

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Flathead Creek Rd Gravel Testing
Proposed Implementation Date:	Summer/Fall 2024
Proponent:	Riverside Contracting, Inc
Location:	Approximately 160 acres in the W1/2NW1/4, NWSW1/4, W1/3E1/2NW1/4, and W1/3 of NESW1/4 T3N-R8E-Sec 22 (Common Schools Trust)
County:	Park

I. TYPE AND PURPOSE OF ACTION

Riverside Contracting, Inc. henceforth referred to as the proponent, has applied for a gravel test permit on Trust Lands on the above-referenced tract in Park County. The project area can be seen on page 19, attachment A. This project would utilize a backhoe to dig holes to a depth of approximately 20 feet. Testing and documenting would be performed by employees of the proponent.

If approved, the proponent would be issued an aggregate testing permit to determine the gravel resource contained within the above-referenced tract. Gravel and dirt would be excavated from the ground and sub-surface. Topsoil would be saved in a separate pile, and the disturbance created would be reclaimed immediately upon completion of documenting the test pit by backfilling the hole, replacing topsoil, and spreading native grass seed. The test pit areas would be seeded with a certified weed-free seed, native grazing, and pasture mix. The mix will be provided in the stipulations at the end of this document. The seed would be supplied by the proponent.

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 submitted a permit to test for aggregate on February 29, 2024, to the DNRC to explore gravel resources in the project area. The Bozeman Unit has been notified of the application.

The surface lessee was contacted via phone by the Department and was given the opportunity to provide comment on the proposed action.

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

The Montana DNRC, Forestry and Trust Lands Division has sole jurisdiction over the proposed action on State Trust Lands.

- Montana DNRC – FTLD – MMB – Permit to Test for Aggregate

3. ALTERNATIVES CONSIDERED:

No Action Alternative: The permit to test for aggregate would be denied and the proponent would not test for aggregate from the Montana State Trust Lands tracts referenced above.

Action Alternative: The permit to test for aggregate would be approved with stipulations and mitigations identified within this analysis. The proponent would be allowed to dig test holes in the proposed project area.

SUMMARY OF POTENTIAL IMPACTS TO THE PHYSICAL AND HUMAN ENVIRONMENT

The impacts analysis identifies and evaluates direct, secondary, and cumulative impacts.

- **Direct impacts:** impacts that occur at the same time and place as the action that causes the impact
- **Secondary impacts:** further impacts to the human environment that may be stimulated, or induced by, or otherwise result from a direct impact of the action.
- **Cumulative impacts:** collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact study evaluation, or permit processing procedures.

Where impacts are expected to occur, the impacts analysis estimates the duration and severity of the impact.

The duration of an impact is quantified as follows:

- **Short-term:** impacts that would not last longer than the proposed operation of the site, including reclamation of the site.
- **Long-term:** impacts that would remain or occur following reclamation of the proposed site.

The severity of an impact is measured using the following:

- **No impact:** There would be no change from current conditions.
- **Negligible:** An adverse or beneficial effect would occur but would be at the lowest levels of detection.
- **Minor:** The effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.
- **Moderate:** The effect would be easily identifiable and would change the function or integrity of the resource.
- **Major:** The effect would alter the resource.

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.

Current Conditions:

Geology: Site geology consists of alluvial terrace gravel deposit.

Soils: According to the USDA's Web Soil Survey, the project area is comprised of 4 soil types.

- Tamaneen cobbly clay loam, 0 to 4 percent slopes
- Soapcreek, moderately saline-Absay complex 0 to 2 percent slopes, rarely flooded
- Bacbuster-Wilsall complex, 2 to 8 percent slopes
- Bacbuster-Wilsall-Tolbert complex, 2 to 15 percent slopes

These soils exhibit the following properties:

Shallow excavations – This rating is the property that influences the ease of digging and resistance to sloughing. The project area soils exhibit a "somewhat limited" to "very limited" rating for shallow excavations.

Soil compactibility risk – Soils found in the project area exhibit a medium risk to soil compactibility.

Wind erodibility group – Soils found in the project area exhibit a low risk from wind erosion.

