

## CHECKLIST ENVIRONMENTAL ASSESSMENT

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| <b>Project Name:</b>                 | Easement application to use an existing two track trail to access deeded land for farm and ranch purposes. |
| <b>Proposed Implementation Date:</b> | Summer 2019  |
| <b>Proponents:</b>                   | Paul C. Steiner, 159 Main Street, Shelby, MT 59474   |
| <b>Location:</b>                     | SW4SW4, Section 9, T30N, R3W-0.13 Acres  |
| <b>County:</b>                       | Pondera  |
| <b>Trust:</b>                        | University of Montana  |

### I. TYPE AND PURPOSE OF ACTION

The proponent has applied for an easement across state land to use an existing two track trail for ingress and egress to and from the real estate described as the S2S2, Section 8, T30N, R3W and NE4NW4, N2NE4, Section 17, T30N, R3W for farm and ranch purposes. The two-track trail cross approximately 186.46' of state land or 0.13 acres. The proposed easement will be 30.00' wide on the existing two track trail.

### II. PROJECT DEVELOPMENT

Paul C. Steiner-Proponent  
Troy Wanken-Surface Lessee, Lease #10777.  
DNRC-Surface Owner

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

There are no other agencies with jurisdiction on this project.

#### 3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Deny the proponent the requested easement.

Alternative B (the Proposed action) – Grant the proponent the requested easement.

### 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. The proponent will use an existing two track trail and no road improvements will occur. The existing road surface is rutted and covered with existing surface gravel. No grading and graveling of the existing two track trail will occur.

No cumulative effects to the soils are anticipated.

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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.*

No important surface or groundwater resources will be impacted by the proposed easements as the two track trails are existing and no road improvements will occur.

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 easements will consist of no disturbance to soils, so no cumulative effects to air quality are anticipated.

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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.*

The vegetation within the proposed project area consists primarily of introduced (tame) grasses. The existing two track trail will be used, and no road construction will take place, so no impact to the existing vegetation will occur.

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.

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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, pronghorn antelope), predators (coyote, fox, 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. 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 tract.

A review of Natural Heritage data through the NRIS was conducted for T30N, R3W. There were zero animal species of concern, zero potential species of concern, and zero special status species noted on the NRIS survey

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**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 was once cultivated, 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.

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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.*

The state land does not provide any unique scenic qualities not also provided on adjacent private lands. The proposed easement will use an existing two track trail, so there would be no change to the aesthetics in either alternative.

No direct or cumulative effects to aesthetics are anticipated.

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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.*

There are no other projects or plans being considered on the tract listed on this EA.

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| <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 not change human safety in the area.

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

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

The proponent will use an existing two track trail and no road improvements will occur. The use of this existing two track trail will not add to or alter agricultural activities or production on the lease.

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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 will not significantly affect long-term employment in the surrounding communities.

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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 not affect 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*

There will be no direct or cumulative effects on government services.

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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 follows 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 area is accessible via the Trunk Butte and Bullhead Road. The tract generally has moderate recreational value. The proposed action is not expected to impact general recreational and wilderness activities on this state tract.

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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 school trust in terms of the \$50.00 fee generated from the easement application for a total of \$50.00. The easement on the University of Montana trust land will affect 0.13 acres X \$1,200.00/acre for a total of \$156.00 for the easement. This is an existing two track trail and no road improvements will occur, so no cumulative economic or social effects are likely to occur.

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|--------------------------------------|---|------------------------------|
| <b>EA Checklist<br/>Prepared By:</b> | <b>Name:</b> Tony Nickol  | <b>Date:</b> August 27, 2019 |
|                                      | <b>Title:</b> Land Use Specialist, Conrad Unit, Central Land Office |                              |



**V. FINDINGS**

**25. ALTERNATIVE SELECTED:**


Alternative B (the Proposed action) – Grant the applicant the requested easement.

**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

No significant impacts are expected.

