

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Mid-Rivers Telephone Fiber Optic Cable Easements-Yellowstone County
Proposed Implementation Date:	Spring/Summer 2018
Proponent:	Mid-Rivers Telephone Cooperative
Location:	Section 16, Township 4 North, Range 32 East Section 36, Township 5 North, Range 32 East
County:	Yellowstone County

I. TYPE AND PURPOSE OF ACTION

Mid-Rivers Telephone Cooperative is applying for 16' easements on two parcels of Trust land in Yellowstone County for the construction and maintenance of a fiber optic cable as described below:

- Section 16-T4N-R32E: The proposed 2.65-acre easement would run directly adjacent to and along the north side of 7 Mile Flat Road.
- Section 36-T5N-R32E: The proposed 1.99-acre easement would run directly adjacent to and along the south side of Custer Pineview Rd in the N2 of Section 36 and the south side of 7 Mile Flat Road in the S2S2 of Section 36.

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 DNRC for this proposed project. A Settlement of Damages form was obtained from the grazing lessees.

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

None.

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Approve the request to issue 16' easements to Mid-Rivers Telephone Cooperative for the underground installation of fiber optic cable on the two sections listed above in Yellowstone County.

No Action Alternative: Deny the request to issue 16' easements to Mid-Rivers Telephone Cooperative for the underground installation of fiber optic cable on the two sections listed above in Yellowstone County.

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.

The routes proposed in the easements generally parallel existing roads. Based on the proposed action and relatively short disturbance time for cable installation, no significant adverse impacts to geology and soils are expected by implementing the proposed action. The soils in the easement area are mainly compromised of clay and sandy loam soils. The NRCS Soil Survey does indicate that there are some limitations in both soils for shallow excavations and they include such potential issues as unstable excavation walls and dusty tendencies. However, these issues are not expected to significantly impact the proposed action.

No significant adverse impacts to geology and soil quality, stability and moisture are expected from implementing the proposed action.

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.

The proposed easement locations do not cross any streams or bodies of water.

No significant adverse impacts to water quality, quantity or distribution are expected from implementing 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.

There may be short-term isolated impacts from the equipment exhaust that is used to install the fiber optic cable.

No significant impact to air quality is expected from implementation of the proposed action.

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 cable is proposed to be installed using a tractor-crawler and friction-type plow blade that will create a soil disturbance approximately 36 inches deep and 6 inches wide and then the ground will be compacted back after the cable is installed. The area disturbed by the trenching activity and from vehicle travel could have short term impacts on vegetation.

No significant adverse impacts to vegetative cover, quantity or quality are expected as a result of 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.

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 search of the Montana Natural Heritage Program database indicated the following:

Section 16-T4N-R32E: Nine species of concern were identified through the Montana Natural Heritage Program database search. They were the Black-tailed Prairie Dog, Hoary Bat, Little Brown Myotis, Spotted Bat, Great Blue Heron, Greater Sage-Grouse, Red-headed Woodpecker, Spiny Softshell, and the Sauger. No significant adverse impacts to any of the species listed above are expected as a result of the proposed project. This is because the proposed route of the fiber optic cable is directly adjacent to a county road. Because the proposed route is so near a county road, it is unlikely that any of the listed species would traverse this area. If any of the species listed above were to traverse this section, they would be temporarily displaced during construction of the proposed project.

Section 36-T5N-R32E: Eight species of concern were identified through the Montana Natural Heritage Program database search. They were the Black-tailed Prairie Dog, Hoary Bat, Little Brown Myotis, Spotted Bat, Great Blue Heron, Greater Sage-Grouse, Spiny Softshell, and the Sauger. No significant adverse impacts to any of the species listed above are expected as a result of the proposed project. This is because the proposed route of the fiber optic cable is directly adjacent to a county road. Because the proposed route is so near a county road, it is unlikely that any of the listed species would traverse this area. If any of the species listed above were to traverse this section, they would be temporarily displaced during construction of the proposed project.

Both Section 16 and 36 were identified to be within General Habitat for the Greater Sage Grouse. Mid-Rivers consulted the Montana Sage Grouse Oversight Team (MSGOT) in regard to the proposed project. Attached is a copy of the recommendations letter that Mid-Rivers received from MSGOT. MSGOT recommended that all segments of the project within General Habitat implement weed management. MSGOT recommended that reclamation of disturbed areas must include control of noxious weeds and invasive plant species, including cheatgrass (*Bromus tectorum*) and Japanese brome (*Bromus japonicas*).