Soil restoration potential – Soils found in the project area exhibit a high potential for soil restoration.

Soil rutting hazard – Soils found in the project area exhibit moderate to severe soil rutting hazard.

Alternatives

No Action Alternative:

The selection of the no action alternative would not be expected to have any direct, secondary or cumulative impacts to the geology and soil quality, stability, and moisture.

Action Alternative:

Direct Impacts: The proponent would use existing roads to access the testing area. The proponent would then track a backhoe and light-duty trucks off-road to test hole sites. The proponent would begin by stripping and stockpiling topsoil prior to continuing to dig to an approximate depth of 20 feet below ground surface, upon reaching the desired depth, the proponent would evaluate the aggregate resource present by taking pictures, measurements, and samples. The excavation of topsoil and aggregate resource would be reversed by replacing substrate back into the hole and spreading topsoil over the stripped area. Testing would be conducted in areas with mild topography and under dry or frozen conditions. This should mitigate the risks of displacing, compacting, or otherwise impacting the soils beyond the direct areas of testing. The test pits will be backfilled immediately upon digging and measuring. The impacted areas would return to their current uses shortly after project completion. Negligible, short-term impacts to geology and soil quality and moisture would be expected from the selection of the action alternative.

Secondary Impacts: There are no secondary impacts expected to geology and soil quality, stability and moisture from the selection of the action alternative.

Cumulative Impacts: Cumulative impacts to geology and soil quality, stability and moisture are not expected to change from the selection of the action alternative.

Duration: Impacts from the selection of the action alternative are expected to be short-term.

Mitigations

The potential selection of action alternative would include the following stipulations in the permit to test for aggregate:

- Testing activities shall only be conducted when the ground is dry or frozen to reduce potential for rutting.
- Topsoil will be saved in a separate pile and disturbance would be reclaimed upon completion of logging the test hole.

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.

Current Conditions

Surface Water: The project area ranges in average approximate surface elevation of 5166 to 5258 feet above sea level. The NW4 of section 22 contains an intermittent canal ditch, that originates from Flathead Creek in section 19. Highway 86 separates the project area from Flathead creek, flowing west to east terminating in the Shields River approximately 3.65 miles to the east of the project area.

Ground Water: A search of the Montana Ground Water Information Center's website yields 7 water wells within 0.5 miles of the project area. Each well is summarized below in Table 1. Inaccurate reporting, less refined legal descriptions and poor mapping accuracy by the well drillers may lead to inconsistencies between the reported

and physical location of groundwater wells. Surface elevations were obtained by taking the surface elevation of the reported well location according to Montana State Library lidar.

GWIC ID	Latitude	Longitude	Surface Elevation	Total Depth	Static Water Level	Calculated Water Table
231372	45.9934	-110.7213	5176	116	24	5152
245659	45.992556	-110.728639	5186	184	26	5160
300011	45.993194	-110.7325	5184	200	10	5174
14647	45.99448157	-110.7219601	5179	55	30	5149
14648	45.99448157	-110.7219601	5179	65	35	5144
14649	45.99448157	-110.7274966	5189	60	30	5159
192531	45.995435	-110.731371	5200	80	35	5165

Table 1

Alternatives

No Action Alternative:

The selection of the no action alternative would not be expected to have any direct, secondary or cumulative impacts to water quality, quantity, and distribution.

Action Alternative:

Direct Impacts: The average calculated groundwater elevation from nearby water wells is approximately 5157 feet above sea level. The project area elevation ranges from 5166 to 5258 feet above sea level, which is 8 to 100 feet greater than the calculated groundwater elevation. The action alternative would only dig test holes approximately 20 feet deep. Groundwater could be encountered during testing activities in the lower elevations of the testing area, if it is encountered the digging will stop, and the test hole will be backfilled after documenting the gravel resource. If groundwater is encountered, some temporary turbidity would be expected to occur locally. However, no appreciable changes to groundwater quantity or quality are expected if it is intersected during testing operations. The action alternative is expected to have no, or negligible, short-term impacts to groundwater quality and quantity in the project area. Surface water quality and quantity are not expected to be impacted by the selection of the action alternative.

