

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Easement - Nine Mile County Water & Sewer District – Water Transmission Pipeline
Proposed Implementation Date:	Fall of 2020
Proponent:	Nine Mile County Water & Sewer District – Water Transmission Pipeline
Location:	N ½ of Section 16, T.36N., R.2W.
County:	Toole
Trust:	Public Land Trust – Common Schools

I. TYPE AND PURPOSE OF ACTION

Nine Mile County Water & Sewer District (Nine Mile CWSD) proposes the installment of an underground water transmission pipeline (Water Line), with a Right of Way (ROW) corridor approximately 253 feet in length and 20 feet in width, located on state land in Toole County, MT, referred herein as the “Project”. See Attachment A, Project Location. The Water Line will connect to the main water line that runs parallel to the southern border of the tract, which provides service to the Nine Mile CWSD with potable water from Shelby, Montana, for the purpose of providing water to the Sunburst Cemetery (easement number 3287).

II. PROJECT DEVELOPMENT

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

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

The Project is located on state owned land currently used as the Toole County Cemetery and Nine Mile CWSD is the proponent. Agencies involved in the easement process include the Department of Natural Resources and Conservation, (DNRC), Trust Lands Management Division.

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

Nine Mile CWSD is required to obtain a Right of Way (ROW) Easement for Utilities Over, Under, Along, or Across State Lands from the DNRC. The DNRC is not aware of any other permits and/or easements required for the Project on the portion of state land described as NE ½ of Section 16, Township 36 North, Range 2 West. DNRC is aware that Nine Mile CWSD is obtaining approval from the Montana Department of Environmental Quality for the portion of the Water Line that is not located on state lands.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action Alternative): Deny Nine Mile CWSD permission to install the Water Line on state land.

Alternative B (Proposed Action): Grant Nine Mile CWSD permission to install the Water Line on state land.

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.

Soil Quality and Moisture:

There are two soil types found within the Project footprint.

Scobey-Kevin Clay Loam, 0 to 4 percent slopes:

These soils consist of very deep (more than 60 inches), well-drained soils that formed in glacial till. These soils are found in till plains. Available water capacity is 9.8 to 9.9 inches; mean annual precipitation for this region is 10 to 14 inches. (Soil Survey of Toole County Montana Part 1, 2002). Per the Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS) this type of soil is rated as “Somewhat Limited” for shallow excavations (i.e. Water Line excavation). “Somewhat limited indicates that the soil has features that are moderately favorable for the specified use. Limitations can be overcome or minimized by special planning, design, or installation “ (Custom Soil Resource Report for Toole County Montana, 2020).

Scobey-Kevin Clay Loam, 2 to 8 percent slopes:

These soils consist of very deep (more than 60 inches), well-drained souls that formed in glacial till. These soils are found in till plain. Available water capacity is 9.8 to 9.9 inches; mean annual precipitation is 10 to 14 inches. (Soil Survey of Toole County Montana Part, 2002). Per the NRCS WSS this type of soil is rated as “Somewhat Limited” for shallow excavations (i.e. Water Line excavation). “Somewhat limited indicates that the soil has features that are moderately favorable for the specified use. Limitations can be overcome or minimized by special planning, design, or installation” (Custom Soil Resource Report for Toole County Montana, 2020).

Soil Stability:

Soils identified within the Project footprint have a Soil Erodibility (K) Factor of 0.24 to 0.28. The K Factor range is 0.02 to 0.69 (0.69 being the most susceptible to sheet and rill erosion by water). The K Factor is low to moderate for the Project site and can be mitigated with appropriate Best Management Practices (BMPs).

BMPs:

Water Line excavation will have minimal soil disturbance, nonetheless, compliance with a granted easement will require Nine Mile CWSD to revegetate and disturbed soil and control noxious weeds introduced by Project activities.

Determination:

Effect, Not Likely to Adversely Effect. The Project has potential to impacts soils, however, with the implementation of the required BMPs, described above, it is not expected to result in significant cumulative impacts.

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.

Surface or Groundwater Resources:

There are no known Water Right claims within the Project footprint. There is an unnamed reservoir approximately 960 feet south and approximately 50 feet below the Project site per United States Geological Survey (USGS) 7.5 Minute Willshaw Flats Quadrangle Map for Toole County. The main water line that provides Nine Mile CWSD with potable water from Shelby, Montana runs parallel to the southern boarder of the tract and which this Project proposes the Water Line to be connected to.