Due to the nature of the proposed action, the installation of underground fiber optic cable, it is not expected that this action will have any significant adverse impacts to any of the species identified on or around these two parcels. The surface disturbance will be temporary and adjacent to existing roads.

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 is fully disturbed with past road construction (road borrow ditch), 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.

A site visit was completed on 19 October 2017 by SLO Area Planner Jeff Bollman. Visual inspections were performed and no cultural resources were noted. No significant adverse impact to historic or archaeological sites is expected because of 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 action would result in the installation of underground fiber optic cable adjacent to existing roads. Once the easement areas are rehabbed from the disturbance due to the installation, the only indication that there is an underground fiber optic line would be from any above-ground warning markers. Therefore, no significant adverse impact to aesthetics is expected as a result of 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 to occur 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 studies or future government actions planned for these two Trust parcels.

IV. IMPACTS ON THE HUMAN POPULATION
--

- | |
|--|
| <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> |
|--|

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

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.

The location of the easements does not traverse any crop lands. A signed Lessee Settlement form for both Trust parcels was included in the proposed easement application materials. 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 will not 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 will not have an adverse impact on tax revenue.

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 will not generate any additional demands on governmental 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.

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.

Both parcels currently have public access. The installation is expected to occur in the spring/summer of 2018 prior to the start of rifle and archery hunting seasons. Impacts due to installation should be minimal considering the easements run parallel to existing roads. The implementation of the proposed alternative is not expected to have an adverse impact on the ability of recreational use of these Trust lands.

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 would 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 will not have a significant adverse impact on 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 State will benefit by receiving a total one-time fee of \$2320.00 from Mid-Rivers Telephone Cooperative for the purchase of the easements on these two Trust parcels. The Common Schools Trust will be the beneficiary of this payment.

EA Checklist Prepared By:	Name: Jocee Hedrick	Date:
	Title: Land Use Specialist, Southern Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that permanent 16' easements be granted to Mid-Rivers Telephone Cooperative for the purpose of installing underground fiber optic cable on the following parcels:

- Section 16, Township 4 North, Range 32 East
- Section 36, Township 5 North, Range 32 East

26. SIGNIFICANCE OF POTENTIAL IMPACTS:


The potential for significant adverse impacts to the Trust lands listed above are minimal due to the nature of the proposed action which would entail the issuing of the easements and installation of underground fiber optic cable. There are no natural features that could produce adverse impacts or species of concern occupying the parcels that are expected to be impacted by implementing the proposed action.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS

More Detailed EA

No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott
	Title: Area Manager, Southern Land Office
Signature: 	Date: Apr 12 2018

MONTANA SAGE GROUSE HABITAT CONSERVATION PROGRAM



STEVE BULLOCK, GOVERNOR

1539 ELEVENTH AVENUE

STATE OF MONTANA

PHONE: (406) 444-0554
FAX: (406) 444-6721

PO BOX 201601
HELENA, MONTANA 59620-1601

Project 2653
Governor's Executive Orders 12-2015 and 21-2015
2108 Mid-River's - Custer Rural Fiber Optic Project

Brian Steiner
KLJ Engineering
3203 32nd Ave S
Suite 201
Fargo, ND, 58106

January 22, 2018

Dear Mr. Steiner,

The Montana Sage Grouse Habitat Conservation Program received a request for consultation and review of your project or proposed activity on December 13, 2017. Additional information needed to complete the review was received on January 18, 2018. Based on the information provided, all or a portion of this project is located within General Habitat for sage grouse. The Bureau of Land Management (BLM) classifies this area as General Habitat Management Area (GHMA).

Executive Orders 12-2015 and 21-2015 set forth Montana's Sage Grouse Conservation Strategy. Montana's goal is to maintain viable sage grouse populations and conserve habitat so that Montana maintains flexibility to manage our own lands, our wildlife, and our economy and a listing under the federal Endangered Species Act is not warranted in the future. Similarly, the BLM has incorporated sage grouse conservation measures into their Resource Management Plans.

