CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	MDC-Boulder Land Exchange
Proposed Implementation Date:	Summer/Fall 2020
Proponent:	DNRC (Department of Natural Resources & Conservation) and DPHHS (Department of Public Health & Human Services)
Location:	T6N R4W Section 33-DNRC T5N R4W Sections 3 & 4-DOC (Department of Corrections) (See state-owned tracts proposed for exchange listed in the tables below)
County:	Jefferson County
Trust:	Montana School for the Deaf & Blind

I. TYPE AND PURPOSE OF ACTION

The proponents wish to exchange approximately 31.9 acres of state-owned DNRC Trust Land for approximately 155+/- acres of non-trust state land currently owned by the DOC (Department of Corrections). Please see Exhibits A, B, C-aerial photos. The 31.9 acres of State Trust Land managed by DNRC is encumbered by improvements on the property including streets, roads, utilities and buildings managed by the Department of Public Health and Human Services (See Exhibit D-aerial photos). Most of the buildings are vacant except for the Maintenance Shop, Old Hospital and IBC Facilities. The DOC land is irrigated, agricultural land currently leased to Mr. John Heide. Mr. Heide's lease with DOC is valid through 12/31/2024. The exchange will transfer a portion of the non-trust irrigated, agricultural lands to DNRC. DNRC will honor the existing lease with Mr. Heide through 2024. Upon expiration of the existing lease, DNRC will implement a new agricultural and grazing lease agreement per DNRC procedure.

The purpose and need of this proposed exchange are to dispose of a previously undiscovered parcel of DNRC State Trust Land from within Non-Trust State Lands on the DPHHS-MDC Campus site. This exchange would provide DNRC productive, revenue-generating lands resolving existing use, authorization and revenue issues while providing the public additional access to state land.

DNRC Land Proposed for Exchange

County	Legal Description	Section	T	R	# of Acres
Jefferson	SE1/4NW1/4 excepting therefrom any portion of the Boulder Lagoons Minor Subdivision within the SE1/4NW1/4.	33	6N	4W	31.9

DOC Land Proposed for Exchange

County	Legal Description	Section		T	R	# of Acres
Jefferson	W1/2NW1/4	3		5N	4W	77.28 +/-
Jefferson	That portion lying north of Highway 69	4		5N	4W	77.721+/-

Attachments to this document include:
Exhibit A-Boulder LEX Vicinity Map (Aerial Photo)
Exhibit B-Boulder LEX DNRC Parcel Map (Aerial Photo)
Exhibit C Boulder LEX Non-Trust Parcel Map (Aerial Photo)
Exhibit D-MDC Campus Map (Aerial Photo)
Exhibit E-Scoping Contact List
Exhibit F-Draft Survey Exhibit

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:
Provide a brief chronology of the scoping and ongoing involvement for this project.

Proponents & Current Lessee
DNRC- Proponent and Landowner
DPHHS-Proponent and property owner

Participant:
DOC – Landowner

Lessee: John Heide – current DOC lessee. (Letters sent May 26 and June 12, 2020. Certified Letter sent July 15, 2020)

Adjacent Land Owners
DOC
City of Boulder
Jefferson County
McCauley Ranches
John & Nancy Heide
Lori Norby

Interested Parties
Jefferson County Commissioners
Jefferson Local Development Corporation
Montana FWP – State Office
Montana FWP – Howard Burt, Region 3 Manager
Montana FWP – Adam Grove, Local Biologist
Montana School Board Association
Montana Association of Counties
Montana Audubon
Montana Environmental Information Center
Montana Department of Environmental Quality
Montana Department of Transportation

Scoping letters were sent to known interested parties on May 26, 2020 (See Exhibit E-Boulder Lex Scoping List).

A public scoping notice was sent to the Boulder Monitor and Helena Independent Record on June 1, 2020 to appear in the publications mentioned previously. DNRC attempted to hold a virtual public hearing to accept comments regarding the proposed land exchange on June 10, 2020 at 6:00 p.m. via Zoom; however, this meeting was cancelled.

Updated public notices addressing the rescheduling of the virtual public hearing were sent to the Boulder Monitor and Helena IR for publication. The Monitor published this notice on June 16 & 23, 2020. The Helena IR published this notice on June 17, 18, & 21, 2020. DNRC staff updated the dates regarding the meeting information posted under "Top Stories" on the DNRC homepage. A virtual public meeting was held via Zoom on June 24, 2020. The final date to receive comments was June 30, 2020.

Nine comments were received in support of the exchange. Supporters included: Adam Senechal (Jefferson Local Development Corporation), Russell Giulio, Mayor-City of Boulder, Cory Kirsch and Leonard Wortman (Jefferson County Commissioners), Drew Dawson, Nick Hensleigh, Tom Harrington, Lee Good, Edith McClafferty (Senator, District 38).

Multiple comments were received by two people in opposition to the exchange. These comments are summarized or copied in the table below. Transcriptions of the original comments or copies of the original comments submitted are available upon request.

RESOURCE AREA	ISSUES STUDIED IN DETAIL
Section 5- Water Quality, Quantity and Distribution	Splitting water rights may be, "cumbersome and confusing."
Section 7-Vegetation Cover, Quantity and Quality	Weed management is poor with significant infestations of the following noxious weed species: Hoary Alyssum, Spotted Knapweed, Dalmation Toadflax. The State of Montana is responsible for damages to private property resulting from the weed infestations.
Section 24-Other Appropriate Social and Economic Circumstances	The DNRC's appraisal process is flawed. The appraised value of the State Trust Land is too low and is biased or partial, "Briefly the appraisal method is inappropriate and made to fit afterwards."
	Value of the existing improvements on the State Trust Land (MDC Campus) is not included in the appraisal of the State Trust Lands.
	Confusion was expressed regarding separate ownership of the buildings, the infrastructure on the MDC campus, and the land. The commenter feels the value of the improvements not being considered in the appraisal understates the actual value of the parcel.

Section 24-Other Appropriate Social and Economic Circumstances	Revenue generated would be higher if the property was available to the private sector. The land exchange process does not give an interested, private party an opportunity to purchase or obtain the property.
Section 1- Public Involvement, Agencies, Groups or Individuals Contacted	One commenter asserted the land exchange process was not transparent and pertinent information was not available to the public.

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

Besides DNRC (Department of Natural Resources & Conservation), DPHHS (Department of Public Health and Human Services) and Jefferson County, DNRC is not aware of any other agencies with jurisdiction or other permits necessary to complete this project.

