

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Mid-Rivers Telephone Fiber Optic Easements
Proposed Implementation Date:	Summer/Fall 2018
Proponent:	Mid-Rivers Telephone Cooperative, Inc.
Location:	Section 16, Township 8 North, Range 29 East (Common Schools Trust) Section 36, Township 9 North, Range 28 East (Common Schools Trust) Section 36, Township 9 North, Range 27 East (Common Schools Trust)
County:	Musselshell County

I. TYPE AND PURPOSE OF ACTION

Mid-Rivers Telephone Cooperative is applying for 16' wide easements on three parcels of Trust land in Musselshell County for the underground installation of fiber optic cable as described below (see Exhibits A, B and C):

- **Section 16-T8N-R29E:** The proposed 16' wide (0.53 acre) easement would run on the east side of Fishel Creek Road. There is also an existing 10' wide easement for buried telephone that was granted to Mid-Rivers in 1976. The new fiber optic is proposed to roughly parallel the existing telephone line easement.
- **Section 36-T9N-R28E:** The proposed 16' wide (1.05 acre) easement would be located along the north side of West Musselshell Road.
- **Section 36-T9N-R27E:** The proposed 16' wide (2.23 acre) easement would be located on the south side of US Highway 12, east of Patterson Road and then cross Highway 12 and run along the east side of Patterson Road. The portion of the easement along US Highway 12 will be located on the south edge of the highway right-of-way.

The easements that have been applied for are a part of a larger project where Mid-Rivers is expanding fiber optic lines from their existing exchange in Musselshell. The areas impacted by this application are generally south and west of the unincorporated town of Musselshell in Musselshell County.

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. Settlement of Damages forms were obtained from the grazing lessees.

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

Department of Environmental Quality – Storm Water Discharge Permit (Issued)
Department of Transportation – Utility Occupancy & Location Agreement (Issued)
Musselshell County Encroachment Permit (Issued)

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Issue 16' wide easements to Mid-Rivers Telephone Cooperative for the underground installation of fiber optic cable on the three sections listed above in Musselshell County.

No Action Alternative: Deny the request by Mid-Rivers Telephone Cooperative to issue some or all of the proposed 16' wide easements for fiber optic cable in Musselshell 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 county roads or state highways, with some near existing telephone easements. The fiber optic 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. 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.

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 only parcel where an easement is near a creek is in Section 16-8N-29E. At this location, approximately 350' of the easement runs along the east side of the road and a portion of the easement (and road) is adjacent to Fishel Creek. Mid-Rivers has received their storm water permit from DEQ and the BMPs required in that permit should protect the creek from any impact from installation of the new fiber optic cable. No significant adverse impacts to water quality, quantity or distribution are anticipated by 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 adverse impacts to air quality are expected by implementing 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 long term 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.

A variety of big game (antelope, deer, elk and mountain lions), small mammals, raptors, songbirds, pheasants and turkeys may traverse the subject sections. The proposed project activities could temporarily disrupt wildlife movement and patterns. Due to the relatively short project duration and nature no significant adverse 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-T8N-R29E: The only species of concern result for this parcel search was the Black-tailed Prairie Dog. During the site inspection there were no prairie dogs noted within the proposed easement route. The towns appear to be located south and west of the easement area on the Trust land.

Section 36-T9N-R28E: The only species of concern result located on this parcel was the Black-tailed Prairie Dog. During the site inspection there were no prairie dogs noted within the proposed easement route. Based on a 2017 aerial photo, the town appears to be located to the south of the easement, up on top of the hillside. The only other species of concern that may utilize this parcel would be the Bald Eagle and one was observed approximately two miles west of the subject parcel near the Musselshell River.

Section 36-T9N-R27E: The two species of concern that came up on this parcel were the Plains Spadefoot and the Spiny Softshell turtle. Both of these species have suitable habitat south of the easements along or in the Musselshell River. The easements proposed on this section are located over 1,100' northwest of the current active channel of the river.

