

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	Cook Creek LLC/Rodney Green Reciprocal Easement
<b>Proposed Implementation Date:</b>	2020
<b>Proponent:</b>	Cook Creek LLC/Rodney Green
<b>Location:</b>	T2S R44E Sec 36
<b>County:</b>	Rosebud County

### I. TYPE AND PURPOSE OF ACTION

The proponents have filed a right of way easement application with the DNRC for a 30-foot existing two track trail. The proponent is also proposing granting the State reciprocal access across a portion of existing two track trail on deeded land in Sec 35 T2S R44E

### 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 Proponent has submitted a DS 406a application for right of way and has proposed a reciprocal easement grant across deeded land. The proposed reciprocal easement involves two individual parties and would be a combination of a 30 foot and 40 foot width with a length of approximately 5,069 feet on State owned trust land. The total acreage requested across state trust land for the easement is 4.65 acres. The surface lessee has signed the DS- 457 Settlement of Surface Damage form. Due to the small scope of the project no public comment was sought.

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

None

#### 3. ALTERNATIVES CONSIDERED:

Alternative A- Approve the easement right of way application.  
Alternative B- No action.

### 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.*

Alternative A- No soil disturbance would take place as a result of the proposed activity. The soils in the area are composed of shallow and shallow with gravel types. This soil is not fragile or compactable.

Alternative B-No Impact

#### 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.*

Alternative A- No Significant Impact

Alternative B- No Impact

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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.*

Alternative A- No surface disturbance is expected as a result of the proposed action. No significant impacts anticipated.

Alternative B- No Impact

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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.*

Alternative A- No disturbance to the vegetation cover is anticipated as a result of the proposed action . The current plant community in the area is comprised mostly native species. Current Species on the site include but are not limited to Western Wheatgrass (agropyron smithii), Bluebunch Wheatgrass (agropyron spicatum), Green Needlegrass (stipa viridula), Sideoats Grama (bouteloua curtipendula), Little Bluestem (schizachyrium scoparium), Needle and Thread ( stipa comata), Threadleaf Sedge (carex filifolia), Blue Grama (bouteloua gracilis), Sandberg Bluegrass ( poa secunda), Prairie Junegrass (koleria pyramidata) Silver Sagebrush (artemisia cana), Yucca (yucca), and Crested Wheatgrass (Agropyron cristatum).

Alternative B- No Impact

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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.*

Alternative A-No change in use is anticipated as a result of the proposed action. No significant impacts anticipated

Alternative B- No Impact

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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.*

Alternative A- A search of the Montana Natural Heritage Database shows a number of sensitive species within the general project area but given the fact that no change of use or ground disturbing activities are planned as a result of the proposed action no significant impacts are anticipated. The proposed easement is not located within general, core or connectivity Greater Sage Grouse habitat.

Alternative B- No Impact

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**10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

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

Alternative A-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.

Alternative B- No Impact

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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.*

Alternative A- The proposed easement for an existing two track trail is not anticipated to cause significant nor cumulative impacts to the aesthetics of the general area.

Alternative B- No Impact

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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.*

Alternative A- No significant impact

Alternative B- No Impact

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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.*

None

<b>IV. IMPACTS ON THE HUMAN POPULATION</b>
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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.*

Alternative A- No significant impacts

Alternative B- No Impact

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

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

Alternative A- No significant impacts

Alternative B- No Impact

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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.*

Alternative A- No significant impacts

Alternative B- No Impact

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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.*

Alternative A- No significant impact

Alternative B- No Impact

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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*

Alternative A- No impacts expected.

Alternative B- No Impact

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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.*

Alternative A- No Significant Impact

Alternative B- No Impact

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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.*

Alternative A- No Significant Impact

Alternative B- No Impact

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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.*

Alternative A- No Significant Impact

Alternative B- No Impact

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**22. SOCIAL STRUCTURES AND MORES:**

*Identify potential disruption of native or traditional lifestyles or communities.*

Alternative A- No Significant Impact

Alternative B- No Impact

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**23. CULTURAL UNIQUENESS AND DIVERSITY:**

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

Alternative A- No Significant Impact

Alternative B- No Impact

**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.*

Alternative A- The proposed action will provide income as well as access for the trust. The reciprocal easement will result in \$861.00 compensation to the state.

Alternative B- No Impact

<b>EA Checklist Prepared By:</b>	<b>Name:</b> Chris Pileski	<b>Date:</b> 08-25-2020
	<b>Title:</b> Area Manager	

**V. FINDING**

**25. ALTERNATIVE SELECTED:**

Alternative A

**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

The granting of the requested right of way easement upon state owned trust lands for the proposed Cook Creek LLC/Rodney Green Reciprocal Easement project should not result in nor cause significant environmental impacts. The predicted environmental impacts have been identified and mitigation measures addressed in the EA checklist. There are no ground disturbing activities proposed and no changes of use as a result of the proposed action. The proposed action satisfies the trusts fiduciary mandate, provides legal access to a previously inaccessible trust land parcel and ensures the long-term productivity of the land. An environmental assessment checklist is the appropriate level of analysis for the proposed action

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

EIS       More Detailed EA       No Further Analysis

<b>EA Checklist Approved By:</b>	<b>Name:</b> Scott Aye	<b>Date:</b> 08-25-2020
	<b>Title:</b> Lands Program Manager	
<b>Signature:</b>		