3. ALTERNATIVES CONSIDERED:

No Action Alternative: Deny the land exchange. Under the No Action Alternative, the proposed land exchange would not occur. Current land use activities would continue without change. The trust beneficiary would remain uncompensated until proper authorization is developed for DPHHS' current uses, facilities and infrastructure.

Action Alternative: Approve the land exchange. Under the Action Alternative, DPHHS and DNRC would complete a land exchange whereby DNRC would dispose of 31.9 acres of State Trust Land to DPHHS in exchange for approximately 155 acres +/- (survey pending). The newly acquired acres will be irrigated, hay-producing cropland and grazing acres. Normal agricultural and grazing lease procedures would ensue upon the expiration of Mr. John Heide's existing lease agreement with DOC.

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 non-trust lands proposed to be transferred to DNRC north of Highway 69 are presently being utilized as irrigated hay cropland with grazing. Hay production and grazing will continue to occur on the 155 +/- acres if the proposed land exchange is approved.

Currently, the DNRC land proposed to be transferred to DPHHS is encumbered by buildings owned by DPHHS and other infrastructure utilized by DPHHS. This proposed land exchange does not include any ground disturbing activities. DNRC is not aware of any hazards at this time.

No Action Alternative: No direct, indirect, or cumulative impacts to geology, soil quality, soil moisture, or soil stability are anticipated under this alternative.

Action Alternative: Under this alternative, there are no anticipated impacts to existing geology or soil quality. The lands would be exchanged leading to new ownership, but the use of the lands would remain the same. Under this alternative, no direct, indirect, or cumulative impacts to geology, soil quality, soil moisture, or soil stability are anticipated to occur.

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.

Currently, the Montana Development Center administered Montana DPHHS are listed on the following water rights:

- 41E-27437-00
- 41E-27438-00

Staff from TLMD-DNRC and DPHHS with assistance from DNRC Water Rights Division would be responsible for making the necessary changes to ownership of the water rights. This will be complete at closing and would reflect new ownership. Water rights and the place of use would remain the same and no changes to existing water and land management are expected. The following water rights would be affected by the proposed land exchange in the following manner:

- MSBLC/TLMD (Montana, State Board of Land Commissioners/Trust Land Management Division) will be listed as a co-owner on 41E 27438-00. There is no anticipated change in the application of the right.

No Action Alternative: No direct, indirect, or cumulative impacts to water quality are anticipated under this alternative.

Action Alternative: If the proposed land exchange is approved, DNRC and the Montana Development Center would be listed on the water rights. No notable surface or groundwater resources would be impacted by the proposed project as no change in the current land use is expected to take place. Other water quality and/or quantity features would not be impacted by the proposed land exchange.

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 land exchange would involve no physical disturbance of any kind. No direct, indirect, or cumulative impacts to air quality are anticipated under either 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.

A review of Natural Heritage Program data through NRIS was completed on all lands which would be transferred under this proposal. There were no plant species of concern and no potential species of concern noted in the NRIS survey.

The non-trust land proposed to be acquired by DNRC north of Highway 69 is currently classified as cultivated crops. It is irrigated, hay cropland with introduced, high producing species including smooth brome, Kentucky bluegrass and Garrison creeping foxtail. The lessee indicates current production is approximately two tons per acre. DNRC would keep this land in production agriculture.

The DNRC land proposed to be transferred to DPHHS is classified as commercial/industrial according to the Montana Natural Heritage Program. There are currently buildings owned by DPHHS and other infrastructure (roads, sidewalks, etc.) utilized by DPHHS with dilapidated landscaping and some invasive species. In the absence of a lessee or licensee, the Department is responsible for weed management. However, the local unit field office was unaware of the ownership of this parcel until recently. Currently, insufficient awareness and budget preclude immediate treatment of known noxious weed infestations. If the proposed exchange is approved, the new owner would be responsible for weed management. If the proposed exchange is not approved, DNRC will be responsible to address weed management.

No Action Alternative: No direct, indirect, or cumulative impacts to vegetation cover, quantity, or quality are anticipated.

Action Alternative: The proposal does not include any ground disturbing practices and land management and/or maintenance on both parcels would remain the same. No direct or cumulative effects are anticipated to vegetation resulting from the proposal.

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 project area is in the Boulder River Valley and the area is considered good to excellent wildlife habitat. These non-trust land tracts which would transfer to DNRC provide habitat for a variety of big game species (mule deer, whitetail deer, elk, and pronghorn antelope), predators (black bear, coyote, fox, badger, and occasionally grizzly bear), upland game birds and waterfowl (Canada geese, various duck species, cranes, and pheasant), other non-game mammals, raptors and various song birds.

No Action Alternative: No direct, indirect, or cumulative impacts to terrestrial, avian and aquatic species and habitat are anticipated under this alternative.

Action Alternative: The proposal does not include any land use change which would yield changes to the wildlife habitat. The proposed action will not impact wildlife habitat, forage, cover, or traveling corridors. Nor would this action change the juxtaposition of wildlife forage, water, or hiding and

thermal cover. The proposed action would not have long-term negative effects on existing wildlife species and/or wildlife habitat.

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 was conducted using the Montana Natural Heritage Program database to identify occurrences and point observations of species of concern in the sections of the proposed activity. Point observations for Western Toad was found in T6N-R4W-Section 33 and point observations for Evening Grosbeak and Westslope Cutthroat Trout were documented in T5N-R4W-Section 3. Species occurrence for T6N-R4W-Section 33, T5N-R4W- Sections 3 & 4 included: Grizzly Bear, Hoary Bat, Little Brown Myotis, Clark's Nutcracker, Evening Grosbeak, Veery, Western Toad, and Boreal Whiteface.

The site is not located within the Greater Sage-Grouse general or core habitat area boundaries defined by the Executive Order (EO) for the Implementation of the Montana Sage Grouse Conservation Strategy.

No Action Alternative: No direct, indirect, or cumulative impacts to Unique, Endangered, Fragile or Limited Environmental Resources are anticipated under this alternative.

Action Alternative: This proposal does not include any change to land use or management activities which would modify wildlife habitat for these species. Threatened or endangered species, sensitive habitat types, or other species of special concern or potential species of concern are not expected to be impacted by the proposed land exchange.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:
Identify and determine effects to historical, archaeological or paleontological resources.

DNRC Archaeologist, Patrick Rennie was consulted. Mr. Rennie noted because this is an exchange between two state agencies, State Antiquities Act compliance responsibilities simply transfer with the properties. The DNRC would be responsible for Antiquities Act compliance for future "actions" it authorizes on the ground it receives through this proposed swap, and DPHHS would be responsible for Antiquities Act compliance for future "actions" it authorizes on the ground it receives.

