

SLOCUM CREEK LAND BANKING

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Slocum Creek Land Banking Sale #757
Proposed Implementation Date:	Fall 2015
Proponent:	Montana DNRC
Location:	Section 36 Township 9 North Range 19 West
County:	Ravalli County

I. TYPE AND PURPOSE OF ACTION

Offer for sale at public auction, 635 acres of legally inaccessible state land currently held in trust for the benefit of the Common School Trust (see Attachment A – maps). Revenue generated from the sale of this parcel would be deposited in a special account used to purchase replacement lands meeting acquisition criteria related to legal access, productivity, potential income generation and potential for multiple use. The new parcel/parcels would then be held in trust for the Common School Grant Trust. This proposed sale is being initiated through the Land Banking Program (Montana Code Annotated 77-2-361 through 77-2-367) that was approved by the Legislature in 2003. The purpose of this program is to allow the Department of Natural Resources and Conservation to dispose of parcels that are primarily isolated and produce low income and allow the Department to purchase land with legal public access that can support multiple uses and will provide a rate of return equal to or greater than the parcels that were sold.

II. PROJECT DEVELOPMENT

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

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

A letter, requesting comments was sent to interested parties including adjacent landowners, the Ravalli County Commissioners, Land Board members, legislators, government agencies, special interest groups and others.

A public notice, requesting comments, was published in the Ravalli Republic on January 18 and 25, 2015 and the Bitterroot Star on January 21 and 22, 2015.

In response to the scoping the DNRC received six written comments and six phone calls from members of the public. Additionally, specialists from within the DNRC were consulted during project development. Both external comments and internal comments were used to develop issues requiring review as part of this Environmental Analysis. Other issues raised during scoping were determined to be not relevant or beyond the scope of this project.

A complete list of individuals contacted, written scoping comments received, and issues raised during scoping is included as Attachment C of this EA.

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

None

3. ALTERNATIVES CONSIDERED:

Proposed Alternative A: Offer for sale all of Section 36, Township 9 North – Range 19 West, containing 635 acres. This land would then be sold for sale at public auction subject to statutes addressing the sale of State Land found in M.C.A. 77-2-301 et seq. Proceeds from the sale would be deposited in the Land Bank Fund to be used in conjunction with proceeds from other sales for the purchase of other State Land, easements, or improvements for the beneficiaries of the respective trusts. In this case receipts from the sale of this property would go to the land bank fund and earmarked specifically for the purchase of replacement property for the Common School Trust. Per M.C.A. 77-2-304 the State would retain the subsurface mineral rights.

No Action Alternative: Defer inclusion of this tract in the Land Banking Program. Maintain state ownership of the parcel and continue to manage the property for revenue to trust beneficiaries.

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.

Bedrock geology is mainly Belt Series, Ravalli formation argillites. Commercial mineral potential is low. This tract was leased in 1980 for oil and gas, but no drilling was done and there has been no exploratory drilling in the area (Comments, M.Mason, DNRC Minerals Management Bureau Chief). Shallow bedrock is common on steeper slopes with bedrock outcrops on ridges. No MT DEQ remediation sites or mines were noted in the MTNRIS database search for these parcels and there are no homes or developments.

Sec 36, T9N, R19W containing 635 acres is a mixture of grasslands and forest sites. This parcel is located on footslopes and mountain sideslopes of the Sapphire Mountains. No sites with unique geology or unstable slopes were identified on the parcel proposed for land banking. The rangeland soils are dryland sites, with moderate to deep gravelly silt loam soils on moderate slopes (5-30%) with areas of clay rich soils on tertiary valley fill deposits. Forested sites are moderate to shallow very gravelly loam soils on steeper slopes of 20 to 60% supporting Ponderosa Pine and Douglas-fir forest types. Soil depth tends to be deeper and more productive on northerly aspects. Erosion potential is moderate and increases to moderately high on steeper slopes over 45%. Soils in the parcel are well drained and droughty. Recent activities are the completion of timber harvest with road construction and drainage improvements and grazing under a license agreement.

Soils are moderately impacted from historic effects of forest management and roads. No soil disturbance activities are planned as part of this action. We would expect continued land management uses of forest management and grazing similar to recent activities in compliance with Best Management Practices. There would be low risk of direct, indirect and cumulative impacts to geology and soil quality or stability as a result of implementing the proposed action or no-action alternatives.

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.

The parcel is located in the Slocum Creek drainage about eight miles east of Stevensville, Montana, within the Burnt Fork Creek watershed. Slocum Creek flows through the NWNW corner of Section 36, T9N, R19W, and an intermittent stream, that flows during spring runoff crosses the middle of the section. The section drains towards the west but is intercepted by irrigation ditches and does not deliver to Burnt Fork Creek. No water rights uses were noted in this section, and there are no water quality impaired uses. This is a low to moderate precipitation site that receives 19-20" of average precipitation. Surface runoff on these well-drained soils is rare and mainly in the spring.

We would expect continued land management uses of forest management and grazing similar to recent activities in compliance with Best Management Practices. Any proposed water rights uses would require an application for a beneficial water use through the permit process administered by the DNRC Water Rights Bureau. Thus, there is low risk of direct, indirect or cumulative effects to water quality or beneficial uses anticipated with either the action or no-action alternative.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

This parcel of land is located approximately eight miles east of Stevensville, Montana in Ravalli County. The parcel is located within Airshed 4. Sale of this parcel is not expected to cause any direct, indirect or cumulative effects 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.

The parcel is predominately forested with Douglas-fir and ponderosa pine trees. The state land classification is Class 2 - Classified Forest - "lands which are principally valuable for the timber that is on them or for the growing of timber or for watershed protection" 77-1-401 (2) MCA. A commercial timber harvest removed approximately 500 thousand board feet in 2013 and records indicate other commercial timber harvest has occurred in the past. Approximately 2 million board feet remains standing on the parcel.

Noxious weeds, principally Spotted knapweed and to a lesser extent thistle and houndstongue occur in the area across ownerships, and also on the DNRC parcel. There would be minimal if any change in noxious weeds with the proposed action. We would expect continued land management uses of forest management and grazing similar to recent activities in compliance with Best Management Practices. Weed control would be expected to continue to meet requirements of the Montana Weed Control Act and Ravalli County Weed District.

A records search of the Montana Natural Heritage Program database for this section did not reveal the presence of any plant species of special concern, nor were any plant species of concern found during the field work of the Slocum Creek Timber Sale.

No direct or cumulative effects are expected to occur to vegetation as a result of the proposed alternative.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

Aquatic Resources

There are no surface waters within the parcel that support fish, based on field reviews and biologist assessment. There would be no direct, indirect or cumulative effects to aquatic life or fish with implementation of the action or no-action alternatives.