BMPs:

Nine Mile CWSD proposes Project activities will not be conducted during rain fall to prevent run off to the unnamed reservoir to the south of the tract. Compliance with the granted easement will require Nine Mile CWSD to revegetate and disturbed soil and control noxious weeds introduced by Project activities.

Determination:

Effect, Not Likely to Adversely Effect. The Project has potential to cause increased sediment into the unnamed reservoir to the south of the tract through run-off of disturbed soils. However, implementation of the above proposed BMPs would mitigate cumulative impacts on water quality and therefore is not expected as a result of this Project.

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.

Air Quality:

There are no Nonattainment areas located on or near the Project, per the Environmental Protection Agency (EPA) Nonattainment area maps (NEPAssist, 2020). The proposed Project will not result in any new air emissions.

Determination:

No Effect. It is not anticipated that the Project would result in cumulative impacts to air quality.

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.

Vegetative Community:

Vegetation on the Project site consists of native and non-native grasses; the Project site was previously broken from native grass/shrubland and granted an easement (easement number 3287) for use as the Sunburst Cemetery. The Natural Heritage Program database did not indicate species of concern within Township 36N, Range 2W.

BMPs:

Water Line excavation will have minimal soil disturbance, nonetheless, compliance with a granted easement will require Nine Mile CWSD to revegetate and disturbed soil and control noxious weeds introduced by Project activities.

Determination:

Effect, Not Likely to Adversely Effect. The Project has potential to temporarily effect the existing vegetation community within the Project footprint. Given that the Project site has been previously disturbed and the implementation of the BMPs proposed above, the Project is not expected to have cumulative impacts on the vegetative community.

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.

Habitat:

The Project site is not considered Critical Habitat per the EPA NEPAssist mapping. The surrounding area provides habitat for a variety of big game species, predators, upland game birds, other non-game mammals, birds of prey, and various songbirds. The unnamed reservoir to the south of the Project site is not expected to hold any aquatic species.

BMPs:

Impacts on wildlife will be temporary (e.g. noise impacts during construction days). Project activities will occur during the dryer months and outside of bird nesting season (February-August). Compliance with the granted easement will require Nine Mile CWSD to revegetate and disturbed soil and control noxious weeds introduced by Project activities.

Determination:

Effect, Not Likely to Adversely Effect. The Project will have temporary disturbance on wildlife and habitat within the vicinity of Project activities, however, with the proposed BMPs, described above, cumulative impacts on wildlife or their habitats are not expected.

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.

Species of Concern/Threatened/Endangered:

Federally listed species that occur in Toole County, Montana include Grizzly Bear (*Ursus arctos horribilis*), Red Knot (*Calidris canutus rufa*), and Whitebark Pine (*Pinus albicaulis*).

The National Heritage Program database identifies Hoary Bat (*Lasiurus cinereus*), Little Brown Myotis (*Myotis lucifugus*), Golden Eagle (*Aquila chrysaetos*), Burrowing owl (*Athene cunicularia*), Ferruginous Hawk (*Buteo regalis*), Chestnut-collared Longspur (*Calcarius ornatus*), Baird's Sparrow (*Centronyx bairdii*), Long-billed Curlew (*Numenius americanus*), and McCown's Longspur (*Spizella breweri*) as species of concern within Township 36N, Range 2W.

Wetlands:

The National Wetlands Inventory identifies a Freshwater Emergent Wetland with a classification code of PEM1A approximately 960 feet south of the Project site; for a complete description of wetland classification codes go to <https://www.fws.gov/wetlands/Data/Wetland-Codes.html>.

BMPs:

Impacts to wildlife will be temporary (e.g. noise impacts during construction days). Project activities will occur during the dryer months and will not be conducted during rain fall to prevent run off to the unnamed reservoir to the south of the tract. Project activities will not occur during the bird nesting period (February – March) nor the bat hibernacula (winter) and maternity (June – August) roosting period (National Heritage Program Database, 2020). Compliance with the granted easement will require Nine Mile CWSD to revegetate and disturbed soil and control noxious weeds introduced by Project activities.

Determination:

Effect, Not Likely to Adversely Effect. The Project has potential to have a temporary disturbance on Species of Concern/Threatened/Endangered species within the vicinity of Project activities, however, with the proposed BMPs, described above, cumulative impacts on species are not expected.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

Historical and Archeological Sites:

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.

Determination:

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.

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.