Site 24JF496 (the old administration building for the Montana Deaf and Dumb Asylum) is on the tract currently administered by the DNRC.

No Action Alternative: No direct, indirect, or cumulative impacts to historical or archaeological sites are anticipated as a result of this alternative.

Action Alternative: Transferal of ownership from one state agency to another will result in No Effect to State-owned Antiquities as defined under the Montana State Antiquities Act.

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 project area is in the Boulder River Valley and is considered an important aesthetic resource.

No Action Alternative: No direct, indirect, or cumulative impacts to aesthetics would be anticipated.

Action Alternative: The proposed land exchange does not include any change in management to either tract of land. There would be no change to aesthetics in this alternative. No direct, indirect or cumulative effects to aesthetics are anticipated.

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 Action Alternative: No direct, indirect, or cumulative impacts to limited resources would be anticipated.

Action Alternative: The demand on environmental resources of land, water, air or energy would not be affected by the proposed action. The proposed land exchange would not consume resources that are limited in the area. There are no other projects or activities in the area that would be impacted by proposed project.

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.

No other projects, studies or plans are known or have been discovered pertinent to the tracts listed in this document.

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.

Existing conditions would persist with no change. DNRC is not aware of any hazards at this time.

No Action Alternative: No direct, indirect, or cumulative impacts to human health and safety are known to exist.

Action Alternative: No human and health safety risks were identified resulting from the proposed project.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

No Action Alternative: No direct, indirect, or cumulative impacts to industrial, commercial, or agricultural activities are anticipated.

Action Alternative: No direct, indirect, or cumulative impacts to industrial, commercial, or agricultural activities are anticipated to result from the proposed action.

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 project would not create, move, or eliminate jobs. No cumulative effects to the employment market are anticipated to result from the proposed action.

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.

No Action Alternative: No direct, indirect, or cumulative impacts to the local and state tax base and tax revenues would be anticipated.

Action Alternative: The lands in the exchange are state-owned and are exempt from taxes. No direct, indirect, or cumulative impacts to the local and state tax base and tax revenues would be anticipated.

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.

No Action Alternative: No direct, indirect, or cumulative impacts to the demand for government services would be anticipated.

Action Alternative: Under this alternative, access to the public for recreational uses would be allowed after the existing lease agreement with the Department of Corrections expires on December 31, 2024. Increased recreational use by the public will increase DNRC recreational management duties and those of Montana Department of Fish, Wildlife and Parks.

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 complies with State and County laws. No other known management plans are in effect for the area.

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.

The DOC currently allows the lessee to regulate public access for recreation. If the proposed land exchange occurs, public access to recreate would be allowed according to DNRC rules after the existing lease agreement between John Heide and the Department of Corrections expires on December 31, 2024. The newly acquired State Trust Land would likely be accessible for walk-in and horseback recreationists from Highway 69. The State Trust Land proposed to be disposed by DNRC is classified as industrial/commercial and has limited recreational value.

No Action Alternative: No direct, indirect, or cumulative impacts to recreational and wilderness activities are anticipated.

Action Alternative: The proposed land exchange would result in an increase of public access to 155 +/- acres of acquired State Trust Land which are currently limited. The proposed action would improve public, recreational access to state lands in this area.

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 under either 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 which would be impacted by the proposal.

23. CULTURAL UNIQUENESS AND DIVERSITY:
How would the action affect any unique quality of the area?

The proposed action would not impact the cultural uniqueness or diversity of the area. No direct, indirect, or cumulative impacts to the social structures and mores are anticipated under either alternative.

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 39.1 acres of DNRC land offered in the exchange contains zero acres of production agriculture land; there is no commercial lease, license, or ag/grazing lease associated with the property. Consequently, this land generates zero revenue for the trust beneficiary.

It is DNRC policy to prevent severance of the mineral estate from the surface estate; therefore, the exchange will include any associated minerals owned by the corresponding surface owners to provide an equal or greater benefit to the trust.

For valuation purposes to satisfy the first land exchange criteria, "Equal or Greater Value" per DNRC's Land Exchange Policy-Montana Board of Land Commissioners the value is, "determined through an appraisal conducted by a real estate appraiser certified in accordance with MCA 37-54-101(parts 1-5), et seq." In this instance, both the Trust and Non-Trust State lands were appraised to ascertain actual values which established Non-Trust land acres necessary for the land exchange to be proposed to the Land Board for preliminary approval. A Montana State Certified Appraisal of the 31.9± acres of State Trust Land estimated a value with legal access at approximately $10,200 an acre totaling $325,000. The appraisal of the 155 acres of Non-Trust Land estimated value with legal access at $2,300 an acre totaling $354,200. The DNRC land is encumbered by improvements on the property including streets, roads, utilities and buildings owned by Department of Public Health and Human Services. The DNRC land value does not include improvements owned by a separate party. The appraisal is posted and available to the public on the DNRC website at: http://dnrc.mt.gov/divisions/trust/real-estate/land-exchanges/mdc-boulder-land-exchange.

No Action Alternative: The existing situation would persist. DNRC would need to properly authorize and seek revenue for the current use of the 31.9 acres of State Trust Land by DPHHS which includes the encumbrance of DPHHS infrastructure and activities.

Action Alternative: The non-trust state land in the exchange offers 155+/- acres of irrigated, agricultural lands which produce 2 ton of grass hay per acre and would provide approximately 59 AUMs of grazing and aftermath grazing. Expected production and revenue are depicted in the table below:

25% crop share lease-minimum AUM rate-normal conditions and current rates

	Acres	AUMs	Yield (tons/acre)	Price	Share	Total Return
Hay	113	--	2	$100/ton (dependent on market conditions)	0.25	$5,650.00
Grazing	40	13	--	$12.92 (current rate)	--	$167.96
Unsuitable	2 +/-	--	--	--	--	--
Aftermath Grazing	113	46		$12.92 (current rate)	--	$594.32
Total	155	59	--	--	--	$6,412.28= $41.64/acre

EA Checklist Prepared By:	Name: Andy Burgoyne	Date: July 6, 2020-draft August 20, 2020-final
	Title: Central Land Office-Trust Land Program Manager	

V. FINDING

25. ALTERNATIVE SELECTED:

The Montana Department of Natural Resources and Conservation has completed the environmental assessment (EA) for the proposed Boulder Land Exchange. The alternatives proposed for consideration in this EA were the No Action and Action Alternative. Under the Action Alternative, DPHHS and DNRC would complete a land exchange whereby DNRC would exchange one parcel of land totaling 31.9 acres for a total of 155+/- acres with DPHHS. After a thorough review of the EA, public comments, the project file, Department policies, standards, and guidelines, I have made the following decision concerning this project: The Action Alternative has been selected.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The Action Alternative was selected for the following reasons:

- The Action Alternative meets the project *Purpose and Need* listed under Section I. of this document to resolve current management, authorization, and revenue issues associated with the DNRC parcel. This proposed exchange increases access to state land for recreational and management purposes and increases revenues for the State Trust Beneficiaries.