Terrestrial Wildlife Resources

The project area contains a mixture of grasslands and forested sites that are located along the foothills of the Sapphire Mountains. Forest types, dominated by ponderosa pine and Douglas-fir, comprise approximately 373 acres (59%) of the 635-acre project area. Past activities in the project area have included livestock grazing and timber management. The project area is largely surrounded by private lands, which have also experienced livestock grazing and timber management.

No Action Alternative: Direct, Indirect, and Cumulative Effects

The project area would remain in DNRC ownership and the foreseeable predominant land use would be livestock grazing and forest management. Timber management could occur over the longer term as forest stands would continue to mature. Habitat-altering land uses could occur under normal DNRC management. No changes to the existing habitats would be anticipated. Wildlife use of the project area would be expected to be similar to present levels. Recreational use would remain limited due to limited access; existing levels of human disturbance would not appreciably change. No appreciable changes to the existing big game winter range, summer range, or security habitats would be anticipated. No direct, indirect, or cumulative effects to wildlife would be anticipated since: 1) no appreciable changes to existing habitats would occur; 2) human disturbance levels would not be anticipated to change; and 3) no changes in wildlife use would be expected to occur.

Action Alternative: Direct, Indirect, and Cumulative Effects

DNRC would relinquish ownership of the project area under the Land Banking process and a private party would purchase the property. Beyond this expectation, one must speculate on further outcomes regarding future land uses that would occur outside of DNRC control following purchase by a buyer. Transferring ownership of the parcel to another party would not have any direct or indirect effects on any wildlife species or habitats, however, under the action alternative continued management, and/or future development that may erode wildlife habitat values could occur outside of the DNRC's public environmental review process.

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.

No sensitive fish species, sensitive wetlands or sensitive plants are known to occur on the DNRC parcel. No wetlands occur on this ownership. There would be no direct, in-direct or cumulative effects to aquatic life or fish with implementation of the action or no-action alternatives.

Terrestrial Wildlife Resources

The project area contains a mixture of grasslands and forested sites that are located along the foothills of the Sapphire Mountains. Forest types, dominated by ponderosa pine and Douglas-fir, comprise approximately 373 acres (59%) of the 635-acre project area. Past activities in the project area have included livestock grazing and timber management. The project area is largely surrounded by private lands, which have also experienced livestock grazing and timber management. See Attachment B for a full review of existing habitats for terrestrial threatened, endangered, and sensitive wildlife species.

No Action Alternative: Direct, Indirect, and Cumulative Effects

The project area would remain in DNRC ownership and the foreseeable predominant land use would be livestock grazing and forest management. No habitat-altering land uses would occur with this alternative, thus no changes to the existing habitats or levels of use by any of the terrestrial threatened, endangered, or sensitive wildlife species would be anticipated. Existing levels of human disturbance would not appreciably change. No direct, indirect, or cumulative effects to terrestrial threatened, endangered, or sensitive wildlife species would be anticipated since: 1) no appreciable changes to existing habitats would occur; 2) human disturbance levels would not be anticipated to change; and 3) no changes in wildlife use would be expected to occur.

Action Alternative: Direct, Indirect, and Cumulative Effects

DNRC would relinquish ownership of the project area under the Land Banking process and a private party would purchase the property. Beyond this expectation, one must speculate on further outcomes regarding future land uses that would occur outside of DNRC control following purchase by a buyer. Transferring ownership of the parcel to another party would not have any direct or indirect effects on any terrestrial endangered, threatened, or sensitive wildlife species or habitats, however, under the action alternative continued management, and/or future development that may erode wildlife habitat values could occur outside of the DNRC's public environmental review process. See Attachment B for a full review of anticipated to terrestrial threatened, endangered, and sensitive wildlife species.

No direct, indirect, or cumulative effects to terrestrial threatened, endangered, or sensitive wildlife species would be anticipated since: 1) no appreciable changes to existing habitats would occur immediately, however long-term management objectives would be unknown and persistence of any given habitat condition would not be certain; 2) human disturbance levels would not be anticipated to change in the immediate future, however uncertainty associated with future use could introduce additional human disturbance and displacement; and 3) no appreciable changes in wildlife use would be expected to occur unless major changes in land use were to undertaken by the new owner.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

The state parcel proposed for sale (Section 36, T9N R19W) was inventoried to Class III standards for cultural and paleontological resources. Despite a detailed examination, no cultural or fossil resources were identified and no additional archaeological or paleontological investigative work is recommended. The proposed project will have No Effect to Antiquities as defined under the Montana State Antiquities Act. A formal report of findings has been prepared and is on file with the DNRC and the Montana State Historic Preservation Officer.

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.

Portions of the parcel are visible from select viewpoints on the Bitterroot Valley Floor. From these viewpoints the parcel is in the distance and land management activities are generally not noticeable. The proposed action of transferring ownership of the parcel to another party would not have any direct, indirect or cumulative effects 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.

This 635 acre parcel of school trust land represents a fraction of the 5.2 million acres of trust land statewide. State law and administrative rules limit the sale of trust land to a maximum of 20,000 acres prior to purchasing replacement lands. The potential sale of this parcel would affect an extremely small

percentage of the school trust lands if replacement land was not purchased before the statute expires and even less impact if replacement land is purchased as anticipated.

The potential transfer of ownership would not have any impact or demands on environmental resources of land, water, air or energy.

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.

Montana Department of Natural Resources and Conservation, Checklist Environmental Assessment, Slocum Creek Timber Sale, 2012.

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.

No impacts to human health and safety would occur as a result of this proposal.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

The DNRC property has been managed primarily for the long term production of forest products, grazing is a secondary use of the parcel. The most recent DNRC timber harvest occurred in 2013 when 512 MBF of sawlogs were removed at a value of \$69,920.00. There is a grazing license on the parcel that generates approximately \$2,360.00 per year. The DNRC does not have permanent access to the parcel and has operated under temporary access arrangements. The current timber stand has sufficient volume to allow for a commercial timber harvest.

Adjacent land uses include rural residential, forest production and grazing; the parcel is surrounded by one owner, the Burnt Fork Ranch.

Sale of the property would not likely change the industrial, commercial and agricultural uses of the property.

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 proposal would have no effect on quality and distribution of employment.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

Currently the parcel is state-owned and not assessed taxes. Sale of this land would add additional property to the Ravalli County tax base, thus increasing revenue to the county.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

The proposed sale is located within Bitterroot National Forest, Stevensville Ranger District Fire Protection Area and the Stevensville School District. The sale of the property would not cause any increase in demand for government services.

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 parcel is unzoned. Ravalli County does not have an adopted growth policy and therefore, there is not a recommended land use designation for this parcel.