Secondary Impacts: There are no secondary impacts expected to surface or ground water quality or quantity resulting from the selection of the action alternative.

Cumulative Impacts: The cumulative impacts to surface or groundwater quality or quantity from the selection of the action alternative are not expected to change.

Duration: Impacts from the selection of the action alternative are expected to be short-term.

Mitigations

The potential selection of action alternative would include the following stipulation in the permit to test for aggregate:

- All equipment utilized in testing activities must be regularly maintained and inspected to ensure it is not leaking fluids, spreading noxious weeds or creating an undue fire hazard.
- If groundwater is intersected during testing activities, the permittee shall quit digging and begin backfilling after the completion of documenting the gravel resource.
- Testing Activities must maintain a 50-set back from the canal ditch.

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.

Current Conditions

Currently, significant emission sources in the project area are from vehicles travelling on Montana Highway 86, and other adjacent roads. As well as emissions from heating homes and other buildings in the greater area. Fugitive dust from vehicle travel on adjacent gravel roads contributes small amounts of airborne particulate matter in the area.

Alternatives

No Action Alternative:

Direct Impacts: The selection of the no action alternative would not be expected to have any direct, secondary or cumulative impact to air quality.

Action Alternative:

Direct Impacts: Fugitive dust would be generated from testing activities such as travelling to testing sites, digging test holes, and reclaiming test holes. The dust created from these activities is expected to be minimal and stay within direct vicinity of the source before settling. Wind velocities would introduce variability in dust dispersion in the area. Air quality could be temporarily impacted during testing activities; however, those impacts are expected to be short-term and negligible. The project is anticipated to create 0.1524 metric tons of carbon dioxide from the use of the anticipated 15 gallons of diesel fuel. There are no anticipated long-term impacts on air quality. Any impact to air quality resulting from the selection of the action alternative would be expected to correlate directly with testing operations which are expected to last one to two days.

Secondary Impacts: There are no secondary impacts expected to air quality resulting from the selection of the action alternative.

Cumulative Impacts: Air quality in the area can vary depending on the time of year due to seasonal weather patterns, wildfire smoke, heating of homes, and traffic within the area. The small amounts of additional dust and emissions beyond what is currently created by existing activities, is not expected to have appreciable impacts on the environment. Anticipated emissions could create 0.1524 metric tons of carbon dioxide from the use of the anticipated 15 gallons of diesel fuel. The additional impacts from testing activities would be expected to be negligible.

Duration: Impacts to air quality are expected to be short-term.

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.

Current Conditions

According to the Montana Natural Heritage Program the proposed testing area is covered by Big Sagebrush Steppe and Montane Grassland. These systems are found throughout Montana comprising of shrubs and cool-season perennial bunch grasses and forbs.

An inventory of the Montana Natural Heritage Program's Species of Concern database was conducted for the project area. The search yielded no vegetative species of concern.

The tract currently is managed by a surface lessee that manages it for noxious and invasive weeds.

Alternatives

No Action Alternative:

The selection of the no action alternative would not be expected to have any direct, secondary or cumulative impacts to vegetation cover quantity and quality.

Action Alternative:

Direct Impacts: The use of excavation equipment would temporarily damage some areas of the plant community. The disturbance would occur from the vegetation being compacted and excavated by equipment. Damage to the plant community should be lesser at this time of year since most species should be dormant. Per the proposed stipulations of the permit, the proponent would be responsible for the management and mitigation of invasive weeds at the testing sites and on equipment travel routes. The proponent would also be responsible for reseeding the impacted areas with a native seed mixture, that would be included in the permit. Overall, the impacts to vegetation cover, quantity and quality, including the species of concern would be expected to be minor. No appreciable changes to vegetation are expected to occur resulting from the selection of the action alternative.

Secondary Impacts: Secondary impacts may occur in the form of noxious weed propagation from testing sites. Weed impacts can be mitigated to negligible with proper efforts, such as monitoring and chemical treatment if necessary.