These three sections are located outside of identified Greater Sage-Grouse general and core habitat.

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 effect on any of the species identified on or around these three parcels. The surface disturbance will be temporary and generally adjacent to existing county roads or state highways.

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. 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.

Additionally, during site visits to all three parcels on 7 August 2018 by 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 as a result 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 county roads and state highways. 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 would 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 three Trust land 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>

- *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.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

No significant adverse impacts to human health and safety would 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. No significant adverse impacts to industrial, commercial and agricultural activities and production would 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 have no 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 have no 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.

All three of the subject parcels have legal public access via a county road and/or state highway. The installation is expected to occur in 2018 and could overlap archery and/or rifle hunting season(s). Impacts due to installation should be minimal, especially since most of the easements run parallel to an existing road or highway. The implementation of the proposed alternative is not expected to have a long-term 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 benefited by getting a one-time fee of \$4,025 from Mid-Rivers Telephone Cooperative for the purchase of the easements on these three Trust parcels. The Common Schools Trust will be the beneficiary of this payment.

EA Checklist Prepared By:	Name: Jeff Bollman, AICP	Date: 15 August 2018
	Title: Area Planner, 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 in Musselshell County:

- Section 16, Township 8 North, Range 29 East
- Section 36, Township 9 North, Range 28 East
- Section 36, Township 9 North, Range 27 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

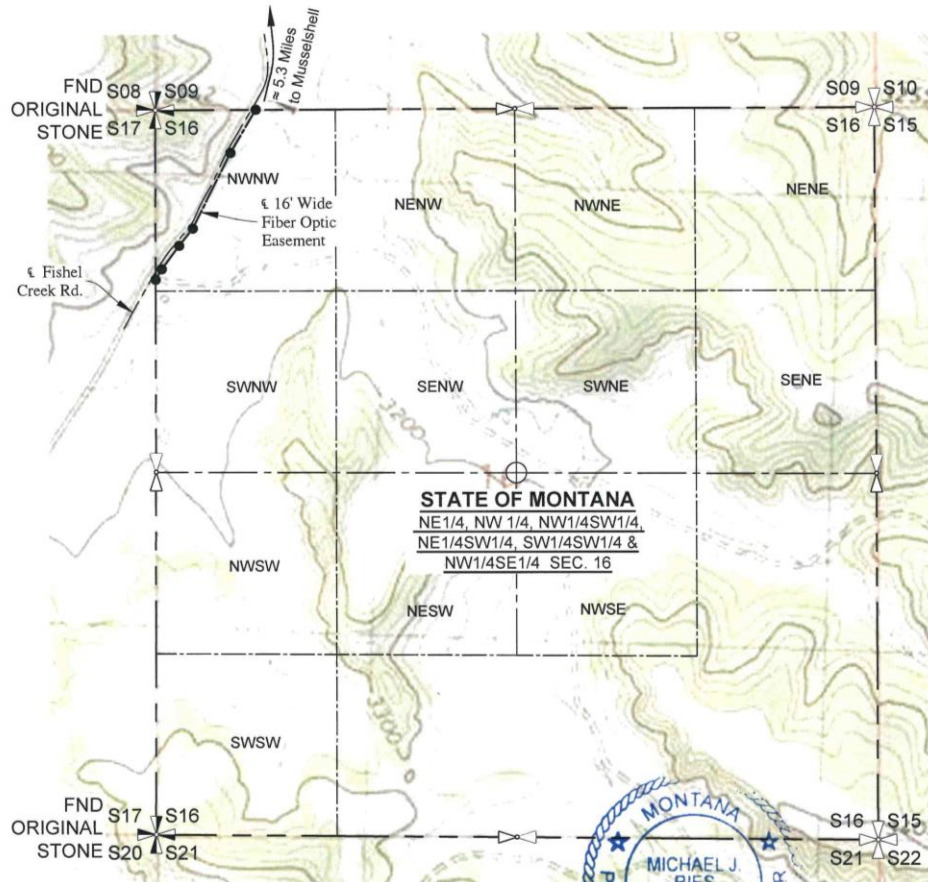
More Detailed EA

No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott
	Title: Area Manager, Southern Land Office
Signature: /s/ Matthew Wolcott	Date: 8/16/2018

