

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	LUL 309-2400039(Battle Butte Solar 1, LLC) AND LUL 309-2400040 (Battle Bute Solar 2, LLC)
<b>Proposed Implementation Date:</b>	Spring/Summer 2024
<b>Proponent:</b>	Battle Butte Solar 1, LLC & Battle Butte Solar 2, LLC
<b>Location:</b>	S½ of Section 36, 2N, R20E (LUL 309-2400039) & N½ of Section 36, 2N, R20E (LUL 309-2400040)
<b>County:</b>	Stillwater County

### I. TYPE AND PURPOSE OF ACTION

The proponents, Battle Butte Solar 1, LLC & Battle Butter Solar 2, LLC, are seeking two separate Land Use Licenses to conduct archaeological, wetland and related environmental surveys to support agency review of a potential renewable energy development project. Additionally, geotechnical boring will be conducted to support possible transmission line installation. Currently no renewal structures will be installed on these sections of State Land. To comply with environmental law, they will be monitoring the surrounding project area and will perform part of the monitoring on State Land.

### II. PROJECT DEVELOPMENT

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

*Provide a brief chronology of the scoping and ongoing involvement for this project. List number of individuals contacted, number of responses received, and newspapers in which notices were placed and for how long. Briefly summarize issues received from the public.*

No formal public scoping was performed by DNRC for this proposed project. The proponent has obtained a Settlement of Damages form from the grazing lessee, Lloyd Bradbrook.

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

*Examples: cost-share agreement with U.S. Forest Service, 124 Permit, 3A Authorization, Air Quality Major Open Burning Permit.*

None

#### 3. ALTERNATIVE DEVELOPMENT:

*Describe alternatives considered and, if applicable, provide brief description of how the alternatives were developed. List alternatives that were considered but eliminated from further analysis and why.*

**Proposed Action Alternative:** Issue the Land Use Licenses to Battle Butte Solar 1, LLC & Battle Butte Solar 2, LLC for the purpose of environmental monitoring on State Trust Land Section 36-T2N-R20E, in Stillwater County for the Common Schools Trust.

**No Action Alternative:** Deny the Land Use Licenses to Battle Butte Solar 1, LLC & Battle Butte Solar 2, LLC for the purpose of environmental monitoring on State Trust Land Section 36-T2N-R20E, in Stillwater County for the Common Schools Trust.

### 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 direct, indirect, and cumulative effects to soils.*

The land area is categorically considered Great Plains Mixedgrass Praire and according to the NRCS Soil Survey, the area consists of a clay loam soil type with portions of silty loam across both the sections.

The proponent will be using the sections for environmental monitoring purposes. There may be minor soil compaction from vehicle travel across the sections, as well as small, disturbed areas of soil during the environmental monitoring process. Any disturbed areas will be reseeded and monitoring for weeds.

No long-term impact to geological resources are anticipated, mitigation measures will be implemented to remediated short term impacts.

#### 5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

*Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify direct, indirect, and cumulative effects to water resources.*

The proponent will be performing environmental monitoring for a potential renewable energy development project not located on State Land. The proposed sections do not cross or impact any surface water, nor is there any immediate surface water source in the area of the proposed activity being disturbed.

No impacts to water quality or distribution are expected.

#### 6. AIR QUALITY:

*What pollutants or particulate would be produced (i.e. particulate matter from road use or harvesting, slash pile burning, prescribed burning, etc)? Identify the Airshed and Impact Zone (if any) according to the Montana/Idaho Airshed Group. Identify direct, indirect, and cumulative effects to air quality.*

A minor amount of air pollution will result from vehicle traffic.

No significant adverse impacts are anticipated implementing the proposed action.

#### 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 direct, indirect, and cumulative effects to vegetation.*

The land area is categorically considered Great Plains Mixedgrass Praire.

The proponent will be performing environmental monitoring for a renewable energy development project, not located on State Land. If the proponent disturbs any topsoil areas as part of their monitoring, the proponent will reclaim and reseed any disturbed areas.

No significant long-term adverse impacts to vegetative cover, quantity or quality are expected as a result of implementing the proposed action.

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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 direct, indirect, and cumulative effects to fish and wildlife.*

A variety of big game, small mammals, raptors, songbirds and turkeys may traverse the subject sections. The proposed action is to allow the proponent to perform environmental monitoring for a proposed renewable energy development project not located on state land.

No significant or long-term adverse impacts to terrestrial, avian and aquatic life and habitats are expected to occur as a result of implementing the proposed action.