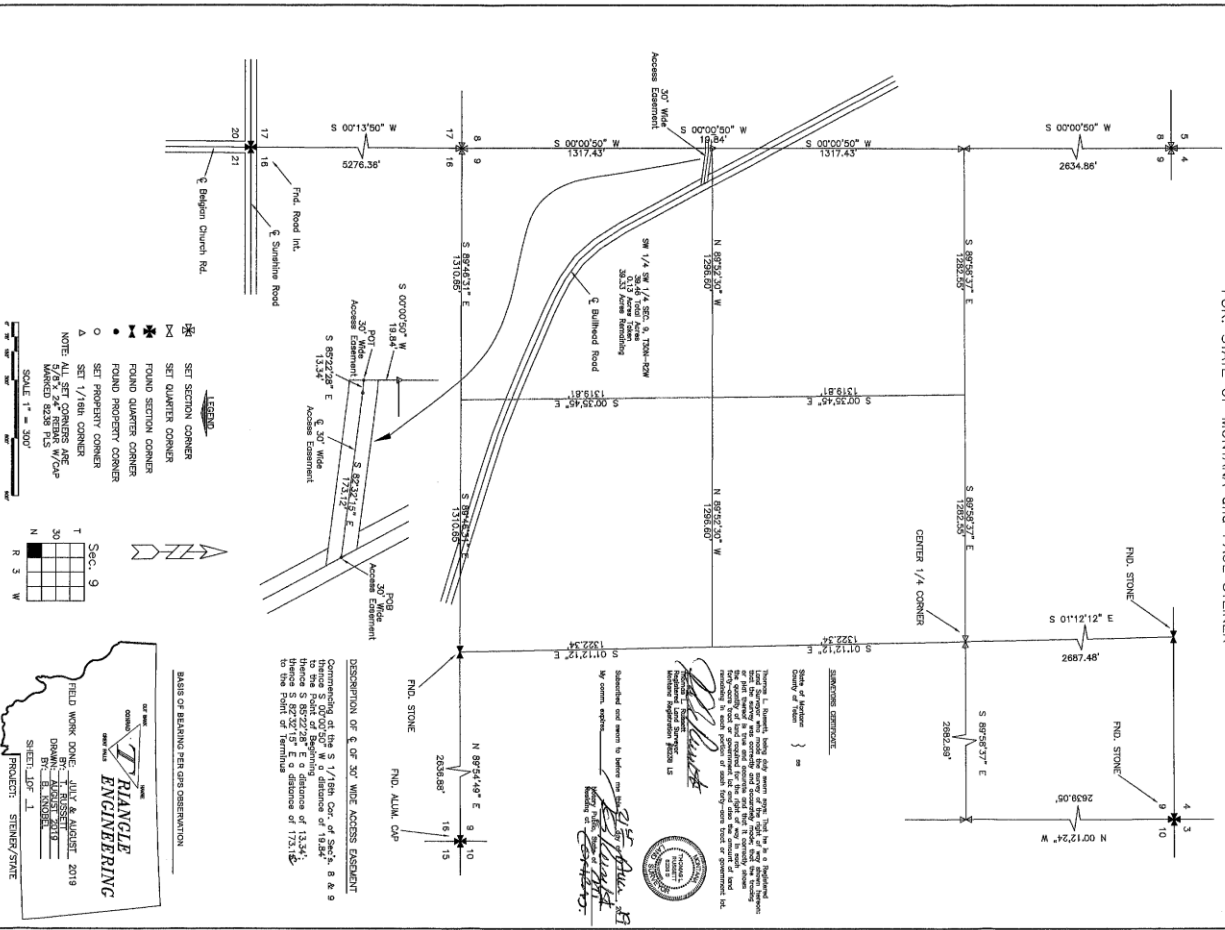
**27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:**

EIS       More Detailed EA       No Further Analysis

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| <b>EA Checklist<br/>Approved By:</b>  | <b>Name:</b> Erik Eneboe                    |
|   | <b>Title:</b> Conrad Unit Manger, CLO, DNRC |
| <b>Signature:</b>  | <b>Date:</b> September 4, 2019              |

# CERTIFICATE OF SURVEY

LOCATED IN SW 1/4 SW 1/4 OF SEC. 9, T30N-R3W  
P.M.M.: PONDERA COUNTY  
FOR: STATE OF MONTANA and PAUL STEINER



Subscribed and sworn to before me this 1st day of July, 2019.

My commission expires: \_\_\_\_\_

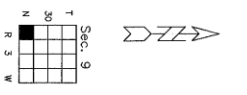
*[Signature]*  
Notary Public  
State of Montana

*[Signature]*  
Paul Steiner  
Owner

*[Signature]*  
Project: STEINER/STWIE

**DESCRIPTION OF 30' WIDE ACCESS EASEMENT**  
Commencing at the S 1/4 1/4th Cor. of Sec. 8 & 9  
thence S 00°00'00" W a distance of 19.84';  
thence S 89°22'28" E a distance of 13.34';  
thence S 00°00'00" W a distance of 17.21';  
to the Point of Beginning.

- LEGEND**
- SET SECTION CORNER
  - SET QUARTER CORNER
  - FOUND SECTION CORNER
  - FOUND QUARTER CORNER
  - SET PROPERTY CORNER
  - SET 1/16th CORNER
- NOTE: ALL SET CORNERS ARE MARKED 6x38 PLS



BASED ON RECORDING PER OUR OBSERVATION

**RIANGLE ENGINEERING**

FIELD WORK DONE: JULY & AUGUST, 2019  
DRAWN BY: T. STEINER  
CHECKED BY: B. KNOBEL  
SHEET: 1 OF 1  
PROJECT: STEINER/STWIE