Exhibit A – Proposed Easement location on Section 16-8N-29E

**EXHIBIT B
FIBER OPTIC CABLE EASEMENT DESCRIPTION
FOR: MID-RIVERS TELEPHONE COOPERATIVE, INC.
LAND OWNER: STATE OF MONTANA**



OWNERSHIP DESCRIPTION: NE1/4, NW 1/4, NW1/4SW1/4,
NE1/4SW1/4, SW1/4SW1/4 & NW1/4SE1/4
S. 16 TWP. 8N R. 29E
COUNTY: Musselshell
STATE: MONTANA
TYPE: 16' WIDE FIBER OPTIC CABLE EASEMENT
TOTAL L.F: 1.443 ±
TOTAL AREA: 0.53 AC ±

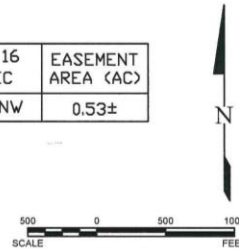
LEGEND

- FOUND PLSS COR. AS NOTED
- CALC'D PLSS COR.
- CALC'D CENTER 1/4 COR.
- P.O.B. POINT OF BEGINNING
- P.O.E. POINT OF ENDING

Note:

All distances are ground, international feet
All bearings are Geodetic North
Basis of bearings =
Geodetic North based on GPS observation.

GLD RECORD			
SEC 16 1/4 SEC	REMAINDER AREA (AC)	SEC 16 1/4 SEC	EASEMENT AREA (AC)
NW NW	39.47±	NW NW	0.53±



Drawn By J. Stefanik	Surveyed By D. Magnuson	Approved By M. Ries	Project No. 1817163	Date 04/06/2018
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Exhibit B – Proposed Easement location on Section 36-9N-28E