The program has completed its review, including:

Project Description:

Project Type: Infrastructure - Communication

Project Disturbance: 69 Miles

Construction Timeframes: April, 2018 to December, 2018, Temporary (< 1 Year)

Disturbance Timeframes: April, 2018 to June, 2019, Short Term (1-5 Years)



Hosted by the Montana Department of Natural Resources and Conservation
Director's Office: (406) 444-2074



Project Location:

Legal: Township 3 North, Range 34 East, Sections 4, 5, 8, 17, 18, 20
Township 4 North, Range 32 East, Sections 1, 12, 13, 14, 15, 16, 21, 28, 29, 30, 31, 32
Township 4 North, Range 33 East, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 17
Township 4 North, Range 34 East, Sections 4, 5, 6, 8, 9, 16, 17, 20, 21
Township 5 North, Range 32 East, Sections 22, 25, 26, 27, 35, 36
Township 5 North, Range 33 East, Sections 5, 8, 9, 15, 16, 22, 23, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36
Township 5 North, Range 34 East, Sections 13, 22, 23, 24, 26, 27, 28, 31, 32, 33
Township 6 North, Range 33 East, Section 32

County: Big Horn, Treasure, Yellowstone

Ownership: County Government, Montana State Trust Lands, Private, Bureau of Land Management

Executive Orders 12-2015 and 21-2015 Consistency:

The project proposes to install fiber optic cable in designated General Habitat for sage grouse.

This project is for the entire overbuild of the Custer Telephone Exchange replacing the existing copper lines with new fiber optic cables. This project is a linear project that will primarily be built using the plowing method wherever possible, and the boring method wherever plowing is not possible. Trenching will only be used to transition from plowing to boring. All new cable that will be placed within city limits, or at water crossings, will be placed using the boring method. This approach is intended to reduce surface disturbance to a minimum.

The majority of the new cable will be placed in existing road rights-of-way (ROW), with only a few exceptions where either there is no existing right-of-way, a new cable must be brought to connect to a home, or the terrain dictates that we cannot follow the road for a portion of the line. This co-location will reduce disturbance by installing the cable within existing disturbance corridors.

The disturbed areas will be returned to pre-project condition. Where the cable is located within cultivated fields, it will be reseeded with the appropriate crop at the discretion of the landowner. Where non-cropland soils are disturbed, a Montana Department of Transportation approved seed mixture will be used.

Based on the information you provided, your project is within two miles of an active sage grouse lek.



Recommendations:

The project is located 2.0 miles from a lek at one point on its northernmost extent. This segment is identified as disturbance number 58 in the project submittal (see map that accompanies this report).

Ordinarily, deviations from the stipulations of Executive Order 12-2015 require review and approval by the Montana Sage Grouse Oversight Team. Here, the deviation concerns the fact that the project is within two miles of an active lek, and seasonal timing stipulations would apply. However, the Program is exercising discretion in this case and will not seek review and approval by the Oversight Team during a future meeting.

The Program determined that the proposed activity will not have a detrimental impact on sage grouse populations or sage grouse habitat for the following reasons.

- The lek is separated from the project by the topography of ridgelines and two drainages, which will minimize any disturbance to the lek from project activity.
- Disturbance is adjacent to an existing highway (State Highway 310) and does not include suitable habitat for sage grouse.
- The project would result in temporary disturbance that should be revegetated with grasses within the first growing season.
- The project will occur within an existing county road ROW that is not considered suitable habitat for sage grouse.

The following recommendation(s) are designed to maintain existing levels of suitable sage grouse habitat by managing uses and activities in sage grouse habitat to ensure the maintenance of sage grouse abundance and distribution in Montana. Development should be designed and managed to maintain populations and sage grouse habitats.

- Weed management is required within General Habitat for sage grouse. Reclamation of disturbed areas must include control of noxious weeds and invasive plant species, including cheatgrass (*Bromus tectorum*) and Japanese brome (*Bromus japonicas*).

Your activities are consistent with the Montana Sage Grouse Conservation Strategy. Your proposed project or activity may need to obtain additional permits or authorization from other Montana state agencies or possibly federal agencies. They are very likely to request a copy of this consultation letter, so please retain it for your records.

Please be aware that if the location or boundaries of your proposed project or activity change in the future, or if new activities are proposed within one of the designated sage grouse habitat areas, please visit <https://sagegrouse.mt.gov/projects/> and submit the new information.



Thanks for your interest in sage grouse and your commitment to taking the steps necessary to ensure Montana's Sage Grouse Conservation Strategy is successful.