Visual and Noise:

The Project is located approximately 1.5 miles east of Sunburst, Montana (population 341) and Interstate 15, Project activities are not expected to be visible from these two points. The propose Project will not result in any

above ground structures and noise impacts due to construction activities will be temporary (e.g. during construction days).

Determination:

No Effect. Given the distance of the Project from populated areas and no above ground structures are proposed, it is not expected to have cumulative impacts on aesthetics.

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.

Determination:

No Effect. The proposed Water Line will connect to the main water line that runs parallel to the southern boarder of the tract, which provides service to the Nine Mile CWSD with potable water from Shelby, Montana, for the purpose of providing water to the Sunburst Cemetery (easement number 3287). Water consumption for the use of maintaining the cemeteries landscape (e.g. trees, shrubs, and grass) is not expected to have cumulative impacts on environmental resources.

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.

The surrounding land use consist of the Sunburst Cemetery (easement number 3287), ag and grazing. Future development of the tract is not expected and surrounding land use will likely be restricted to utility development, with minimal impacts to the surface. Future development or projects are not expected to have negative cumulative impacts.

IV. IMPACTS ON THE HUMAN POPULATION

- *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.

Determination:

No Effect. Any risk to human health and safety will be restricted to personnel on the construction crew performing the work and it is assumed that Nine Mile CWSD will abide by all Occupational Safety and Health Administration laws. The Project is not expected to have cumulative impacts on human health and safety.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

Existing Land Use:

The Project footprint is located over an existing easement for the Sunburst Cemetery.

BMPs:

Compliance with the granted easement will require Nine Mile CWSD to revegetate and disturbed soil and control noxious weeds introduced by Project activities.

Determination:

No Effect. The Project is not expected to impact existing and future land use activities on the tract.

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.

Determination:

Effect, Beneficial Effect. The Project will have a beneficial effect through increasing employment opportunities for this region temporarily (e.g. # of active construction days). Negative and long-term cumulative impacts on the employment market are not expected.

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.

Determination:

Effect, Beneficial Effect. The Project will add to the tax revenue, no cumulative impacts on taxes and revenue are expected.

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

Determination:

No Effect. The Project is a small scale with a duration of 7 days and funded by Nine Mile CWSD. No additional governmental services are required for the Project, cumulative impacts are not expected.

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.

Determination:

No Effect. The Project is in compliance with State and County laws and Nine Mile CWSD is in the process of obtaining all necessary permits and approvals to complete the Project, see **Section II (2)** for a full list of permits/approvals.

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.

Legal Access and Recreation Opportunities:

The proposed Project is located on legally accessible land via Highway 552. Recreation potential is null as an existing easement for the tract is for use for the Sunburst Cemetery and the surround land is privately owned.

Determination:

No Effect. The Project will not result in an impact to access or recreation opportunities and therefore is not expected to have cumulative impacts on recreational and wilderness 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.

Determination:

No Effect. The Project is a small scale with a duration of 7 days, it is not expected to have cumulative impacts on population and housing.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

Determination:

No Effect. The Project is located approximately 22 miles northeast of the Blackfeet Indian Reservation and approximately 10 miles east of the Rim Rock Hutterite Colony. Cumulative impacts to social structures are not expected.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

Determination:

No Effect. The Project is a small scale with a duration of 7 days and any disturbed areas will be revegetated, it is not expected to cumulatively impact the unique quality of the area.

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 Project will benefit the School Trust in terms of compensation for the easement incumbancers based on fair market value.

The surrounding land use consist of the Sunburst Cemetery (easement number 3287), ag and grazing. Future development of the tract is not expected, and surrounding land use will likely be restricted to utility development, with minimal impacts to the surface. Future development or projects are not expected to have negative cumulative impacts.

The Project will provide water resources to the Sunburst Cemetery via the existing main water line that runs parallel to the southern border of the tract, which provides service to the Nine Mile CWSD with potable water from Shelby, Montana and therefore will have a beneficial effect on the residents in the Sunburst, Montana area.