Cumulative Impacts: Noxious weed introduction and propagation is a serious concern throughout Montana. Mitigations must be considered for actions that could further exacerbate the problem. Mitigations are offered below and would be implemented within the testing permit if the action alternative is selected.

Duration: Impacts to vegetation cover, quantity and quality are expected to be short-term.

Mitigations

The potential selection of action alternative would include the following stipulation in the permit to test for aggregate:

- The Proponent will be responsible for the management, mitigation and elimination of invasive weeds introduced or propagated from testing activities. Such activities include digging and the transportation of equipment to and from each testing site.
- The Proponent will be responsible for reseeding the affected areas with certified weed free seed mixture, listed below.

Species	Full stand Seed rate (lbs/ac)	% of Mix	lbs/ac PLS for Drill Seeding	Drill Seeding Depth	Broadcast Seeding Rate
Slender Wheatgrass	7	30	2.1	0.5	4.2
Little Bluestem	4	30	1.2	0.5	2.4
Prairie Sandreed	4	10	0.4	0.75	0.8
Needle and thread	9	20	1.8	0.75	3.6
Purple Prairie Clover	3.5	5	0.2	0.25	0.4
Blue flax	3.5	5	0.2	0.25	0.4
Total PLS Lbs/ac			5.9		11.7

Notes: 1. Seed mix based on seed available at Circle S seeds in Three Forks, MT. Any licensed seed vendor or certified weed seed is allowable. 2. This seed mix follows the reclamation guidelines for both the Sage Grouse Executive order 12-2015 and the MSU Extension/ NRCS Revegetation guidelines (November 2022). 3. For varying seed depths use the middle value in the case of three depth recommendations or the shallower value in the case of only two depth recommendations. 4. Alternative species may be requested due to lack of availability or prohibitive expense but must be approved by the field office.

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.

Current Conditions

The project area may be used by a variety of terrestrial and avian wildlife, including white-tailed deer, mule deer, elk, black bears, coyotes, foxes, raptors, rodents, and songbirds, among others. Generally, many of these species are common in the region. Proximity to Highway 86, human residences and other forms of disturbances have likely altered the usefulness of the project area by wildlife.

Alternatives

No Action Alternative:

The selection of the no action alternative would not be expected to have any direct, secondary or cumulative impacts to terrestrial, avian, and aquatic life and habitats.

Action Alternative:

Direct Impacts: The action alternative would create minor audible and visual disturbances for a short time frame to any animals that may occupy the project area or its surroundings. Wildlife may pass through the project area as part of their movements between habitats. As indicated earlier, disturbance in the vicinity, including the effects of Highway 86, numerous residences, various recreational activities, and other forms of human disturbance have impacted the ability of the area to be used for wildlife habitat. Given the current disturbances and limited hiding cover in the project area, many wildlife species have likely altered how they use the project area to times when human presence and disturbance is lessened, such as at night. Similar habitat and forage can be found throughout the surrounding area and could sustain any impacted wildlife species temporarily. Grazing by domestic animals would continue. Impacts to terrestrial, avian and aquatic life and habitat are expected to be minor.

Secondary Impacts: There are no secondary impacts expected to terrestrial, avian and aquatic life and habitats.

Cumulative Impacts: Cumulative impacts to terrestrial, avian and aquatic life and habitats would not be expected to appreciably change from the selection of the action alternative.

Duration: Impacts from the selection of the action alternative are expected to be short-term.

Mitigations

The potential selection of action alternative would include the following stipulation in the permit to test for aggregate:

- Testing may only occur during daylight hours.

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.

Current Conditions

The Montana Natural Heritage Program's species of concern was conducted for the project area. The search yielded the following species of concern that have potential to be within the project area.

- Ferruginous Hawk – The project area is within the summer range of Ferruginous Hawks. Nests can be found throughout Montana inhabiting rangeland via ground nests, rock outcrops, and forested areas along streams and rivers. Ferruginous Hawks are listed under the Endangered Species Act, although there are no active management plans within Montana.