The DNRC manages State Trust Lands for residential development under the Real Estate Management Plan 2005. The Plan defines residential development as a density of one residential unit per 25 acres or less or by allowing development on more than 25% of the parent parcel. If the density exceeds 25% of the parcel or is denser than 1 dwelling unit per 25 acres, then the development counts towards the threshold caps for development in the Real Estate Management Plan.

It is highly unlikely the parcel would be developed at a density described above due to lack of adjacent development. It is also unlikely that if developed, it would be within 5 years. If not developed within 5 years the sale would be exempt from the acreage thresholds as per ARM 36.25.911(2) (c); therefore, no development restriction will be placed on the parcel.

Any proposal to develop these properties would be subject to review and approval under state and local regulations applicable to Ravalli County.

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 parcel is surrounded by one private property owner (Burnt Fork Ranch). While the DNRC owns section 30 T9N R18W directly to the northeast the parcels do not share a common corner and are physically separated by a distance of approximately 71 feet (see Attachment A Map). DNRC researched the possibility of historic public road access. Files and maps dating back to 1889, when Montana became a state, were reviewed at the Missoula County and Ravalli County Courthouses. Although some evidence of historic roadways was discovered, evidence was insufficient to conclude that legal access to the parcel exists.

The parcel is not enrolled in any programs such as block management and recreationists could only access this parcel if they are granted permission through the Burnt Fork Ranch.

One of the goals of Land Banking is to improve public access to state trust land. Revenue generated from this proposed sale would go into the state land banking fund to be used for the purchase of other lands meeting the goals of the program.

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 potential sale of this parcel would not require additional housing or change population. It is unknown what land uses would occur under new ownership. Any future proposal to develop the property would be subject to review under state and local regulations.

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.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

The potential sale of the state land would not directly or cumulatively impact cultural uniqueness or diversity. It is unknown what management activities would take place on the land if ownership changes.

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 parcel is classified forest land (principally valuable for timber or for the growing of timber or for watershed protection 77-1-401MCA). It was acquired in 1938 under a patent from the federal government for support of the Common School trust. Due to location it is likely unsuitable for rural or residential development.

The parcel currently has a grazing license which generates approximately \$2,360.00/year

The land is moderately stocked with a sawlog-sized trees between 80 – 110 years old. Primary tree species are ponderosa pine (50%) and Douglas-fir (50%). Current net merchantable timber volume on the tract is estimated at 2,000 MBF (thousand board feet). Overall the site has a moderate productivity potential for growing trees (100 board feet/acre/year).

Due to of a lack of legal access, management has been conducted as opportunities arise. The most recent timber harvest occurred in 2013 at which time 512 MBF of sawlog material was removed in a commercial thinning operation.

Overall the parcel is average in forest productivity and average in revenue return. The parcel is surrounded by private property and does not have legal access. If retained in state ownership there is no indication this parcel would be used for purposes other than forestry in the future and the prospects for future revenue would be less than average.

An appraisal of the property has not been completed. There is an assumed appraised property value of \$762,000 (\$1200/acre).

Proposed Action Alternative:

Land Banking statutes require that land acquired as replacement property through Land Banking is "likely to produce more net revenue for the affected trust than the revenue that was produced from the land that was sold" (Section 77-2-364 (4) MCA). Property targeted for acquisition could include agricultural or timber lands, with recreational potential or commercial potential.

The adjacent owner, The Burnt Fork Ranch, controls access and has expressed interest in purchasing this parcel. The Burnt Fork Ranch has indicated that if the action alternative is chosen and the Burnt Fork Ranch is the successful bidder they would provide permanent legal access through their land, to trust lands in section 30 township 9 north range 18 west (321 acres common schools trust, 240 acres Capital buildings trust) and section 24 township 9 north range 19 west (120 acres common schools trust). See letter from Burnt Fork Ranch dated December 24, 2014. This access would be for land management activities, and would provide greater ability and future security to manage these lands to generate revenue through forest management and grazing activities. Section 30 is accessible to recreationists via Forest Service lands. Section 24 is wholly surrounded by private landowners and recreational access would be at the approval of those landowners.

If the action alternative is chosen it is anticipated the replacement land purchased under the land banking program would have legal access and provide greater management opportunities in the future. In addition if the action alternative is chosen and the Burnt Fork Ranch is the successful bidder legal access to 681 additional acres would likely be obtained.

EA Checklist Prepared By:	Name: Neil Simpson	Date: 6/29/15
	Title: Acting Hamilton Unit Manager	

V. FINDING

25. ALTERNATIVE SELECTED:

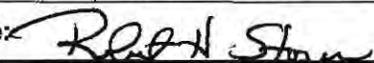
Proposed Alternative A

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

None

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS More Detailed EA No Further Analysis

EA Checklist Approved By:	Name: Robert H. Storer
	Title: Trustlands Program Manager, Southwestern Land Office
Signature: 	Date: June 30, 2015