- This proposed exchange meets six out of the seven land exchange criteria set forth in the Montana Board of Land Commissioners Land Exchange Policy. The single criteria omitted is regarding navigable lakes and streams due to the lack thereof.

The proposal did receive public opposition during scoping. Both parties' comments were addressed within this document. The Action Alternative is consistent with State and local policies, laws, and regulations. Therefore, upon review of the project and analysis herein, I find none of the impacts are severe, enduring, geographically widespread, or frequent. Further, I find the quantity and quality of the natural resources, including any that may be considered unique or fragile, will not be adversely affected to a significant degree. I find no precedent for the future actions that would cause significant impacts, and I find no conflict with existing laws, policies, regulations, requirements, or formal plans.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

[ ] EIS [ ] More Detailed EA [X] No Further Analysis

EA Checklist Approved By:	Name: Hoyt Richards
	Title: Central Land Office-Area Manager
Signature: Hoyt Richards	Date: 8/25/2020

Attachments:

Exhibit A-Boulder LEX Vicinity Map (Aerial Photo)
Exhibit B-Boulder LEX DNRC Parcel Map (Aerial Photo)
Exhibit C Boulder LEX Non-Trust Parcel Map (Aerial Photo)
Exhibit D-MDC Campus Map (Aerial Photo)
Exhibit E-Scoping Contact List
Exhibit F-Survey Exhibit (Draft)

Exhibit A

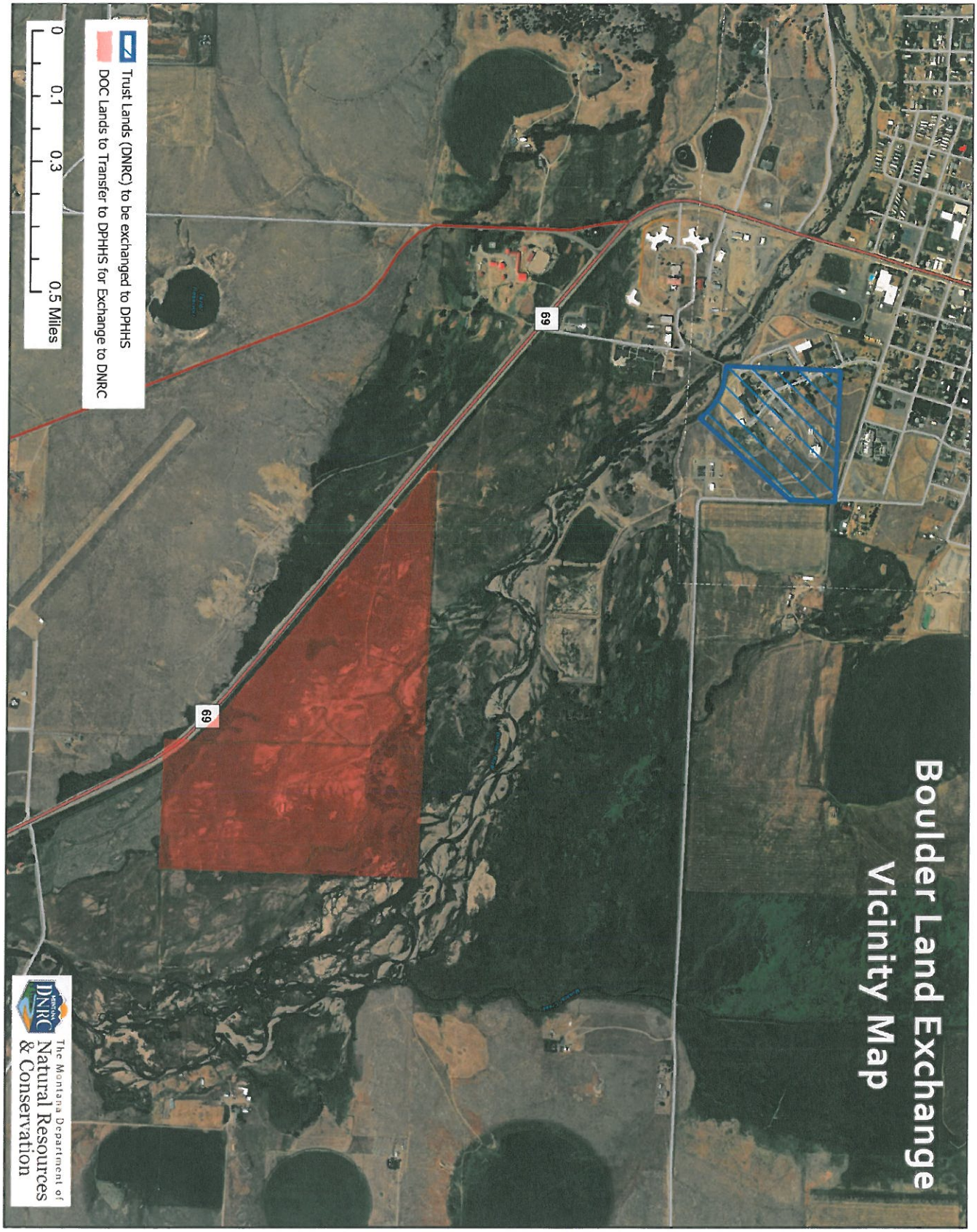

Boulder Land Exchange
Vicinity Map
Trust Lands (DNRC) to be exchanged to DPHHS
DOC Lands to Transfer to DPHHS for Exchange to DNRC
0
0.1
0.3
0.5 Miles
69
69
The Montana Department of
Natural Resources
& Conservation
DNRC