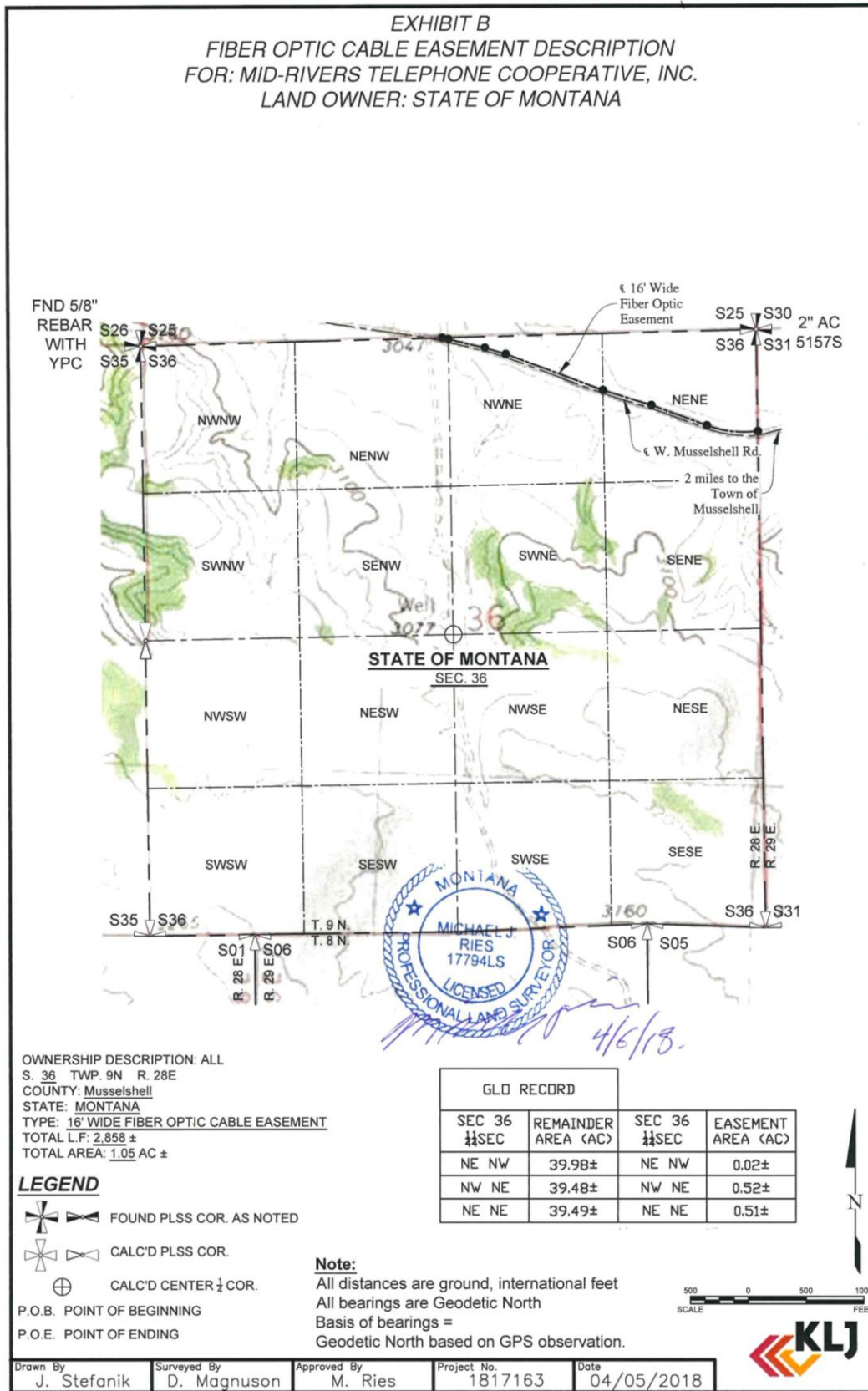


Exhibit C – Proposed Easement location on Section 36-9N-27E

EXHIBIT B
FIBER OPTIC CABLE EASEMENT DESCRIPTION
FOR: MID-RIVERS TELEPHONE COOPERATIVE, INC.
LAND OWNER: STATE OF MONTANA



MICHAEL J. RIES
 17794LS
 PROFESSIONAL SURVEYOR
 4/5/18

OWNERSHIP DESCRIPTION: NW1/4, NE1/4 and SW1/4
 S. 36 TWP. 9N R. 27E
 COUNTY: Musselshell
 STATE: MONTANA
 TYPE: 16' WIDE FIBER OPTIC CABLE EASEMENT
 TOTAL L.F.: 6.063 ±
 TOTAL AREA: 2.23 AC ±

GLD RECORD			
SEC 36 ¼ SEC	REMAINDER AREA (AC)	SEC 36 ¼ SEC	EASEMENT AREA (AC)
NW NW	39.59±	NW NW	0.41±
NE NW	39.85±	NE NW	0.15±
SE NW	39.42±	SE NW	0.58±
SW NE	39.66±	SW NE	0.34±
NW NE	39.79±	NW NE	0.21±
NE NE	39.46±	NE NE	0.54±

LEGEND

- FOUND PLSS COR. AS NOTED
- CALC'D PLSS COR.
- CALC'D CENTER ¼ COR.
- P.O.B. POINT OF BEGINNING
- P.O.E. POINT OF ENDING

Note:
 All distances are ground, international feet
 All bearings are Geodetic North
 Basis of bearings =
 Geodetic North based on GPS observation.



Drawn By J. Stefanik	Surveyed By D. Magnuson	Approved By M. Ries	Project No. 1817163	Date 04/04/2018
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