

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Mid-Yellowstone Electric Substation Road Relocation Land Use License
Proposed Implementation Date:	September 2018
Proponent:	Mid-Yellowstone Electric Cooperative
Location:	Generally located in the N2NW¼SW¼SW¼ of Section 16, Township 2 North, Range 37 East (Common Schools Trust)
County:	Treasure County

I. TYPE AND PURPOSE OF ACTION

The Proponent has applied to the DNRC Southern Land Office (SLO) for a Land Use License to permit the construction of a new access road to an existing substation that is located on private land immediately west of the Trust land. The portion of the road on Trust land would be ±520' long and 12' wide, encompassing approximately 0.14± acres. The proposed project area is generally located at the intersection of Montana Highway 384 and Horse Creek Road and the new road is proposed to go due west from that intersection, as shown on attached Exhibit A. The road is generally located in the N½NW¼SW¼SW¼ of Section 16, Township 2 North, Range 37 East in Treasure County.

Mid-Yellowstone has a substation west of the Trust land on private land and it has been there since the 1950s. Mid-Yellowstone appears to have used a two-track road to cross the Trust land for access to the substation, but there is no record of any authorization for this road use. Mid-Yellowstone recently experienced a catastrophic failure at the substation and needs to provide access for heavy equipment and low-boy trailers that cannot be accommodated on the existing road. In order to restore service to Coop members, Mid-Yellowstone is proposing to begin work in the substation on 9/18/18 and because of this expedited timeline, a Land Use License is the best instrument to allow this use. The new road would provide a straight path to the substation and allow for semi-tractor/trailers to easily access it. In addition, the existing road would be required to be reclaimed and abandoned.

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 the Southern Land Office (SLO) for the proposed project. The state grazing lessee, Howard Ranch Inc., was contacted by the Proponent and has signed a Settlement of Damages form.

A site inspection was conducted on 7 September 2018 by Jeff Bollman, SLO Land Use Planner.

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

Montana Sage Grouse Habitat Conservation Program: The proposed license area is located in General Habitat and Mid-Yellowstone Electric Cooperative submitted a consultation request and review of the proposed project. The only stipulations required were regarding the seed mix that should be used on any disturbed lands and weed control.

MDT LUL consent: The Montana Department of Transportation has an existing Land Use License #6243, generally at the southwest corner of Horse Creek Road and Highway 384 for the storage of sand and a piece of heavy equipment. Mid-Yellowstone has received consent from MDT for the proposed road that will overlap a small portion of their existing License area.

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Approve the issuance of a Land Use License to Mid-Yellowstone Electric Cooperative to allow the construction of a new substation access road on a ±0.14-acre portion of State Trust land generally located in the N½NW¼SW¼SW¼ of Section 16-T2N-R37E in Treasure County. Mid-Yellowstone would also reclaim the existing two-track road that is currently used to access the substation.

No Action Alternative: Deny the request by Mid-Yellowstone Electric Cooperative to construct a new access road on state Trust land.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT
--

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

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 proposed action would allow the construction of a new access road which would disturb ±0.14 acres (520' long x 12' wide), as shown on attached Exhibit A. The remaining area for the License is part of the existing two-track road and/or approach from the Highway. The new road would require some cut/fill activity to provide a gentle slope up from the Highway to the substation but there would be no imported fill and the cut material would be used on-site. The soils in this area are limited as far as new road work and the proponent will be required to provide a gravel surface to the new road to prevent rutting and erosion. No significant adverse impacts to geology and soils are expected by implementing the proposed alternative.

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.

Sarpy Creek is located to the east on the opposite side of Highway 384 and an unnamed tributary to Sarpy Creek is located approximately 600' south of the proposed road. Due to the distance of the proposed road from the creek, no significant adverse impacts to water quality or quantity are expected by implementing the proposed alternative.

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 would be a temporary increase in airborne particulates during construction of the new access road. However, once it is constructed and the substation is repaired, the traffic on the new road should be minimal. No significant adverse impacts are expected by implementing the proposed alternative.