- Bald Eagle – An active bald eagle nest is located approximately ¼ mile away from the southeast corner of the DNRC tract. The nest is 215 feet south of Montana Highway 86 near Flathead Creek and there is no vegetative screening around the nest tree. There is a clear line of sight between the active nest and daily highway traffic, as well as irrigated agricultural land to the north of the highway.
- Yellowstone Cutthroat Trout – This species of fish has been observed in Flathead Creek, separated from the project area by Highway 86. The greatest threat facing this species is nonnative fish within the same waterbodies.
- Sage Grouse – Per the Montana Sage Grouse Habitat Conservation Program the project area is located in general sage grouse habitat.

Alternatives

No Action Alternative:

The selection of the no action alternative would not be expected to have any direct, secondary or cumulative impacts to unique, endangered, fragile or limited environmental resources.

Action Alternative:

Direct Impacts: The action alternative would create small, temporary, visual and audible disturbances for 1-2 days in the project area. Negligible changes to existing vegetation would occur, thus no appreciable changes in available habitats would be expected to occur. Negligible impacts to bald eagles are anticipated, as all activities would occur at least ¼ mile away, north of Highway 86 and this eagle pair is likely habituated to persistent motorized disturbance in much closer proximity to the nest than the proposed action. Some minor, short-duration disturbances of other wildlife species may occur if they are in the vicinity of the project area during testing activities. The action alternative would not be expected to impact species of concern beyond completion of the project.

Secondary Impacts: There are no secondary impacts expected to unique, endangered, fragile or limited environmental resources.

Cumulative Impacts: There are existing disturbances near the project area which include HWY 86, residences, and ranches. All these disturbances have been present for long periods of time. The proposed activity would add to the disturbance, in a negligible and short-term manner. The additional impacts introduced from the selection of the action alternative are not expected to appreciably change cumulative impacts. The proposed activities are outside of the ¼ mile nest site area for breeding bald eagles and no cumulative effects to bald eagles are expected.

Duration: Impacts from the selection of the action alternative are expected to be short-term.

Mitigations

The potential selection of action alternative would include the following stipulation in the permit to test for aggregate:

- The proponent must submit their project to the MT Sage Grouse Habitat Conservation Program.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

Current Conditions

During March of 2024, the Department Archeologist conducted an inventory of cultural and paleontologic resources in response to a potential aggregate testing and development project on state school trust land in northwestern Park County. A 160-acre block of land legally described as the W1/2NW1/4, NWSW1/4, W1/3E1/2NW1/4, and W1/3 of NESW1/4 of Section 22, T3N R8E was inventoried to Class III standards. This acreage constitutes the area of potential effect (APE). During the course of examination one cultural resource, a historic irrigation ditch (24PA1720: The Myersburg Canal) was formally recorded. Although the cultural resource

is recommended here to be ineligible for listing in the National Register of Historic Places, proposed aggregate testing and possible future gravel development work will not disturb this irrigation ditch. Further, proposed ground disturbing developments in the APE will have no effect to Antiquities as defined in the Montana State Antiquities Act. No further archaeological investigative work is recommended.

Alternatives

No Action Alternative:

No impacts to historical and archeological sites would be expected from the selection of the no action alternative.

Action Alternative:

Direct Impacts: The selection of the action alternative would have no impact to antiquities as defined under the Montana State Antiquities Act.

However, if previously unknown cultural or paleontological materials are identified during project related activities, all work would cease until a professional assessment of such resources can be made.

Secondary Impacts: There are no secondary impacts expected, resulting from the selection of the action alternative.

Cumulative Impacts: There are no cumulative impacts expected to historical and archeological sites from the selection of the action alternative.

Duration: No impacts are anticipated; therefore the duration of impacts is not applicable.

Mitigations

The potential selection of action alternative would include the following stipulation in the permit to test for aggregate:

- If any cultural or paleontological resources are encountered during testing activities, all operations must stop, and the proponent shall contact DNRC.

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.

Current Conditions

The project area is currently comprised of vegetation as described in section 7 of this document. The project area has been managed for grazing in the past by the Department.