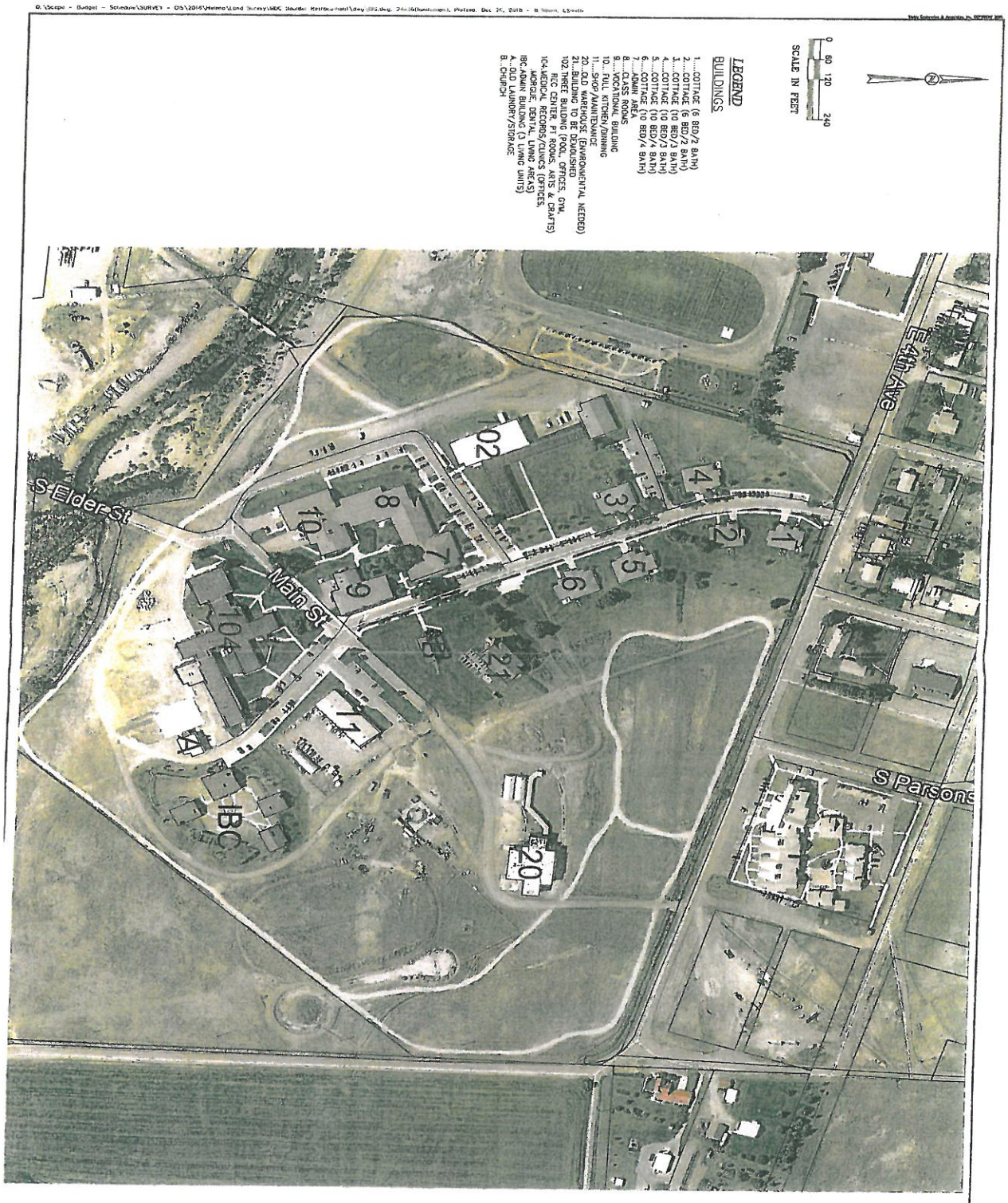
Exhibit B

Boulder Land Exchange
Trust Lands (DNRC) to be exchanged to DPHHS
Trust Lands (DNRC) to be exchanged to DPHHS
0
150
300
600 Feet
The Montana Department of Natural Resources & Conservation

Exhibit C

Boulder Land Exchange
DOC Lands to Transfer
to DPHHS for
Exchange to DNRC
Boulder River
69
69
DOC Lands to Transfer to DPHHS for Exchange to DNRC
0
385
770
1,540 Feet
The Montana Department of
Natural Resources
& Conservation

Exhibit D



PRELIMINARY SITE PLAN	MDC SITE PLAN BOULDER MONTANA NORTH CAMPUS
DESIGNED: CBS DRAWN: CBS DATE: 12-26-2018	
SHEET T1.0	

No.	DATE	BY	DESCRIPTION
5			
4			
3			
2			
1	12/26/18	CBS	PRELIMINARY

ISSUE/REVISION

STAHLY ENGINEERING & ASSOCIATES
PROFESSIONAL ENGINEERS & SURVEYORS
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Phone(406)755-4853
Fax(406)755-4854
831 BRADLEY DR, STE. 1
BOZEMAN, MT 59715
Phone(406)522-9338
Fax(406)522-9339

Exhibit E

BOULDER LEX SCOPING LIST

NAME OR AGENCY	ADDRESS
NEGOTIATED RULEMAKING COMMITTEE	
Anne Hedges	Montana Environmental Information Center PO Box 1184 Helena, MT 59624
Dave Chadwick	Montana Wildlife Federation PO Box 1175 Helena, MT 59624 dchadwick@mtwf.org
Bob Vogel	Montana School Boards Association 863 Great Northern Blvd., Ste 301 Helena, MT 59601-3398
Lola Raska	Montana Grain Growers Association PO Box 1165 Great Falls, MT 59403 lraska@mgga.org
Julia Altermus	Montana Wood Products PO Box 1967 Missoula, MT 59806 Julia@montanaforests.com
Harold Blattie	Montana Association of Counties 2715 Skyway Dr. Helena, MT 59601 hblattie@mtcounties.org
Janet Ellis	Montana Audubon PO Box 595 Helena MT 59624
Jake Cummins	MT Farm Bureau Federation 502 S 19th, SUITE 104 BOZEMAN MT 59718
Kyle Hardin	Matador Cattle Co. 9500 Blacktail Rd. Dillon, MT 59725
Kori Anderson, Director of Communications	Montana Stockgrowers Association 420 N. California Street Helena MT 59601 kori@mtbeef.org
Kyle Weaver President	Rocky Mountain Elk Foundation 5705 Grant Creek Missoula MT 59808
Dave Hanna State Director	The Nature Conservancy 32 South Ewing Helena MT 59601