ATTACHMENT A

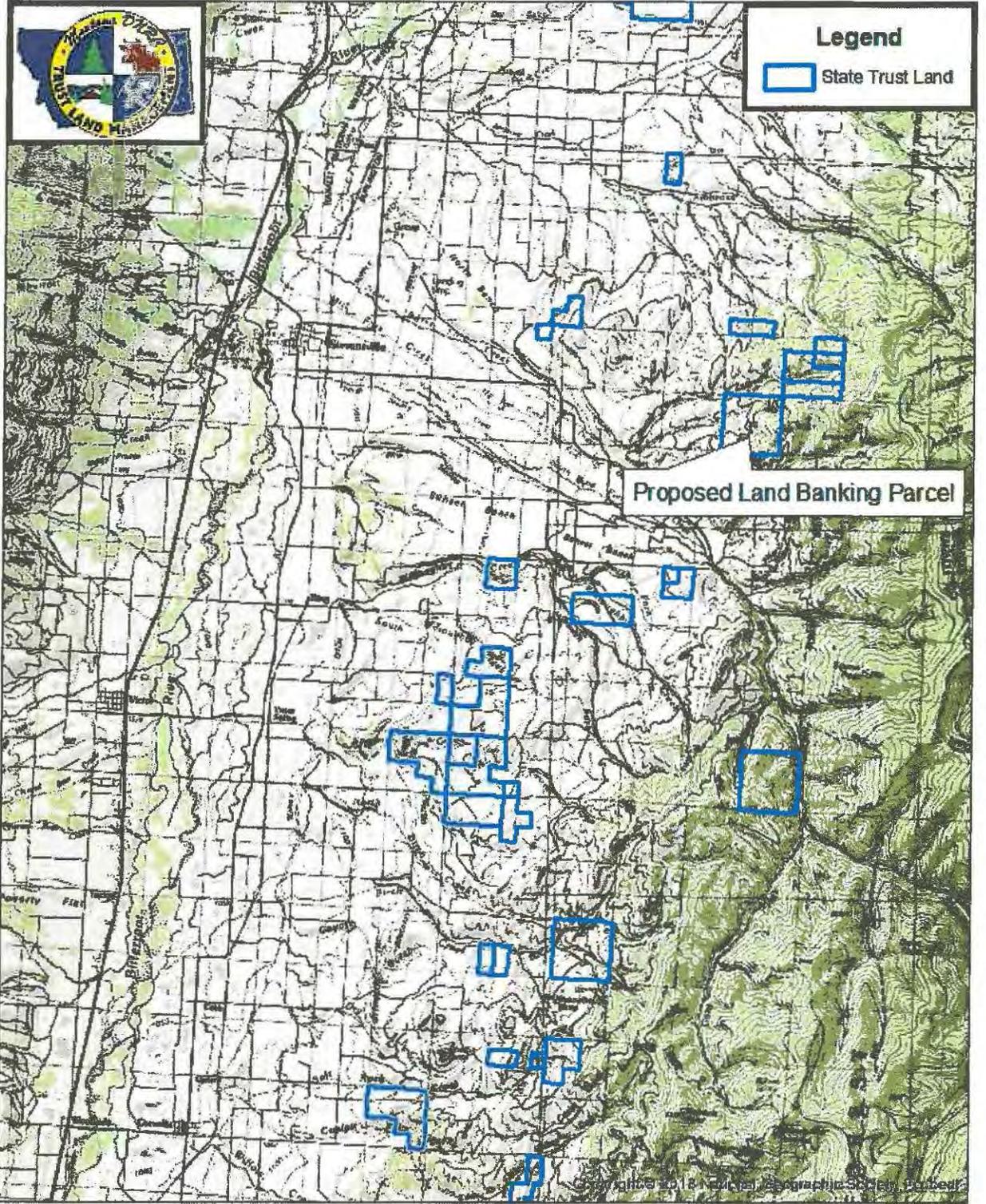
MAPS

Slocum Creek Proposed Land Banking

Vicinity Map

Section 36 T9N R19W Ravalli County, MT

Common Schools Trust

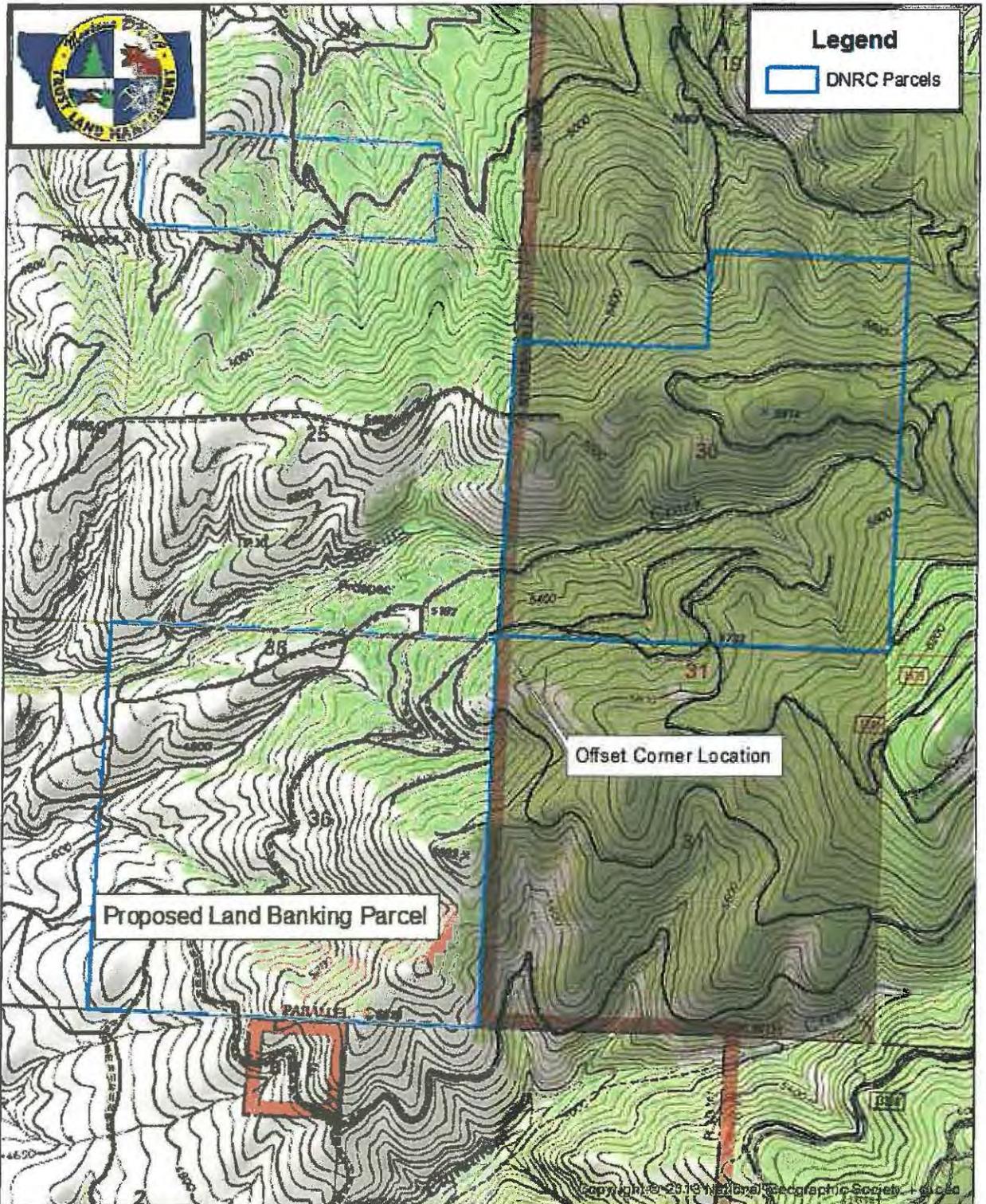


Slocum Creek Proposed Land Banking

Project Area Map

Section 36 T9N R19W Ravalli County, MT

Common Schools Trust



0.5 0.25 0 0.5 Miles

ATTACHMENT B

CHECKLIST FOR ENDANGERED, THREATENED AND SENSITIVE SPECIES

ATTACHMENT B

CHECKLIST FOR ENDANGERED, THREATENED AND SENSITIVE SPEICES SOUTHWESTERN LAND OFFICE Slocum Creek Land Banking Project