The project area is directly adjacent to Highway 86. The project area is approximately 3 miles west of Wilsall and separated by HWY 86 from Flathead Creek. Traffic travelling on Highway 86 has significant impacts upon the audible aesthetics in the project area. Traffic travelling along Highway 86 can be seen and heard at varying degrees throughout the project area.

Alternatives

No Action Alternative:

There would be no direct, secondary, or cumulative impacts to aesthetics expected from the selection of the no action alternative.

Action Alternative:

Direct Impacts: An increase in noise from trucks and a single backhoe may be heard adjacent to the project area. From adjacent roads and public spaces, the testing may be visible. Test hole disturbance will be visible temporarily from areas adjacent to the activity. The holes would be backfilled with the same substrate excavated during testing. Topsoil would then be spread upon the top of the disturbance and native grass seed would be spread by the proponent. The disturbance would be expected to remain visible while the disturbance is being revegetated. Noise impacts would be expected only during testing operations that will occur over a one- or two-day period. Upon reclamation, the site will be returned to a landscape consistent with the surroundings. Impacts to aesthetics are expected to be short-term and minor. The action alternative does not evaluate the impacts of a gravel pit, and those impacts are outside the scope of this analysis. Only the impacts from gravel testing operations are evaluated within this analysis.

Secondary Impacts: Noise and visual impacts will occur outside of the project area. However, these impacts are expected to be minor and short-term.

Cumulative Impacts: Some minor additional noise may occur in areas adjacent to the project area. The selection of the action alternative is not expected to appreciably change the aesthetics in the area.

Duration: Impacts to aesthetics from the selection of the action alternative are expected to be short-term.

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.

Current Conditions

The impacts to land, water and air is described within other sections of this document. Energy sources that would be required by the project, such as fuel for testing equipment, are abundant in the area.

Alternatives

No Action Alternative:

The no action alternative would not be expected to have any direct, secondary, or cumulative impacts on the demands on environmental resources of land, water, air or energy.

Action Alternative:

Direct Impacts: The proposed project would create individual test holes within a larger area of approximately 160 acres. The overall disturbances created within the project would be expected to have minor and short-term impacts on the environmental resources of the land. The expected impacts to water and air were identified earlier in this document. Energy resources in the area are abundant and any impact to energy resources would be expected to be negligible.

Secondary Impacts: There are no secondary impacts expected resulting from the selection of the action alternative.

Cumulative Impacts: Cumulative impacts for land, water and air are evaluated in their respective sections. There are no appreciable cumulative impacts expected to energy resources resulting from the selection of the action alternative.

Duration: Impacts of the selection of the action alternative are expected to be short-term.

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.

Current Conditions

The entirety of the testing area has an overlying grazing lease held by Muddy Creek Ranch, LLC.

Alternatives

No Action Alternative:

The no action alternative would not be expected to have direct, secondary, or cumulative impacts to other environmental documents pertinent to the area.

Action Alternative:

Direct Impacts: The grazing lessee would realize a short-term negligible loss in vegetation within their lease. Upon reclamation the impacted areas would return to grazing rangeland. The proposed project would have a temporary, negligible impact to the surface lease agreement. The proposed project would not be expected to have any impact on the past gravel pit workings or gravel stockpile. Any future development in the area would likely be restricted to utility or mineral development.

Secondary Impacts: There are no secondary impacts expected resulting from the selection of the action alternative.

Cumulative Impacts: There are no cumulative impacts expected resulting from the selection of the action alternative.

Duration: Impacts of the selection of the action alternative are expected to be short-term.

IV. IMPACTS ON THE HUMAN POPULATION
<ul style="list-style-type: none"> • <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i> • <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i> • <i>Enter "NONE" if no impacts are identified or the resource is not present.</i>

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

Current Conditions

The current conditions of the tract pose no risk to human health or safety.

Alternatives

No Action Alternative:

The no action alternative would not be expected to have any direct, secondary, or cumulative impacts to human health or safety.