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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 direct, indirect, and cumulative effects to these species and their habitat.*

A search of the Montana Natural Heritage Program database indicated the following species of concern in the proposed sections:

- Long-Billed Curlew (*Numenius Americanus*)
- Loggerhead Shrike (*Lanius ludovicianus*)
- Hoary Bat (*Lasiurus Cinereus*)
- Chestnut-Collared Longspur (*Calcarius omatus*)
- Sage Thrasher (*Oreoscoptes montanus*)
- Burrowing Owl (*athene cucularia*)
- Golden Eagle (*aquila chrysaetos*)
- Ferruginous Hawk (*buteo regalis*)

Sharp-tailed Grouse (*Tympanuchus phasianellus*) While these species may be present in the general project area, no direct or lasting impacts are expected to occur to sensitive species. Due to the short duration and minimal disturbance, the project will have minimal impact to the environment and habitat on State Land.

Due to the nature of the proposed action, it is not expected to have a significant long-term effect on any of the species identified on or around this parcel.

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## 10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

The following cultural and paleontological surveys have been previously performed:

- 2015 – Site Lead – Lithic Scatter
- 1988-8-1- None Identified
- 1995-8-4 – None Identified

The proposed action, which is for environmental monitoring, will not disturb any ground. If ground is to be disturbed, the proponent will notify staff and coordinate. No additional archaeological investigative work will be conducted in response to this proposed action.

The proposed project will have *No Effect to Antiquities* as defined under the Montana State Antiquities Act. Formal reports of findings are available through the DNRC and the Montana State Historic Preservation Officer.

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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 direct, indirect, and cumulative effects to aesthetics.*

The subject state land has no distinguishing features. The proposed action is for environmental monitoring for a potential renewable energy development project not located on State Land.

No impact to aesthetic resources is anticipated.

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**12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:**

*Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify direct, indirect, and cumulative effects to environmental resources.*

Proposed actions will not create demand for scarce environmental resources, land or water. The purpose of the project is to explore solar energy site suitability.

No significant adverse impacts to environmental resources of land, water, air or energy are expected to occur as a result of implementing the proposed alternative.

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**13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:**

*List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.*

There are no other known studies or future actions planned for this Trust land parcel.

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

No significant adverse impacts to human health and safety would occur as a result of implementing the proposed action.

Normal risk associated with operation of equipment.

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

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

The proposed action is for environmental monitoring for a potential renewable energy development project. No renewable structures are proposed on these state sections.

No significant adverse impacts to industrial, commercial and agricultural activities and production would occur as a result of implementing the proposed action.

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**16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:**

*Estimate the number of jobs the project would create, move or eliminate. Identify direct, indirect, and cumulative effects to the employment market.*

The proposed action will have no significant impact on the quantity and distribution of employment.

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**17. LOCAL AND STATE TAX BASE AND TAX REVENUES:**

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

The proposed action will have no effect on local or state tax revenue.

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**18. DEMAND FOR GOVERNMENT SERVICES:**

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

The proposed action will not result in additional demand for government services.

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**19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:**

*List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.*

Implementation of the proposed action will not conflict with any locally adopted plans.

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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 direct, indirect, and cumulative effects to recreational and wilderness activities.*

The proposed action will have no effect on access to or the quality of recreation.

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**21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:**

*Estimate population changes and additional housing the project would require. Identify direct, indirect, and cumulative effects to population and housing.*

The proposed project will have no effect on population density or housing.

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**22. SOCIAL STRUCTURES AND MORES:**

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

The proposed action will have no effect on social structures or mores.

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**23. CULTURAL UNIQUENESS AND DIVERSITY:**

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

The proposed action will have no effect on cultural uniqueness or diversity.

**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 direct, indirect, and cumulative economic and social effects likely to occur as a result of the proposed action.*

The proposed action for environmental monitoring of a potential wind renewable energy project. The Common Schools Trust will benefit by receiving an annual payment of **\$250.00** for Land Use License 309-2400039 and an annual payment of **\$250.00** for Land Use License 309-2400040, totaling a total of **\$500.00**, annually for the duration of the environmental monitoring.

<b>EA Checklist Prepared By:</b>	<b>Name:</b> Michelle Yeager	<b>Date:</b> 5/6/24
	<b>Title:</b> Acting Area Planner	

**V. FINDING**

**25. ALTERNATIVE SELECTED:**

The proposed action has been selected and it is recommended that Land Use License 309-2400039 be issued to Battle Butte Solar 1, LLC and Land Use License 309-2400040 be issued to Battle Butte Solar 2, LLC fro the purpose of environmental monitoring on State Section 3, Township 2 North, Range 20 East in Stillwater County.

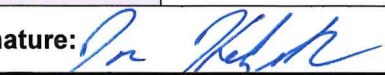
The proposed action will not have any long term and significant impacts to the above-mentioned sections.

**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

The potential for significant adverse impacts to the Trust lands listed above are minimal due to the nature of the proposed action, which is environmental monitoring for a potential wind development project not located on State Land. There are no natural features that could produce adverse impacts or species of concern occupying the parcels that are expected to be impacted by implementing 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> Joe Holzwarth	
	<b>Title:</b> Area Manager	
<b>Signature:</b> 	<b>Date:</b> 5/6/24	