Threatened and Endangered Species	[Y/N] Potential Impacts and Mitigation Measures N = Not Present or No Impact is Likely to Occur Y = Impacts May Occur (Explain Below)
THREATENED AND ENDANGERED SPECIES	
Grizzly bear (<i>Ursus arctos</i>) Habitat: Recovery areas, security from human activity	[N] The project area is approximately 33 miles south of the Rattlesnake subunit of the NCDE Recovery Area (USFWS 1993), and 36 miles southwest of occupied grizzly bear habitat (Wittinger et al. 2002). However, grizzly bears are increasingly being documented south of the recovery zone (J. Jonkel, MT FWP, personal communication, 2013). Transferring ownership of the parcel would not have any direct or immediate indirect effect on any wildlife species or their habitat. Given the lack of access, it would be expected that traditional uses (i.e., livestock grazing, timber management) would be the most likely to continue, and would likely have negligible direct, indirect, or cumulative effects to grizzly bears. However, the proposed action could allow for greater future cumulative risk of development and loss of wildlife habitat that could occur outside of the DNRC's public environmental review process.
Canada lynx (<i>Felis lynx</i>) Habitat: Subalpine fir habitat types, dense sapling, old forest, deep snow zone	[N] No lynx habitats occur in the project area. Thus, no direct, indirect, or cumulative effects would be anticipated to lynx.
DNRC Sensitive Species	
[Y/N] Potential Impacts and Mitigation Measures N = Not Present or No Impact is Likely to Occur Y = Impacts May Occur (Explain Below)	
Bald eagle (<i>Haliaeetus leucocephalus</i>) Habitat: Late-successional forest more than 1 mile from open water	[N] The project area is roughly 7 miles from the closest known nest on the Bitterroot River. Incidental use during the winter could be possible while foraging on carrion. Conifer forest on the project area is too distant from the Bitterroot River to provide suitable nesting sites. No direct, indirect or cumulative effects would be expected to result from the proposed alternative.
Black-backed woodpecker (<i>Picoides arcticus</i>) Habitat: Mature to old burned or beetle-infested forest	[N] No recently (less than 5 years) burned areas are in the project area. Thus, no direct, indirect, or cumulative effects to black-backed woodpeckers would be expected to occur as a result of either alternative.

<p>Coeur d'Alene salamander (<i>Plethodon idahoensis</i>) Habitat: Waterfall spray zones, talus near cascading streams</p>	<p>[N] No moist talus or streamside talus habitat occurs in the project area. Thus, no direct, indirect, or cumulative effects to Coeur d'Alene salamanders would be expected to occur as a result of either alternative.</p>
<p>Columbian sharp-tailed grouse (<i>Tympanuchus Phasianellus columbianus</i>) Habitat: Grassland, shrubland, riparian, agriculture</p>	<p>[N] No suitable grassland communities occur in the project area. Thus, no direct, indirect, or cumulative effects to Columbian sharp-tailed grouse would be expected to occur as a result of either alternative.</p>
<p>Common loon (<i>Gavia immer</i>) Habitat: Cold mountain lakes, nest in emergent vegetation</p>	<p>[N] No suitable lakes occur in the project area. Thus no direct, indirect, or cumulative effects to common loons would be expected under either alternative.</p>
<p>Fisher (<i>Martes pennanti</i>) Habitat: Dense mature to old forest less than 6,000 feet in elevation and riparian</p>	<p>[N] No suitable fisher covertypes exist in the project area. Given the lack of habitat, the limited area, the proximity to human developments, and the surrounding landscape, no direct, indirect, or cumulative effects to fisher would be anticipated.</p>
<p>Flammulated owl (<i>Otus flammeolus</i>) Habitat: Late-successional ponderosa pine and Douglas-fir forest</p>	<p>[N] Some potential flammulated owl habitat exists in the project area. However, transferring ownership of the parcel would not have any immediate direct or indirect effect on any wildlife species or their habitat. Given the lack of access, it would be expected that traditional uses (i.e., livestock grazing, timber management) would be the most likely to continue, and would likely have negligible direct, indirect, or cumulative effects to flammulated owls. However, the proposed action could allow for greater future cumulative risk of development and loss of wildlife habitat that could occur outside of the DNRC's public environmental review process.</p>
<p>Gray Wolf (<i>Canis lupus</i>) Habitat: Ample big game populations, security from human activities</p>	<p>[N] Wolves have been documented in the project area. However, transferring ownership of the parcel would not have any direct or immediate indirect effect on any wildlife species or their habitat. Given the lack of access, it would be expected that traditional uses (i.e., livestock grazing, timber management) would be the most likely to continue, and would likely have negligible direct, indirect, or cumulative effects to gray wolves. However, the proposed action could allow for greater future cumulative risk of development and loss of wildlife habitat that could occur outside of the DNRC's public environmental review process.</p>
<p>Harlequin duck (<i>Histrionicus histrionicus</i>) Habitat: White-water streams, boulder and cobble substrates</p>	<p>[N] No suitable high-gradient stream or river habitats occur in the project area. No direct, indirect or cumulative effects to harlequin ducks would be expected to occur as a result of either alternative.</p>

<p>Mountain Plover (<i>Charadrius montanus</i>) Habitat: Short-grass prairie, alkaline flats, and prairie dog towns</p>	<p>[N] No prairie dog colonies or other shortgrass prairie habitats occur in the project area. Thus, no direct, indirect, or cumulative effects to mountain plovers would be anticipated to occur as a result of either alternative.</p>
<p>Northern bog lemming (<i>Synaptomys borealis</i>) Habitat: Sphagnum meadows, bogs, fens with thick moss mats</p>	<p>[N] No suitable sphagnum bogs or fens occur in the project area. Thus, no direct, indirect, or cumulative effects to northern bog lemmings would be expected to occur as a result of either alternative.</p>
<p>Peregrine falcon (<i>Falco peregrinus</i>) Habitat: Cliff features near open foraging areas and/or wetlands</p>	<p>[N] No preferred cliff features suitable for use by peregrine falcons occur on, or within 1 mile of the project area, thus, no direct, indirect, or cumulative effects would be anticipated.</p>
<p>Pileated woodpecker (<i>Dryocopus pileatus</i>) Habitat: Late-successional ponderosa pine and larch-fir forest</p>	<p>[N] Some limited potential pileated woodpecker habitat is present in the project area. However, transferring ownership of the parcel would not have any direct or immediate indirect effect on any wildlife species or their habitat. Given the lack of access, it would be expected that traditional uses (i.e., livestock grazing, timber management) would be the most likely to continue, and would likely have negligible direct, indirect, or cumulative effects to pileated woodpeckers. However, the proposed action could allow for greater future cumulative risk of development and loss of wildlife habitat that could occur outside of the DNRC's public environmental review process.</p>
<p>Townsend's big-eared bat (<i>Plecotus townsendii</i>) Habitat: Caves, caverns, old mines</p>	<p>[N] DNRC is unaware of any mines or caves within the project area or close vicinity that would be suitable for use by Townsend's big-eared bats. Thus, no direct, indirect or cumulative effects to Townsend's big-eared bats are anticipated as a result of this project.</p>
<p>Wolverine (<i>Gulo gulo</i>) Habitat: Alpine tundra and high-elevation boreal forests, areas with persistent spring snow.</p>	<p>[N] Generally wolverines are found in sparsely inhabited remote areas near treeline characterized by cool to cold temperatures year round and rather deep and persistent snow well into the spring (Copeland et al. 2010). The project area is generally below the elevations where wolverines tend to be located. No areas of deep persistent spring snow occur in the project area. Individual animals could occasionally use lands in the project area while dispersing or possibly foraging. However, transferring ownership of the parcel would not have any direct or immediate indirect effect on any wildlife species or their habitat. Given the lack of access, it would be expected that traditional uses (i.e., livestock grazing, timber management) would be the most likely to continue, and would likely have negligible direct, indirect, or cumulative effects to wolverines. However, the proposed action could allow for greater future cumulative risk of development and loss of wildlife habitat that could occur outside of the DNRC's public environmental review process.</p>