Action Alternative:

Direct Impacts: The proposed project is expected to have a negligible impact to human health or safety, other than the occupational risks typically associated with aggregate testing machinery. The site is in a rural area away from residences. Impacts to air quality and water quality are evaluated in their respective resource sections of this document. During project activities there would be a minor increase in truck traffic and a single backhoe will be working within the project areas, the impact to human health and safety resulting from the selection of the action alternative is expected to be short-term and negligible as the activities would occur for one to two days with minimal increases in traffic.

Secondary Impacts: There are no secondary impacts expected resulting from the selection of the action alternative.

Cumulative Impacts: There are no cumulative impacts expected resulting from the selection of the action alternative.

Duration: Impacts of the selection of the action alternative are expected to be short-term.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

Current Conditions

The project areas are in a rural environment and industrial activities are mostly non-present. Commercial activities in the area are mostly driven by tourism. Outdoor recreation is a large component of the activity in the area and consists of hiking, fishing, and hunting. Agricultural activities in the area are mostly limited to the grazing of cattle.

Alternatives

No Action Alternative:

The no action alternative would be expected to have no direct, secondary, or cumulative impacts to industrial, commercial, and agricultural activities.

Action Alternative:

Direct Impacts: The action alternative would not be expected to have negligible impacts upon the industrial, commercial, or agriculture activities currently present.

Secondary Impacts: There are no secondary impacts expected resulting from the selection of the action alternative.

Cumulative Impacts: There are no cumulative impacts expected resulting from the selection of the action alternative.

Duration: No impacts identified.

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.

Current Conditions

The closest town and employment center is Wilsall, Montana 3 miles to the east of the project area.

Alternatives

No Action Alternative: The no action alternative is not expected to have any direct, secondary or cumulative impacts to the quantity and distribution of employment.

Action Alternative:

Direct Impacts: No direct impacts are expected to quantity and distribution of employment from the selection of the action alternative.

Secondary Impacts: There are no secondary impacts expected resulting from the selection of the action alternative.

Cumulative Impacts: There are no changes to cumulative impacts expected from the selection of the action alternative.

Duration: No impacts identified.

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.

Current Conditions

Trust land is exempt from local property tax. Operators and lessees conducting business on Trust Lands must pay business taxes.

Alternatives

No Action Alternative:

The no action alternative is not expected to have any direct, secondary, or cumulative impact on local and state tax bases or tax revenues.

Action Alternative:

Direct Impacts: No direct impacts to local and state tax base and tax revenue are expected from the selection of the action alternative.

Secondary Impacts: There are no secondary impacts expected from the selection of the action alternative.

Cumulative Impacts: There are no cumulative impacts expected from the selection of the action alternative.

Duration: No impacts identified.

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

Current Conditions

The traffic sources in the area are on Highway 86 and adjacent roads. Emergency services would likely come from Wilsall or Livingston, MT.

Alternatives

No Action Alternative:

The no action alternative is not expected to have any direct, secondary, or cumulative impacts on the demand for government services.

Action Alternative:

Direct Impacts: No direct impacts to the demand of government services are expected from the selection of the action alternative.

Secondary Impacts: There are no secondary impacts expected resulting from the selection of the action alternative.

Cumulative Impacts: There are no changes to cumulative impacts resulting from the selection of the action alternative.

Duration: No impacts identified.

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.

Current Conditions

There are no known environmental plans or goals for this tract in the project vicinity.

Alternatives

No Action Alternative:

The no action alternative is not expected to have any direct, secondary, or cumulative impacts on locally adopted environmental plans or goals.

Action Alternative:

Direct Impacts: No impacts are expected to locally adopted environmental plans and goals from the selection of the action alternative.

Secondary Impacts: There are no secondary impacts expected resulting from the selection of the action alternative.

Cumulative Impacts: There are no changes to cumulative impacts expected resulting from the selection of the action alternative.

Duration: No impacts identified.

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.

Current Conditions

This site is not designated as wilderness, nor does it provide access to wilderness. Montana State Trust Lands are accessible for public use by purchasing the necessary conservation license through Montana Fish Wildlife and Parks.

Alternatives

No Action Alternative:

The no action alternative is not expected to have any direct, secondary, or cumulative impacts on the access to and quality of recreational and wilderness activities.