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 new road would disturb approximately ±0.14 acres, while the reclamation of the existing road would result in a ±0.17 acre area being reclaimed and reseeded with a mix that complies with the Sage Grouse Habitat Program stipulation. No significant long term adverse impacts to vegetation cover, quantity or quality are expected by 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 (deer and elk), pheasants, turkeys, small mammals, raptors, and songbirds use this area. Due to the location of the license area immediately adjacent to the Highway and an electrical substation, 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 proposed project area search of the Montana Natural Heritage Program database identified one vertebrate animal that is listed as a species of concern, the Greater Sage-Grouse. The closest confirmed active lek is approximately 3 miles west of the proposed road area. This parcel is located within sage-grouse general habitat and Mid-Yellowstone Electric Cooperative did consult with the Montana Sage Grouse Habitat Program and the only stipulations were regarding the seed mix to use in the reclamation of disturbed areas and weed control. No significant adverse impacts to unique, endangered or fragile species are expected by implementing the proposed alternative.

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.

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 project activities would be restricted to a ±0.14-acre area that is on the west side of the intersection of Montana Highway 384 and Horse Creek Road. The proposed license area would run perpendicular from to the west, up a small hill to the existing substation. No significant adverse impacts to aesthetics are expected by 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 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 state or federal environmental reviews taking place on the subject state Trust land.

IV. IMPACTS ON THE HUMAN POPULATION
<ul style="list-style-type: none">• <i>RESOURCES</i> 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 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.

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 is not expected to 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 and the nature of the activity is not expected to have a significant positive or negative impact to the local or state tax base.

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 is not expected to generate a significant increase in the demand for services provided by Treasure County.

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.

Persons possessing a valid state lands recreational use license may conduct recreational activities on the subject Trust land since it does have legal public access from Highway 384. The portion of Trust land where the proposed project is located is not likely to get much recreational use due to its proximity to the highway and the relative proximity of the substation. The proposed project is not expected to have a significant adverse impact on access and quality of recreational activities.

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 are expected to 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 would not directly impact 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 proposed alternative to issue a Land Use License would provide a \$25 application fee and an annual payment of \$200 to the Common Schools Trust.

EA Checklist Prepared By:	Name: Jeff Bollman	Date: 17 September 2018
	Title: Southern Land Office Area Planner	

V. FINDING

25. ALTERNATIVE SELECTED:

After reviewing the Environmental Assessment, the proposed alternative has been selected and it is recommended that a Land Use License be issued to permit a new access road to the Mid-Yellowstone Electric Cooperative substation and encumber a ±0.14-acre area. This alternative would also provide for the reclamation of the existing two-track road. The site is generally located on the west side of the intersection of Montana Highway 384 and Horse Creek Road. The proposed alternative can be implemented in a manner that is consistent with the long-term sustainable natural resource management of the area while also generating revenue for the common school trust.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant impacts from the proposed action is minimal based on the relatively small size of the licensed area and the type of action proposed. All identified potential impacts will be avoided or minimized by utilizing the mitigations listed below and no significant impacts are expected to occur as a result of implementing the proposed alternative.

The stipulations and mitigation measures that will be required in the issuance of the Land Use License include:

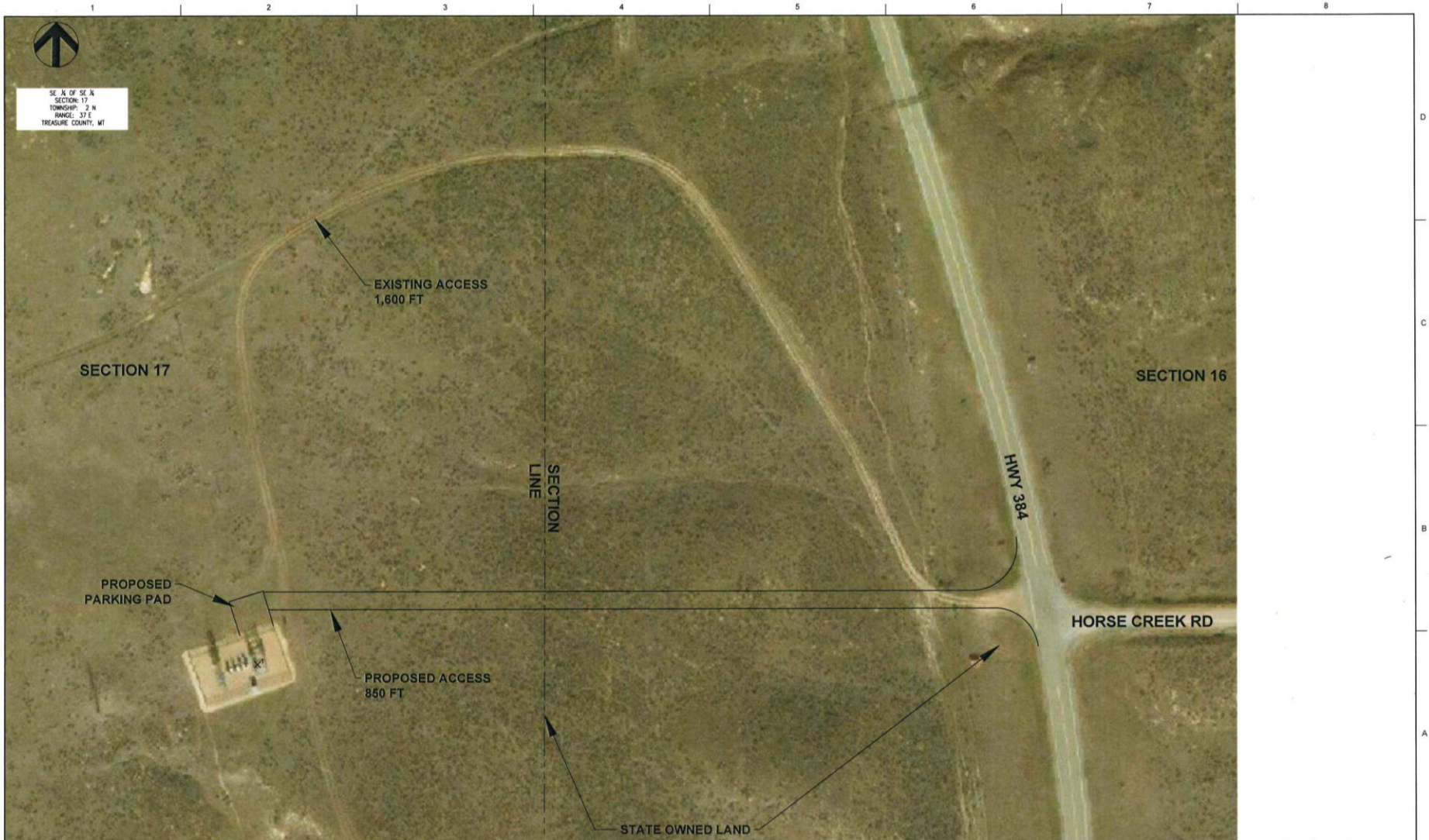
1. Use of the road shall be limited to the Licensee and the state grazing lessee, with permission of the Licensee.
2. Licensee's use of the road shall be limited to accessing the adjoining electrical substation on Section 17.
3. The Licensee shall be responsible for regrading, reclaiming and reseeding the existing two-track road. The seed mix used shall be a native seed mix that is approved by the Southern Land Office and consistent with recommendations from the Montana Sage Grouse Habitat Conservation Program
4. The Licensee shall be responsible for controlling any noxious weeds introduced by Licensee's activity on state Trust land and shall prevent or eradicate the spread of those noxious weeds onto land outside the licensed area.
5. The Licensee will be required to monitor and control weeds during the License period and for two years after termination of License.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS More Detailed EA No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott
	Title: Southern Land Office Area Manager
Signature: /s/ Matthew Wolcott	Date: 9/17/2018

Exhibit A – Proposed Substation Road Location



ISSUE	DATE	DESCRIPTION
A	08/31/18	ISSUED FOR CONCEPTUAL REVIEW

PROJECT MANAGER	D. SESSOMS
PROJECT ENGINEER	D. MALIA
DESIGNER	
PROJECT NUMBER	

MID YELLOWSTONE ELECTRIC COOP.
HYSHAM, MONTANA

SARPY CREEK SUBSTATION

ROAD EXHIBIT

0 1" 2"	FILENAME	SARPY SUBSTATION ROAD	SHEET
	SCALE	1"=50'-0"	1