Literature Cited:

- Copeland, J. P., K.S. McKelvey, K.B. Aubry, A. Landa, J. Persson, R.M. Inman, J. Krebs, E. Lofroth, H. Golden, J.R. Squires, A. Magoun, M.K. Schwartz, J. Wilmot, C.L. Copeland, R.E. Yates, I. Kojola, and R. May. 2010. The bioclimatic envelope of the wolverine (*Gulo gulo*): do climatic constraints limit its geographic distribution? *Can. J. Zool.* 88: 233-246.
- U.S. Fish and Wildlife Service. 1993. Grizzly Bear Recovery Plan, revised. U. S. Fish and Wildlife Service, University of Montana, Missoula MT. 181pp.
- Wittinger, W.T. 2002. Grizzly bear distribution outside of recovery zones. Unpublished memorandum on file at USDA Forest Service, Region 1. Missoula, Montana.2pp.

ATTACHMENT C
SCOPING LIST,
WRITTEN SCOPING COMMENTS
AND
ISSUES OF CONCERN

Scoping List

	RAVALLI COUNTY COMMISSIONERS		215 S 4TH ST SUITE A	HAMILTON
	MT FISH, WILDLIFE & PARKS	SHARON ROSE	3201 SPURGIN RD	MISSOULA
	DEPT OF ENVIROMENTAL QUALITY		1520 E TH AVE	HELENA
MISSOULA RESOURCE AREA	BUREAU OF LAND MANAGEMENT	RICHARD J TORQUEMADA	3255 FORT MISSOULA RD	MISSOULA
	MONTANA WILDERNESS ASSOC.		30 S EWING	HELENA
	MONTRUST		PO BOX 1111	MISSOULA
	FIVE VALLEY'S LAND TRUST		PO BOX 8953	MISSOULA
	ROCKY MOUNTAIN ELK FOUNDATION		PO BOX 8249	MISSOULA
	WILDWEST INSTITUTE	JEFF JUEL, ECOSYSTEMS DEFENSE	PO BOX 7998	MISSOULA
	MT STOCKGROWERS ASSOCIATION	JAY BODNER, NATURAL RESOURCES DIRECTOR	420 N CALIFORNIA	HELENA
	MONTANA SMART GROWTH COALITION		PO BOX 543	HELENA
	TROUT UNLIMITED	RIC SMITH, CHAIRMAN	PO BOX 7186	MISSOULA
	MONTANA RIVER ACTION NETWORK	DONALD KERN	PO BOX 383	HELENA
	MONTANA WILDLIFE FEDERATION	DAVE MAJORS	3289 WOOD DUCK LANE	STEVENSVILLE
	WESTERN MT FISH & GAME ASSOC.	JIM CLAWSON	11225 WINDEMERE	MISSOULA
	MISSOULA LAND RELIANCE	JAY ERICKSON	PO BOX 355	HELENA
	AMERICAN PUBLIC LAND EXCHANGE	BRUCE BUGBEE	125 BANK ST, SUITE 610	MISSOULA
STUART	LEWIN		615 3RD AVE N	GREAT FALLS
	PUBLIC LANDS ACCESS ASSOC. INC.	LOUIS E HAWKES, EX DIRECTOR	16 CLONINGER LANE	BOZEMAN
	PUBLIC LANDS ACCESS ASSOC. INC.	JOHN GIBSON	3028 AVE E	BILLINGS
	MONTANA COALITION FOR APPROPRIATE MGMT OF STATE LANDS	JACK JONES	3014 IRENE ST	BUTTE
	HELLGATE HUNTERS &		PO BOX 7792	MISSOULA

	ANGLERS			
	GREATER YELLOWSTONE COALITION		PO BOX 1874	BOZEMAN
	FOUNDATION FOR NORTH AMERICAN WILD SHEEP		720 ALLEN AVE	CODY
	NATIONAL WILDLIFE FEDERATION	RICH DAY	240 N HIGGINS AVE	MISSOULA
	DEFENDERS OF WILDLIFE		140 S 4TH ST W	MISSOULA
	MONTANA BOWHUNTERS ASSOC		4503 BARBARA LANE	MISSOULA
DENISE	JUNEAU	OFFICE OF THE SUPERINTENDENT OF PUBLIC INST.	PO BOX 202501	HELENA
ROSI	KELLER	UNIVERSITY OF MONTANA	32 CAMPUS DR	MISSOULA
LESLIE	TAYLOR	MONTANA STATE UNIVERSITY	PO BOX 172440	BOZEMAN
LESLIE	TAYLOR	MONTANA STATE UNIVERSITY	PO BOX 172440	BOZEMAN
	MONTANA WILDLIFE FEDERATION	CRAIG SHARPE & LARRY COPENHAVER		
	MONTANA ASSOCIATION OF LAND TRUST (MALT)	GLEN MARX, EX. DIRECTOR	PO BOX 675	WHITEHALL
	MT DEPT OF FISH, WILDLIFE & PARKS	HUGH ZACKHEIM	PO BOX 200701	HELENA
	DEPT OF ENVIROMENTAL QUALITY	TOM ELLERHOFF	PO BOX 200901	HELENA
	MONTANA DEPT OF TRANSPORTATION	SHANE MINTZ	PO BOX 201001	HELENA
	MONTANA ENVIRONMENTAL INFORMATION CENTER	ANNE HEDGES	PO BOX 1184	HELENA
	MONTANA WILDLIFE FEDERATION	BILL ORSELLO & STAN FRASIER	PO BOX 1175	HELENA
	MONTANA SCHOOL BOARDS ASSOC.	BOB VOGEL	863 GREAT NORTHERN BLVD	HELENA
DANIEL	BERUBE		27 CEDAR LAKE DR	BUTTE
	MONTANA WOOD PRODUCTS	PATRICK HEFFERNAN	PO BOX 1149	HELENA
	MONTANA ASSOC OF COUNTIES	HAROLD BLATTIE	2715 SKYWAY DR	HELENA