EA Checklist Prepared By:	Name: Michaela Hanson	Date: 8/12/2020
	Title: Land Use Specialist	

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative B (Proposed Action): Grant Nine Mile CWSD permission to install the Water Line on state land.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

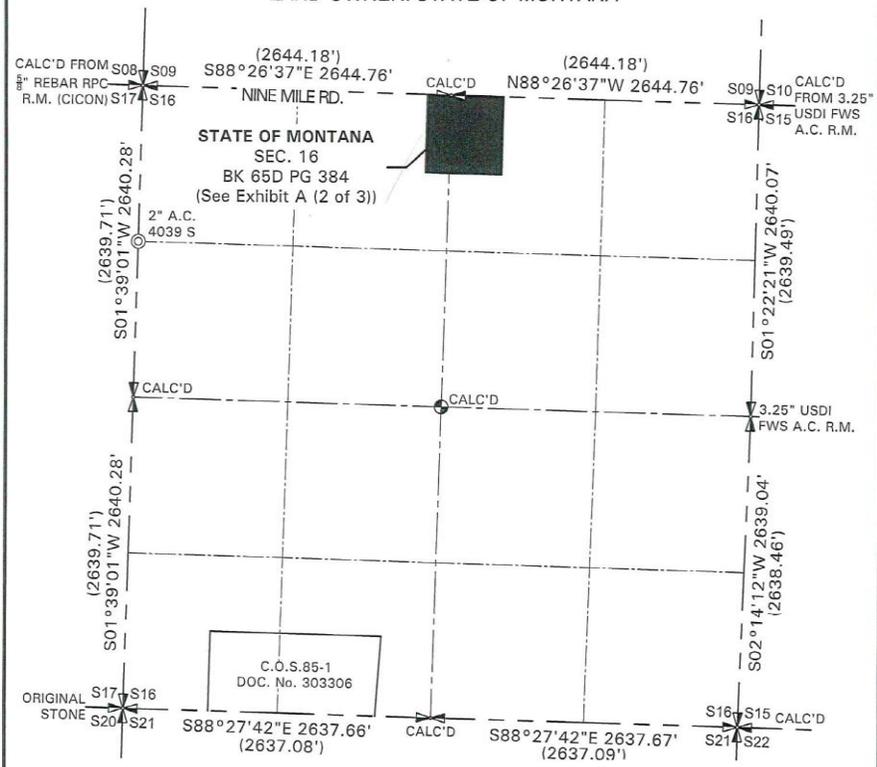
No significant impacts are expected. Temporary disturbance will occur as a result of Project activities but it has been determined that the effects will not be cumulative or significantly adverse. Granting of the easement for installation of the Water Line will benefit the residents of the Sunburst, Montana area.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS More Detailed EA No Further Analysis

EA Checklist Approved By:	Name: Erik Eneboe Title: Conrad Unit Manager
Signature: 	Date: August 18, 2020

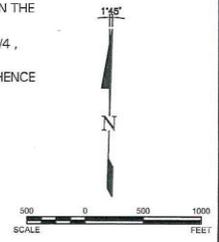
EXHIBIT A (1 of 3)
WATER-LINE EASEMENT DESCRIPTION
 PARCEL NO. Nine Mile County Water/Sewer District - 341
 LAND OWNER: STATE OF MONTANA



GLO RECORD		SEE ATTACHED TITLE COMMITMENT #711262SH	
SEC 16	REMAINDER AREA (AC)	SEC 16	EASEMENT AREA (AC)
BK65D PG384	9.88±	BK65D PG384	0.12±

OWNERSHIP DESCRIPTION: A TRACT OF LAND IN THE N½, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE NE¼, THENCE WEST 205 FEET, THENCE SOUTH 660 FEET, THENCE EAST 680 FEET, THENCE NORTH 660 FEET, THENCE WEST 455 FEET TO THE PLACE OF BEGINNING. S. 16 T. 36N R. 2W
 COUNTY: TOOLE STATE: MONTANA
 TYPE: 20' WIDE WATER-LINE EASEMENT
 TOTAL P.L.: 253' ±
 TOTAL AREA: 0.12 Acres ±

Note:
 All distances are ground, international feet
 Grid Distances are Denoted in Parentheses
 Combined Scale Factor: 1.000218095
 Acres listed are ground acreages.
 Basis of bearings: Montana State Plane Zone 2500



- LEGEND**
- ⊕ PLSS Corner as Noted
 - ⊕ C1/4 Corner as Noted
 - ⊕ Property Corner as Noted
 - A.C. Aluminum Cap
 - FWS Fish & Wildlife Service
 - P.L. Pipe Length
 - P.O.B. Point of Beginning
 - P.O.E. Point of Ending
 - R.M. Reference Monument
 - USDI U.S. Dept. of Interior

Drawn By B. Lightner	Surveyed By J. Stefanik	Approved By M. Ries	Project No. 4317101	Date 03/11/2019
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