TRUST BENEFICIARIES	
Common Schools	Elsie Arntzen, Superintendent Office of Public Instruction BOX 202501 Helena, MT 59620-2501
University of Montana	Lucy France, Legal Counsel University of Montana 32 Campus Dr. Missoula, MT 59812-0001
MSU Morrill	Kellie Peterson, Legal Counsel Montana State University P.O. Box 172440 Bozeman, MT 59717-0001
MSU 2nd Grant	Kellie Peterson, Legal Counsel Montana State University P.O. Box 172440 Bozeman, MT 59717-0001
School for Deaf & Blind	Donna Sorensen, Superintendent School for Deaf & Blind 3911 Central Ave Great Falls MT 59405
Montana Tech	Don Blackketter, Chancellor Montana Tech 1300 W Park Street Butte MT 59701
Western / Eastern	Michael Reid, Vice Chancellor for Administration and Finance University of Montana Western 710 South Atlantic St. Dillon MT 59725
Western / Eastern	Dan Edelman, Chancellor Montana State University Billings 1500 N 30th Street Billings MT 59101
Public Buildings	Budget Director Office of Budget & Program Planning PO Box 200802 Helena MT 59620-0802
Veterans Home	Sheila Hogan, Director DPHHS Veterans' Home Trust Beneficiary PO Box 4210 Helena MT 59620-4210
Pine Hills School	Reginald D. Michael, Director Department of Corrections PO Box 201301 Helena MT 59620-1301

GOVERNMENTAL ENTITIES	
FWP	Dept of Fish, Wildlife & Parks Attn: Darlene Edge PO Box 200701 Helena, MT 59620-0701 FWP Regional Supervisor & Regional Biologist – mailing addresses can be found at: http://fwp.mt.gov/default.html, by clicking the region where your parcel is located, on the **Regional Information** map.
DEQ	Dept. of Environmental Quality Attn: George Mathieus PO Box 200901 Helena, MT 59620-0901
MT DOT	Dept of Transportation Real Estate Services Section PO Box 201001 Helena, MT 59620-1001
County Commissioners	Board of County Commissioners Jefferson County PO Box H Boulder, MT 59632-0249
Jefferson County	Tom Harrington tom.harrington@montana.edu
Boulder	City hall Boulder P. O. BOX 68 BOULDER MT 59632 cityboulder@jeffbb.net
Legislative members for the district where the property is located.	SEN. EDIE MCCLAFFERTY 1311 STUART AVE BUTTE, MT 59701-5014 email: Edie.McClafferty@gmail.com REP. GREG DEVRIES PO BOX 15 JEFFERSON CITY, MT 596380015 Email: Greg.DeVries@mtleg.gov

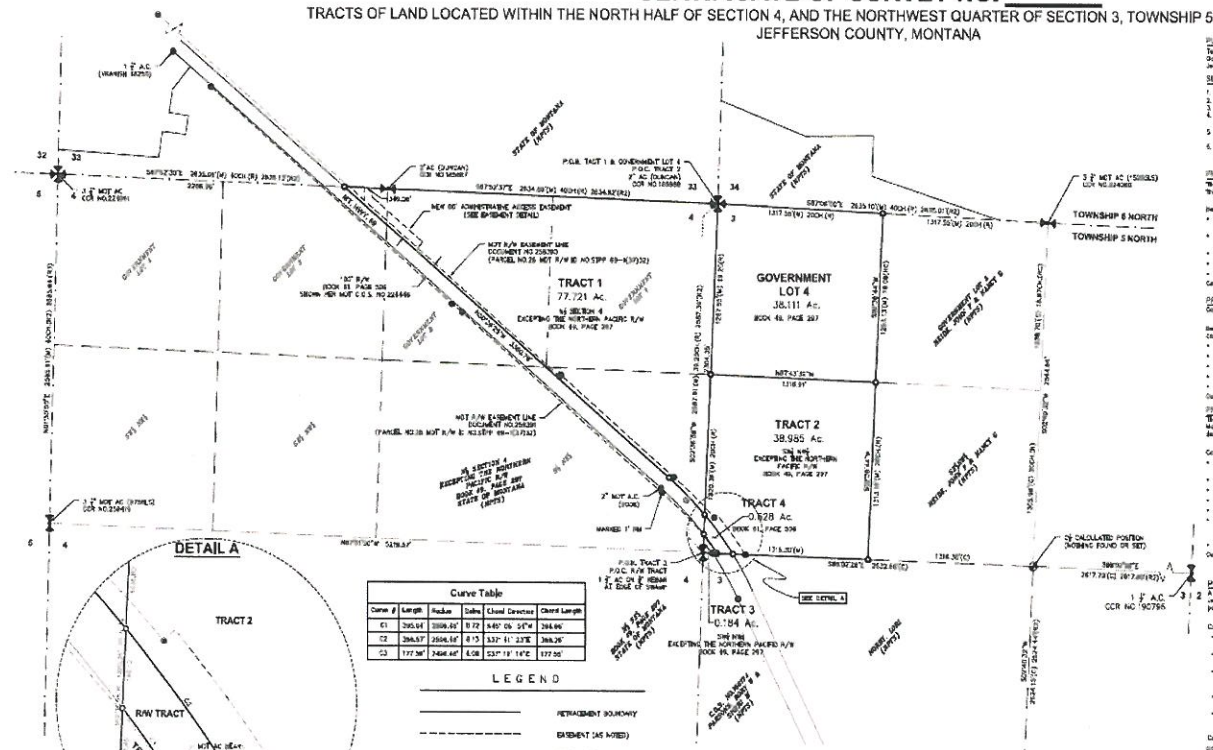
DNRC	**Dan Rogers** Forest Management Bureau MT DNRC – TLMD 2705 Spurgin Road Missoula, MT 59804 DanRogers@mt.gov **Trevor Taylor** Minerals Management Bureau MT DNRC – TLMD PO Box 201601 Helena, MT 59620 TTaylor2@mt.gov **Kelly Motichka** Ag & Grazing Bureau MT DNRC – TLMD PO Box 201601 Helena, MT 59620 kmotichka@mt.gov **Mike Atwood** Real Estate Management Bureau MT DNRC – TLMD PO Box 201601 Helena, MT 59620 matwood@mt.gov **Mark Harvel** Real Estate Management Bureau MT DNRC – TLMD PO Box 201601 Helena, MT 59620 mharvel@mt.gov **Patrick Rennie** Ag & Grazing Bureau MT DNRC – TLMD PO Box 201601 Helena MT 59620 prennie@mt.gov
OTHER INTERESTED PARTIES	
All persons holding a License on the Parcel	TLMS
Any surface lessees	TLMS