JACK	ATCHESON, SR.		3210 OTTAWA	BUTTE
	MONTANA AUDUBON	JANET ELLIS	PO BOX 595	HELENA
	MONTANA FARM BUREAU	NANCY SCHLEPP	502 S 19TH SUITE 4	BOZEMAN
RAY	MARXER	MATADOR CATTLE CO	9500 BLACKTAIL RD	DILLON
ROSI	KELLER	UNIVERSITY OF MONTANA	32 CAMPUS DR	MISSOULA
LESLIE	TAYLOR	MONTANA STATE UNIVERSITY	PO BOX 172440	BOZEMAN
Fred	Thomas	Senate District 44	1004 S. Burnt Fork rd.	STEVENSVILLE
Nancy	Ballance	House District 87	388 Hawk Point Lane	HAMILTON
Ritter	Dan	Stevensville Ranger District	88 Main Street	STEVENSVILLE
Blaine	Nate		301 Syringa Street	STEVENSVILLE
		Friends of the Bitterroot	PO 442	HAMILTON
		Ravalli County Fish and Wildfie Association	PO Box 238	HAMILTON
	Tribal Historic Preservation Office	Darlene Conrad, THPO	PO Box 396	Ft. Washakie
	Eastern Shoshone Tribe of the Wind River Reservation	Wilfred Harris, THPO	P.O. Box 538	Ft. Washakie
	The Blackfeet Nation	John Murray, THPO	PO Box 2809	Browning
	Chippewa Cree Tribe of the Rocky Boy's Reservation	Alvin Windy Boy, THPO	RR 1 #544	Box Elder
	Confederated Salish & Kootenai Tribes of The Flathead Reservation	Francis Auld, THPO	PO box 278	Pablo
	Confederated Salish & Kootenai Tribes of The Flathead Reservation	Ira Matt, THPO	PO Box 278	Pablo
	The Crow Tribe of Indians	Hubert Two Leggins, THPO	PO Box 159	Crow Agency
	Northern Cheyenne Tribe, Tribal Historic Preservation Officer	Conrad Fisher	PO Box 128	Lame Deer
	Fort Belknap Tribal Office	Morris Belgarde, THPO	RR 1 Box 66	Harlem
	Fort Peck Tribes	Curley Youpee	PO Box 1027	Poplar
		Burnt Fork Ranch	1830 Middle Burnt Fork Rd	STEVENSVILLE

From: Burnett, Jonathan
Sent: Monday, February 09, 2015 3:23 PM
To: Mullins, Liz
Subject: Proposed DNRC Property Sale - 8 Miles E of Stevensville

Liz,

The Montana Department of Transportation is in receipt of your letter dated 1/14/15 concerning the subject land sale. We have the following comments.

- From the information submitted, MDT was not able to identify specific impacts this sale may have on MDT facilities.
- Any proposed development of the land cannot adversely impact MDT roads, bridges, culverts, or other facilities.

Before entering MDT Right-of-Way, please contact Jack May, MDT Missoula District Maintenance Chief, to discuss project specifics and any permits that may be needed prior to your project. Jack can be reached at [REDACTED]

Thank you for the opportunity to comment.

Jon Burnett
Systems Impact Coordinator
Montana Department of Transportation
[REDACTED]

From: Jim Saurb
Sent: Monday, February 16, 2015 9:22 AM
To: Mullins, Liz
Subject: Selling of State Trust Lands

The following comments are in regard to the selling of State Lands in general and specifically the proposal to sell Section 36, T9N, R19W. Even with the blessing of Public Land in Montana compared to many States, I object to the selling of any Public Lands. I assume it is the easiest way to dispose of isolated tracts of land, but public lands are a great asset to the general public. Especially in the Bitterroot Valley where most of the State Lands are land locked. In the winter months, "accessible" public lands in the Bitterroot Valley are very limited. As development continues, lands which are currently accessible with permission of adjacent landowners are at risk.

The recent government decision that foot traffic crossing at section corners from public land to public land is trespassing, further allows private land owners to control and "own" public land, such as section 36.

I strongly recommend the trading of isolated tracts to gain public access to other State Lands or at least gain lands where access is provided. I recommend the State use

whatever methods available to provide accessible lands, without reducing the public land base in the valley.

The selling of Section 36 would also have the opportunity of extending the holding's of the landowner to the south. I assume they may have the grazing rights, control all access, and basically "own" the land anyway. I would also assume that the opportunity of trading Section 36 for accessible land would have merit.

Thank you for the opportunity to express my views and concerns.

James A. Saurbier

-----Original Message-----

From: Karen and Van

Sent: Wednesday, February 04, 2015 10:56 AM

To: Mullins, Liz

Subject: State land parcel sale of 635 acres

My wife and I want to comment on the proposed sale through the Land Banking program of the state land parcel east of Stevensville. Please include our comment as part of the public record. We urge Montana and DNRC not to sell the parcel. We do not believe selling our state public lands is wise for our future and our invaluable resources that exist on this parcel. It would invariably be developed, with natural resources and wildlife adversely impacted. Better to leave "as is" and bank this land for Montana's future, rather than sell it for a quick buck. If a land exchange were possible that made sense for our state, access, and resources, then that would be much more acceptable. Thank you.

Van P. Keele and Karen L. Savory



----- Original Message -----

From: [Jack Jones](#)

To: 1mullins@mt.gov

Cc: mtlandaccess@msn.com ; [Jack Atcheson Jr.](#)

Sent: Friday, January 16, 2015 10:37 AM

Subject: E.A. on sale of School Trust Land-Ravalli County

Dear M s Mullin:

I received a copy of the the notice as Vice President of the Montana Coalition for Management of Public State Lands. Our position on sale of public state lands remains unchanged we oppose the sale of any of our public state lands. We also look closely at the Attorney Generals Report: "Deposition Of Public Lands By the Board Of Regents" April 15,

1996. You should as well. This report outline the statutes and laws subject to violation and were violated by the BD. of Regents and contrary to public law in Montana. Noteworthy include: Montana Environmental Policy Act, Montana Procurement Act, The Montana Antiquities Act, and other policies that could impact Montana natural resources. Full market value is not properly determined by the Land Board. Market value is currently based on AUM and timber dollar values only no dollar\$\$\$ values on wildlife habitat for example. What do you think FWP is paying for land even isolated today? When surface lands are sold there is not dollar value place on the subsurface mineral estate by the Land Board nor does DNRC evaluate the cost to Montana to access the surface to explore the subsurface estate once the access is sold. Some state lands in Montana also have federal subsurface estate like along the Rocky mountain Front. All land sales(surface) are silent on the subsurface mineral estate and dollar value why?

