Land Surveyors practicing in the State of Montana, I find that the premises described and marked as shown on the subjoined plat is in conformance with the Subdivision and Platting Act (Sec. 76-3-101 thru 76-3-614, M.C.A.) and the regulations pursuant thereto.

7-27-2016
 Date
 Guy G. Dubois
 Guy G. Dubois
 10155LS