All adjacent landowners of record	Lori Norby 1073 Lower Valley Road Boulder, MT 59632 Rory and Sheri Parsons PO Box 1 Boulder, MT 59632 McCauley Ranches PO Box 25 Boulder, MT 59632
Other parties that have expressed interest of being notified of Land Banking sales	Addresses for these parties would be kept locally.
Craig Sharpe and Larry Copenhaver, Montana Wildlife Federation	lcopenhaver@mtwf.org csharpe@mtwf.org PO Box 1175 Helena, MT 59624
Glen Marx, Executive Director Montana Association of Land Trust (MALT)	PO Box 892 Helena, MT 59624 montanamalt@q.com
John Murray, THPO	The Blackfeet Nation 850 Government Square Browning, MT 59417 jmflysdown@gmail.com
Johnathan Windy Boy, THPO	Chippewa Cree Tribe of the Rocky Boy's Reservation PO Box 230 Box Elder, MT 59521 johnathan.windyboy@nei-yahw.com
Kyle Felsman, THPO	Confederated Salish and Kootenai Tribes of the Flathead Reservation PO Box 278 Pablo, MT 59855 kyle.felsman@cskt.org
William Big Day, THPO	The Crow Tribe of Indians PO Box 159 Crow Agency, MT 59022 william.bigday@crow-nsn.gov
Michael J. Black Wolf, THPO	Fort Belknap Indian Community 656 Agency Main Street Harlem MT 59526 mblackwolf@ftbelknap.org
Dyan Youpee, THPO	Fort Peck Assiniboine & Sioux Tribes PO Box 1027 Poplar MT 59255 d.youpee@fortpecktribes.net

Teanna Limpy, THPO	Northern Cheyenne Tribe PO Box 128 Lame Deer MT 59043 teanna.limpy@cheyennenation.com

CERTIFICATE OF SURVEY NO. _____

TRACTS OF LAND LOCATED WITHIN THE NORTH HALF OF SECTION 4, AND THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 4 WEST, P.M.M., JEFFERSON COUNTY, MONTANA



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	295.94'	2866.66'	5°55'06"	S45°01'54"W	295.80'
C2	286.57'	2866.66'	5°43'31"	S39°51'23"E	286.45'
C3	177.38'	2466.46'	4°07'19"	S37°19'16"E	177.34'

LEGEND

- RETRACEMENT BOUNDARY
- EASEMENT (AS NOTED)
- SECTION LINE
- MID-SECTION LINE
- FOUND 2" MET R/W AC (2017 3488LS) UNLESS OTHERWISE NOTED
- SET 5/8"x24" REBAR WITH RED PLASTIC CAP (PLS# 23586LS)
- FOUND PLSS MONUMENT AS NOTED
- CENTER 1/4 CORNER
- 100.00'(M) MEASUREMENT THIS SURVEY
- 100.00'(C) MEASUREMENT CALCULATED
- 100.00'(R) MEASUREMENT OF RECORD-1870 GLO (W.T. McFARLAND & S. NEEDHAM)
- 100.00'(R2) MEASUREMENT OF RECORD-MET COS NO.2244.98
- 100.00'(R3) MEASUREMENT OF RECORD-MET COS NO.2268.99
- 100.00'(RC) MEASUREMENT OF RECORD CALCULATED BASED ON 1870 GLO
- MET MONTANA DEPARTMENT OF TRANSPORTATION
- CCR CERTIFIED CORNER RECORDATION
- AC ALUMINUM CAP
- NO NUMBER
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- APPX NOT PART OF THIS CERTIFICATE OF SURVEY

BASIS OF BEARING: NAD83(2011) MONTANA STATE PLANE ZONE 2500 MBI GROUND PROJECTION AT: NORTHING: 701851.22 (M) ft; EASTING: 725787.52 (M) ft; ELEVATION: 4492.04 ft (M) U.S.ft.

NORTH LATITUDE: 46°12'38.64"
WEST LONGITUDE: 112°05'33.91"
GRID-TO-GROUND: 1.000144 U.S.ft.

VERTICAL DATUM: NAVD88 (GEOID18)
MERIDIAN CONVERGENCE ANGLE: -1.80056722

PURPOSE OF SURVEY

To retrace that portion of the North half of Section 4 lying North of that certain tract described in Deeds Book 61, Page 306 and Government Lot 4, and the Southwest quarter of the Northwest quarter of Section 3; all within Township 5 North, Range 4 West, P.M.M., Jefferson County, Montana

SURVEY NOTES

1. Date of Survey: June/July 2020
2. Owners of Record: Montana Department of Corrections
3. Survey Commissioned by: Matt Troyer, Montana Department of Natural Resources and Conservation
4. Deed References: Tracts 1, 2, 3 and Government Lot 4= Book 61, Page 297 R/W Tract= Book 61, Page 306
5. Tract 1=The intent of this survey was to retrace that portion of the NE of Section 4 lying North of that certain tract described in book 61, page 306, records, Jefferson County, Montana, the disputed points are approximate and shown for informational purposes only.
6. A title report was not provided as a part of this survey, certain easements, encumbrances, covenants and other evidence that an accurate, current and complete title search would disclose may not be shown.

PROPERTY DESCRIPTION: TRACT 1

That portion of the North half of Section 4, Township 5 North, Range 4 West, P.M.M., Jefferson County, Montana, lying Northerly of that certain tract described in Deeds Book 61, Page 306, more particularly described as follows:

Beginning at the Northeast corner of Section 4, Township 5 North, Range 4 West, P.M.M., Jefferson County, Montana;

- thence South 02°26'26" West, 2,647.91 feet along the East line of said Section to the Northerly boundary of that certain tract described in Book 61, Page 306;
- thence leaving said East line Northwesterly 295.94 feet through a central angle of 5°55' along said Northerly boundary, being a non-tangent curve concave to the Southwest, having a 2,866.66 foot radius, whose chord bears North 48°09'54" West, 295.80 feet to a line;
- thence North 50°52'27" West, 2,360.78 feet along said Northerly boundary to the North line of said Section 4;
- thence leaving said Northerly boundary South 87°52'26" East, 348.66 feet along said North line;
- thence South 87°52'27" East, 2,634.80 feet along said North line to the Point of Beginning.

Containing 77.721 Acres, more or less, along with and subject to all easements of record or apparent on the ground.

PROPERTY DESCRIPTION: GOVERNMENT LOT 4

Government Lot 4 of Section 3, Township 5 North, Range 4 West, P.M.M., Jefferson County, Montana, more particularly described as follows:

Beginning at the Northwest corner of Section 3, Township 5 North, Range 4 West, P.M.M., Jefferson County, Montana, also being the Northeast corner of Government Lot 4;

- thence through the following four (4) courses along the exterior boundary of said Government Lot 4:
- 1) South 87°26'01" East, 1,317.30 feet;
- 2) South 02°28'44" West, 1,322.13 feet;
- 3) North 87°45'36" West, 1,318.61 feet;
- 4) North 02°26'26" East, 2,650.68 feet to the Point of Beginning.

