

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	Easement application and LUL application for the reconstruction of Highway 2 by Montana Department of Transportation in the Galata E and W designation.
<b>Proposed Implementation Date:</b>	Fall 2017
<b>Proponent:</b>	Montana Department of Transportation, 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620
<b>Location:</b>	See below list of tracts.
<b>County:</b>	Toole
<b>Trust:</b>	Capitol Buildings (CB)

### I. TYPE AND PURPOSE OF ACTION

Montana Department of Transportation has requested two easements and LUL #3073343 in order to reconstruct portions of Highway 2 in the Galata E and W designation. The proposed project will include the realignment of the highway, widening of the roadway and shoulders, replacement of bridges, culverts, new pavement, and markings along the route. The fundamental purpose of the project is to bring the highway into current federal design standards and improve safety and drivability for the traveling public. The proposed project will cross three tracts of state land. The easement and LUL acreages are listed in the table below.

Township	Range	Section	Project Location and Type	Acres Affected	Trust	County
31N	3E	8	NE4NE4 (Easement)	0.13	CB	Toole
31N	3E	9	NW4NW4 (Easement)	0.76	CB	Toole
31N	2E	11	SE4NE4, (Easement)	0.35	CB	Toole
31N	2E	12	SW4NW4, SE4NW4 (Easement)	0.49	CB	Toole
31N	2E	12	SW4NW4, SE4NW4 (LUL #3073343 )	0.07	CB	Toole
<b>TOTALS</b>			<b>LUL #</b>	<b>0.07</b>	<b>CB</b>	<b>Toole</b>
<b>TOTALS</b>			<b>Easement</b>	<b>1.73</b>	<b>CB</b>	<b>Toole</b>

### II. PROJECT DEVELOPMENT

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

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

Montana Department of Transportation-Proponent  
 DNRC-Surface Owner  
 Gerald Smith-Surface Lessee, Lease #923 & #7338  
 Delmar Benjamin-Surface Lessee, Lease #3658

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

DNRC is not aware of any other agencies with jurisdiction or other permits needed to complete this project.

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**3. ALTERNATIVES CONSIDERED:**

Alternative A (No Action) – Deny the easement application and LUL #3073343 for the reconstruction of Highway 2 by the Montana Department of Transportation in the Galata E and W designation.

Alternative B (the Proposed action) – Grant the easement application and LUL #3073343 for the reconstruction of Highway 2 by the Montana Department of Transportation in the Galata E and W designation.

<b>III. IMPACTS ON THE PHYSICAL ENVIRONMENT</b>
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| <ul style="list-style-type: none"><li>• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i></li><li>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i></li><li>• <i>Enter "NONE" if no impacts are identified or the resource is not present.</i></li></ul> |
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**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 at the proposed project sites are silty, sandy, and clayey in texture. The topography is gently rolling and the soils and slopes are generally suitable for reconstruction of Highway 2. Equipment will cause localized areas of soil compaction and will disturb the soil were the road is reconstructed. Reclamation and reseeding will be completed by Montana Department of Transportation. Cumulative impacts on soil resources are expected and will be mitigated by Montana Department of Transportation’s construction plan.

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**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 are no water rights associated with these tracts in the proposed project areas. Other water quality and/or quantity issues will not be impacted by the proposed action.

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**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 action will not impact the air quality.

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**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.*

Vegetation will be impacted as 1.80 acres of land is disturbed in the reconstruction of Highway 2. The vegetation consists primarily of native and introduced grass species. Noxious and annual weeds within the proposed construction areas are a concern, but this concern will be mitigated as the applicant is responsible for controlling weeds within the construction areas. Cumulative impacts on the vegetative resources are not expected as the proposed construction areas will be reclaimed and reseeded.

A review of Natural Heritage data through the NRIS was conducted for T31N, R2E: There were no plant species of concern noted or potential species of concern noted on the NRIS survey.

A review of Natural Heritage data through the NRIS was conducted for T31N, R3E: There were no plant species of concern noted or potential species of concern noted on the NRIS survey.

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**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 area is not considered critical wildlife habitat. However, these tracts provide habitat for a variety of big game species (mule deer, whitetail deer, and pronghorn antelope), predators (coyote, fox, and badger), upland game birds (sharp tail grouse, Hungarian partridge), other non-game mammals, raptors and various songbirds. 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. Wildlife usage is expected to return to "normal" (pre-action usage) following the installation of the buried fiber optic cable. The proposed action will not have long-term negative effects on existing wildlife species and/or wildlife habitat.

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**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 no threatened or endangered species, sensitive habitat types, or other species of special concern associated with the proposed project area.

A review of Natural Heritage data through the NRIS was conducted for T31N, R2E. There were five animal species of concern, zero potential species of concern, and zero special status species noted on the NRIS survey: Birds-Ferruginous Hawk, Burrowing Owl, Loggerhead Shrike, and Brewer's Sparrow. Reptiles-Greater Short-horned Lizard. This particular tract of grazing land does not contain many, if any of these species. Threatened or endangered species, sensitive habitat types, or other species of special concern or potential species of concern will not be impacted by the reconstruction of Highway 2.