Most important to us is the total lack of on-site inventories prior to any land sale. We have spoken at previous Land Board meetings on this subject. DNRC and the Land Board present no information on: 1. Wildlife habitat inventories conducted by qualified wildlife biologists 2. No inventories on antiquities to comply with state law as well as historical values. 3. No on site inventories of public land access, NONE and admitted at the Land Board Meeting we attended The Land Board admitted publically they do not have maps that show where federal public lands are located many tracts as you refer to are located adjacent to federal public land but the Land Board considers them isolated as well as county roads ,trails and streams and rivers. Where is your map? Your proposals sent to the public never include a detailed map like this one just mailed to me. You expect the public to look it up that is "trickery". The Land Board ignored our public comment at the Land Board meeting.

What is the problem with leaving OUR public state land as it is? Even if isolated which most are not they provide wildlife habitat and its our wildlife habitat. Some species are dependent upon these tracts remaining as they are like sagebrush communities for sage grouse. DNRC has no inventories of what is on the site and on site vegetation however. "Difficult to manage" is a false claim. The Land Banking Program has been spawned by real estate at the expense of public land values. The process was unilateral one-sided lacked any biological wildlife input and sponsored by the last Governor. Our comments on the program EA/EIS were totally ignored. Your information is not correct. The committee was designed for those who would support it only it was all " political". It took 14 years for us to gain access to our public state lands on 7.2 million acres with HB 778 and signed into law by Governor Stevens in April 1991 and yet the Land Board could care less and continues to 'rid us' of OUR land. The sale of our land must be an issue in the next Governors race.

What is so evil about having our land just identified as a tract of land on a map? "Difficult to manage" is a hoax. DNRC is unable to even manage the large tracts today just look at Robb-Ledford area alone. DNRC has forgotten these are multiple-use lands under a Montana MCA Statute. Multiple-use means wildlife and wildlife habitat as well as public land access. All lands provide wildlife habitat for some form of wildlife but you have no inventories at all. No valuable lands for us have been purchased with money from your land sales another hoax. Send me a list of lands purchased for wildlife habitat as well as public land access. How much sold out of your quota of 250,000 acres sold away already? That is also a public request. Explain in detail why no on site inventories are conducted on any public land proposed for sale and sold dirt cheap at AUM and timber dollar values below market value. Where is the value if sold as real estate?? Explain in detail the subsurface mineral estate on surface lands you plan to sell and has already been sold a public request? Send me a copy of the policy on subsurface mineral estate. Provide me with a copy of the on site inventories for this proposal for the resources mention. Is any of the land sold enrolled in Block Management? For your information and reported incorrectly in the news media the federal

government does not sell public land must comply with federal law on public land. That is why transferring federal land to Montana is a no-brainer because the Land Board/Governor would then sell those lands. The Land Board just plain cannot be trusted anymore.

Thank you for the information in advance.

Sincerely,

Jack D. Jones retired wildlife biologist 37 years all in Montana, Montana native 4th generation.

cc: Coalition for Management of State Land members

Sportsmen's organizations
News media
FWP

Issues eliminated from further study

The following issues were raised by either written or verbal scoping comments. It was determined by the Interdisciplinary team that these comments are outside the scope of the proposed project.

- We/I oppose the sale of any State Land or we/I do not believe selling state land is wise.
 - The proposed sale is being initiated through the Land Banking Program as defined in Montana Code Annotated 77-2-361 through 77-2-367.
- If the land is sold it will invariably be developed.
 - Future development of the land would fall under county zoning or subdivision review ordinances.
- A land exchange would be preferred over a land sale.
 - A land exchange was attempted in 2002 but an agreement could not be reached that complied with the Land Exchange Policy adopted by Montana Board of Land Commissioners.
- The act of crossing from one parcel of land to another parcel of land that do not abut each other but do share a common corner (commonly referred to as corner hopping) should be legal and not be considered in trespass of the additional two parcels that share the corner.
 - Property Trespass laws are outside the scope of this proposed land sale.
- Concern that the land will be sold at below market value, concern that the land is more valuable to the surrounding landowner than the appraisal will reflect.

- Under land banking rules the land will be appraised by a Montana-licensed certified general appraiser (ARM 36.25.805 (9)). This appraisal will include a value with the hypothetical condition that the parcel has legal access (ARM 36.25.805 (9, A)). this appraisal will be presented to the Land Board to determine a minimum bid and the property will be sold at an oral auction to the highest bidder.
- The State of Montana should pursue condemnation for legal access to State Lands.
 - Condemnation of legal access across private lands is beyond the scope of this project
- Could I purchase the land and fly in for access.
 - State Recreational Use Rule 36.25.145 (15) defines “Legally accessible State lands”. A quote from this section states; “Accessibility by aircraft does not render lands legally accessible under this definition.

Issues studied in detail

The following issues were raised by either written or verbal scoping comments. These issues were developed from both internal and external comments and it was determined by the Interdisciplinary team that they warrant in depth consideration as part of this Environmental Analysis.

Is there a possibility that there is historic access to the parcel?

- DNRC researched the possibility of historic public road access.
 - Files and maps dating back to 1889, when Montana became a state, were reviewed at the Missoula County and Ravalli County Courthouses. Although some evidence of historic roadways was discovered, evidence was insufficient to conclude that legal access to the parcel exists.
- The parcel proposed for sale is nearly surrounded by private lands that have Conservation Easements on them. Selling this parcel could threaten the conservation success this portion of the Bitterroot Valley has been experiencing.
 - It is recognized that the surrounding ranch lands are held in Conservation Easement resulting in limited development likelihood and increased wildlife habitat security. If the action alternative is chosen the DNRC would relinquish ownership of the project area under the Land Banking process and a private party would purchase the property. Beyond this expectation, one must speculate on further outcomes regarding future land uses that would occur outside of DNRC control following purchase by a buyer. Any future development would be under the oversight of Ravalli County. Under

the proposed action alternative any future landowners would have the rights to enroll this parcel in a Conservation Easement.

- The State of Montana always retains mineral rights on land sold pursuant to MCA XXXXX. Selling surface lands and maintaining the mineral estate could pose logistical problems and result in unnecessary costs in the event of future mineral exploration and development.
 - The parcel proposed for Land Banking was leased in 1980 for oil and gas exploration but no drilling was done and there has been no further exploratory drilling in the area. According to Monte Mason, Minerals Management Bureau Chief of the Montana DNRC, commercial mineral potential is low on this tract.