Sincerely,



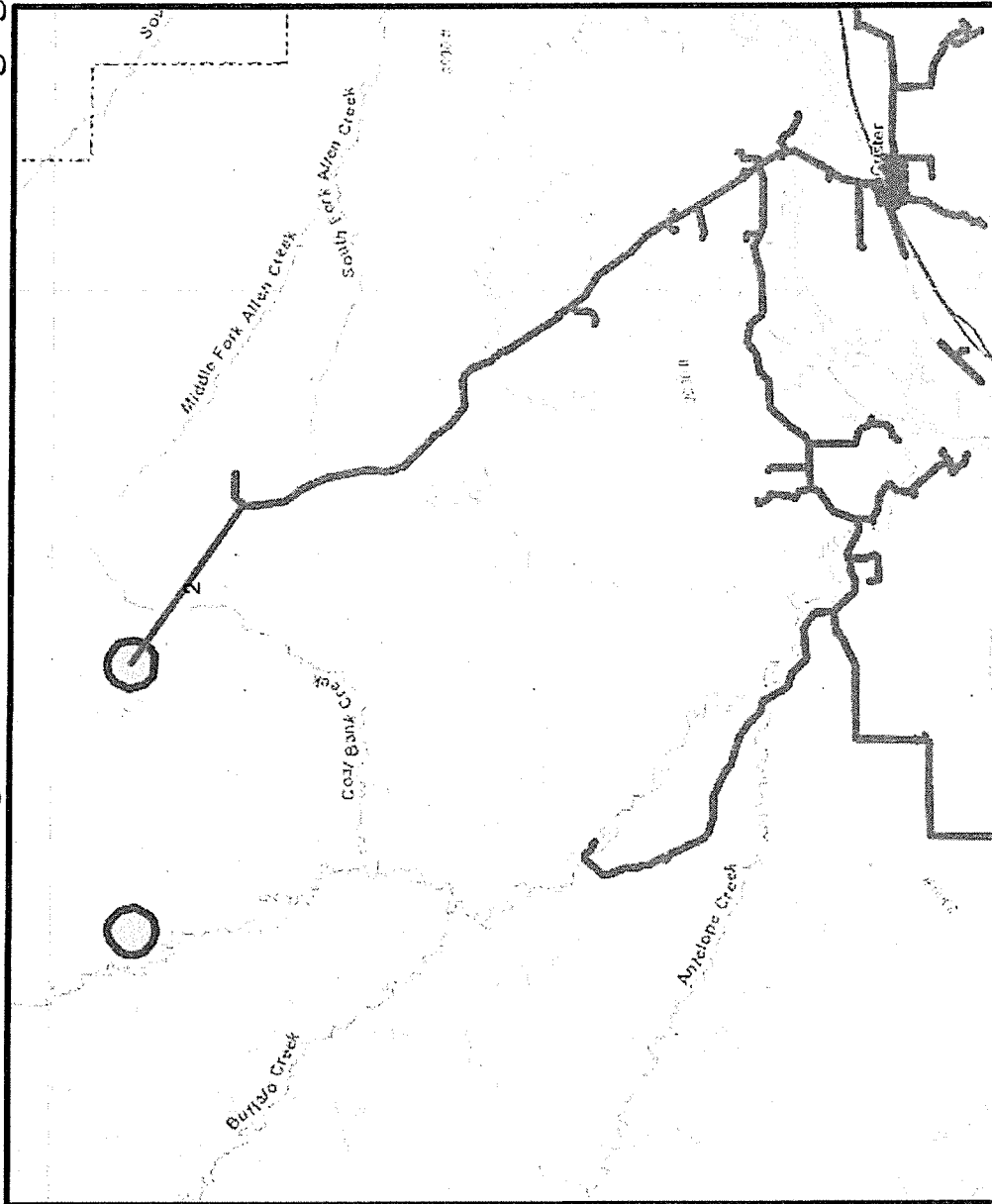
Carolyn Sime
Montana Sage Grouse Habitat Conservation Program Manager

cc: John C. Carlson
Management Zone 1 Greater Sage-Grouse Lead
Bureau of Land Management
Montana/Dakotas State Office
5001 Southgate Drive
Billings, MT 59101-4669

cc: Shawn Thomas
DNRC-Trust Land Management Administrator
P.O. Box 201601
Helena, MT 59620-1601



Project No. 2653 - 2108 Mid-river's - Custer Rural Fiber Optic Project
 Disturbance segment #58 within two miles of active sage grouse lek



- Aerial
- Street
- Terrain
- ▣ Sage Grouse Executive Order (EO) Habitat Classification
 - ▣ EO-Core Area
 - ▣ EO-Connectivity Area
 - ▣ EO-General Habitat
 - ▣ Not in EO Area
- ▣ BLM Priority Areas
- ▣ Counties
- ▣ Management Zones
- ▣ Exempt Community Boundaries
- ▣ Lek No Surface Occupancy Areas
- ▣ Proposed Disturbances
- ▣ DDCT Analysis Area
- ▣ Township & Range (PLSS)
- ▣ Land Ownership
- ▣ Existing Disturbances