A review of Natural Heritage data through the NRIS was conducted for T31N, R3E. There were 10 animal species of concern, zero potential species of concern, and zero special status species noted on the NRIS survey: Mammals-Hoary Bat and Little Brown Myotis. Birds-Ferruginous Hawk, Chestnut-collared Longspur, McCown's Longspur, Burrowing Owl, Mountain Plover, Loggerhead Shrike, and Brewer's Sparrow. Reptiles-Greater Short-horned Lizard. These particular tracts of grazing land do not contain many, if any of these species. Threatened or endangered species, sensitive habitat types, or other species of special concern or potential species of concern will not be impacted by the reconstruction of Highway 2.

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**10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

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

There are no cultural resource concerns with the proposed development. The area of potential effect was previously disturbed with road construction work. The development falls under a programmatic categorical exclusion between the MDoT and the MT SHPO. No cultural resources will be effected and no further archaeological investigative work will be conducted.

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**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.*

Reconstruction of the existing Highway 2 will not change the aesthetics as there is already an existing highway on the tracts.

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**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 project.

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**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.*

A Programmatic Categorical Exclusion (PCE) Concurrence Request for the Galata E and W highway reconstruction project was completed by Montana DOT in August of 2009. The subsequent Record of Decision (dated July 11, 2013) selected the "Preferred Alternative" to improve this highway and outline various mitigation measures for the project.

<p style="text-align: center;"><b>IV. IMPACTS ON THE HUMAN POPULATION</b></p>
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| <ul style="list-style-type: none"><li>• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i></li><li>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i></li><li>• <i>Enter "NONE" if no impacts are identified or the resource is not present.</i></li></ul> |
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**14. HUMAN HEALTH AND SAFETY:**

*Identify any health and safety risks posed by the project.*

The proposed project will increase human safety in the area by widening and straightening the highway.

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**15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:**

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

The results of this project will add to the industrial, commercial, or agricultural activities or production in the area as it will provide a safer highway to transport goods.

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**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 of a large scale and will create various jobs during the construction process. Cumulative impacts are not likely to occur as no long-term employment will be created by the reconstruction project.

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**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 will add to the tax revenue.

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**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*

Substantial traffic will be added to the existing roads during the construction process. This problem will be mitigated because when the construction is finished, the traffic will return to normal levels. There will be no excessive stress placed on the existing infrastructure of the area after the construction process is completed.

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**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.

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**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 proposed project areas are next to an existing highway and generally have low recreational value. These tracts are legally accessible and the proposed action is not expected to impact general recreational and wilderness activities on these state tracts.

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**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.

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**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.

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**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.

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**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.*

This project will benefit the common school trust in terms of the \$50.00 fee generated from each of the two easement applications for a total of \$100.00. The easement on the Capitol Buildings trust land in Section 8, 9, T31N, R3E will affect 0.89 acres X \$500.00 per acre equals the minimum payment of \$500.00 for the future easement. The easement on the Capitol Buildings trust land in Section 11, 12, T31N, R2E will affect 0.84 acres X \$500.00 per acre equals the minimum payment of \$500.00 for the future easement.

This project will also benefit the common school trust in terms of the \$25.00 fee generated from each of the LUL application for a total of \$25.00. The LUL #3073343 on the Capitol Buildings trust land in Section 12, T31N, R2E will affect 0.07 acres and the minimum payment of \$300.00 will be the revenue generated from the future LUL.

Cumulative impacts are not likely as the area is only used for agricultural and grazing and the reconstruction of Highway 2 will positively affect the long-term viability of grazing on the tracts.

<b>EA Checklist Prepared By:</b>	<b>Name:</b> Tony Nickol	<b>Date:</b> June 13, 2017
	<b>Title:</b> Land Use Specialist, Conrad Unit, Central Land Office	

## V. FINDINGS

### 25. ALTERNATIVE SELECTED:

Alternative B (the Proposed action) – Grant the easement application and LUL #3073343 for the reconstruction of Highway 2 by Montana Department of Transportation in the Galata E and W designation.

### 26. SIGNIFICANCE OF POTENTIAL IMPACTS:


Montana DOT is applying for an easements and LUL on state land for upgrading of highway 2. This projected will drastically improved highway safety and conditions. Disturbed areas will be reclaimed and reseeded in accordance with specifications outlined in this EAc. Significant impacts are not anticipated as a result of the selected alternative.

### 27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS

More Detailed EA

No Further Analysis

<b>EA Checklist Approved By:</b>	<b>Name:</b> Erik Eneboe
	<b>Title:</b> Conrad Unit Manger, CLO, DNRC
<b>Signature:</b> 	<b>Date:</b> June 13, 2017