Containing 38.111 Acres, more or less, along with and subject to all easements of record or apparent on the ground.

PROPERTY DESCRIPTION: TRACT 2

That portion of the Southeast quarter of the Northwest quarter of Section 3, Township 5 North, Range 4 West, P.M.M., Jefferson County, Montana, lying North of that certain parcel described in Deeds Book 61, Page 306 records, Jefferson County, Montana, more particularly described as follows:

Commencing at the Northwest corner of Section 3, Township 5 North, Range 4 West, P.M.M., Jefferson County, Montana;

- thence South 02°26'26" West, 1,287.99 feet along the East line of said Section 3 to the Southwest corner of the Southwest quarter of the Northwest quarter of said section 3, and also being the Point of Beginning;
- thence through the following three (3) courses along the exterior boundary of said Southwest quarter of the Northwest quarter;
- 1) South 87°47'28" East, 1,316.91 feet;
- 2) South 02°28'41" West, 1,313.16 feet;
- 3) North 88°02'26" West, 1,316.30 feet to the Northerly boundary of that certain tract described in Deeds Book 61, Page 306;
- thence leaving said Southwest quarter of the Northwest quarter boundary Northeasterly 369.17 feet through a central angle of 8°13' along said Northerly boundary, being a non-tangent curve concave to the Southwest, having a 2,866.66 foot radius, whose chord bears North 37°41'22" East, 368.92 feet to a line non-tangent being the West line of the Southeast quarter of the Northwest quarter of Section 3;
- thence leaving the said Northerly boundary North 02°26'26" East, 1,048.80 feet along said West line to the Point of Beginning;

Containing 38.985 Acres, more or less, along with and subject to all easements of record or apparent on the ground.

PROPERTY DESCRIPTION: TRACT 4

A 100 foot wide strip of land located in the Southeast quarter of the Northwest quarter of Section 3, Township 5 North, Range 4 West, P.M.M., Jefferson County, Montana, being that certain parcel described in Deeds Book 61 Page 306, records, Jefferson County, Montana, being more particularly described as follows:

Commencing at the West quarter corner of Section 3, Township 5 North, Range 4 West, P.M.M., Jefferson County, Montana;

- thence North 00°26'26" East, 137.45 feet along the East line of Section 3 to a point on the Southerly boundary of that certain tract described in Deeds Book 61, Page 306 and also being the Point of Beginning;
- thence North 00°26'26" East, 144.12 feet along the East line of Section 3 to the Northerly line of that certain tract described in Deeds Book 61, Page 306;
- thence leaving said East line Southeasterly 369.17 feet through a central angle of 8°13' along said Northerly boundary, being a non-tangent curve concave to the Southwest, having a 2,866.66 foot radius, whose chord bears South 37°41'22" East, 368.92 feet to the East-West mid-section line of Section 3;
- thence leaving said Northerly boundary North 88°02'26" West, 124.25 feet along said mid-section line to the Southerly boundary of that certain tract described in Deeds Book 61, Page 306;
- thence leaving said mid-section line Northwesterly 177.38 feet through a central angle of 4°08' along said Southerly boundary, being a non-tangent curve concave to the Southwest, having a 2,466.46 foot radius, whose chord bears North 37°19'16" West, 177.34 feet to the Point of Beginning.

Containing 0.628 Acres, more or less, along with and subject to all easements of record or apparent on the ground.

PROPERTY DESCRIPTION: TRACT 3

That portion of the Southeast quarter of the Northwest quarter of Section 3, Township 5 North, Range 4 West, P.M.M., Jefferson County, Montana, lying South of that certain parcel described in Book 61, Page 306, records, Jefferson County, Montana, more particularly described as follows:

Beginning at the West quarter of Section 3, Township 5 North, Range 4 West;

- thence North 02°26'26" East, 137.45 feet along the East line of Section 3 to the Southerly boundary of that certain parcel described in Deeds Book 61, Page 306;
- thence leaving said East line Southeasterly 177.38 feet through a central angle of 4°08' along said Southerly boundary, being a non-tangent curve concave to the Southwest, having a 2,466.46 foot radius, whose chord bears South 37°19'16" East, 177.34 feet to the East-West mid-section line of Section 3;
- thence leaving said Southerly boundary North 88°02'26" West, 1136.56 feet along said mid-section line to the Point of Beginning;

Containing 0.784 Acres, more or less, along with and subject to all easements of record or apparent on the ground.

CERTIFICATE OF EXEMPTION

The survey is not a division of land pursuant to 76-3-103(15)(a) MCA, as these tracts of land are a "Tract of record ... individual parcel of land. Irrespective of ownership, that can be identified by legal description, independent of any other parcel of land, using documents on file in the records of the county clerk and recorder's office." Therefore it is exempt from review.

CERTIFICATE OF EXAMINING LAND SURVEYOR

Reviewed for square and curvature in calculations and drafting
this _____ day of _____, 20__,
pursuant to section 76-3-611(2)(a), MCA

_____
Examining Land Surveyor

Reg. No. _____

CERTIFICATE OF CLERK AND RECORDER

I, Clerk and Recorder of Jefferson County, Montana, do hereby certify that the foregoing instrument was filed in my office at _____o'clock ...m. this ____ day of _____, 20__, and recorded in book ____ of Plats on page _____ Records of the Jefferson County, Montana.

DATED this ___ day of _____, 20__.

_____
Clerk & Recorder Jefferson County

STAHLY ENGINEERING & ASSOCIATES
PROFESSIONAL ENGINEERS & SURVEYORS
www.seaeng.com
2309 MONTANA AVE, STE 201, BILLINGS, MT 59101, Phone (406)969-8281, Fax (406)969-8883
3030 GENTENNIAL DR, HELENA, MT 59601, Phone (406)442-8594, Fax (406)442-8987
801 BROADEN DR, STE 1, BOZEMAN, MT 59715, Phone (406)522-4584, Fax (406)522-8528

CERTIFICATE OF SURVEY NO. _____

COUNTY: JEFFERSON
PRINCIPAL MERIDIAN, MONTANA

1/4	SEC	T	R
NE	4	5N	4W
NW	3	5N	4W

FIELD: DCS, RJS
DRAWN: RJS, NCF
CHECKED: NCF
DATE: 7/28/2020
SHEET 1 OF 1

Exhibit F

DS-252 Version 6-2003