Action Alternative:

Direct Impacts: The proposed project area does have public access. Recreation accessibility is not expected to be limited during testing activities. However, the quality of recreation sought by individuals visiting the tract may be impacted by the proposed activity. Impacts to recreation are expected to be minor and short-term and will only occur during testing activities.

Secondary Impacts: There are no secondary impacts expected resulting from the selection of the action alternative.

Cumulative Impacts: There are no changes to cumulative impacts expected resulting from the selection of the action alternative.

Duration: Impacts to recreation will occur during testing operations which would be expected to last 1-2 days.

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.

Current Conditions

The closest population center to the project areas is Wilsall, MT.

Alternatives

No Action Alternative:

The no action alternative is not expected to any direct, secondary, or cumulative impacts to the density and distribution of population and housing.

Action Alternative:

Direct Impacts: No direct impacts to the density and distribution of population and housing are expected from the selection of the action alternative.

Secondary Impacts: There are no secondary impacts expected resulting from the selection of the action alternative.

Cumulative Impacts: There are no cumulative impacts expected resulting from the selection of the action alternative.

Duration: No impacts identified.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

Current Conditions

There are no known social structures or traditional lifestyles known within the project area.

Alternatives

No Action Alternative:

The no action alternative is not expected to have any direct, secondary, or cumulative impacts on social structures, native or traditional lifestyles or communities.

Action Alternative:

Direct Impacts: No direct impacts are expected to native or traditional lifestyles.

Secondary Impacts: There are no secondary impacts expected resulting from the selection of the action alternative.

Cumulative Impacts: There are no cumulative impacts expected from the selection of the action alternative.

Duration: No impacts identified.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

Current Conditions

There are no known unique qualities of the area.

Alternatives:

No Action Alternative:

The no action alternative is not expected to have any direct, secondary, or cumulative impacts to cultural uniqueness or diversity.

Action Alternative:

Direct Impacts: No direct impacts are expected to the unique qualities of the area.

Secondary Impacts: There are no secondary impacts expected to cultural uniqueness and diversity.

Cumulative Impacts: There are no cumulative impacts expected to cultural uniqueness and diversity.

Duration: No impacts identified.

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.

Alternatives

No Action Alternative:

The \$25 application fee would be retained by the Department. The denial of a testing permit would not be expected to generate potential future income from gravel.

Action Alternative:

Direct Impacts: If the action alternative is selected the project would provide the trust with a \$25.00 application fee. The results of testing would determine whether there is a viable resource for commercial gravel operations and help the Department and proponent understand potential assets present. Future revenue generating activity for the project area could include a gravel pit, current grazing lease, and other forms of recreational activity. Gravel testing is not expected to hinder or impede any of the future potential in the project area. Social and economic circumstances are expected to be minor and short-term from the selection of the action alternative.

Secondary Impacts: No secondary impacts expected.

Cumulative Impacts: All funds generated from application fees go directly towards supporting Montana Trust Lands. While the \$25 fee is minimal, it does contribute to an overall significant value attributed to the schools of Montana.

Duration: No impacts identified.

EA Checklist Prepared By:	Name: Thomas Palin	Date: August 14, 2024
	Title: Mineral Resource Specialist	

V. FINDING

25. ALTERNATIVE SELECTED: The permit to test for aggregate may be approved with stipulations and mitigations identified within this analysis. The proponent may be allowed to dig test holes in the proposed project area.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The granting of the requested aggregate test permit pits on this tract of State Trust Lands is not expected to result in, nor cause significant negative environmental impacts. The proposed action satisfies the Trust's fiduciary mandate and ensures the long-term productivity of the land. An environmental assessment is the appropriate level of analysis for the proposed action.

I conclude that all identified potential impacts will be mitigated by utilizing permit requirements, including the stipulations listed below.

1. The permit holder shall be in compliance with all applicable state and federal laws, rules, and regulations, including but not limited to those concerning safety, environmental protection, reclamation, drone flight requirements for photography and topographic mapping over the site.
2. Topsoil/sod will be stockpiled separately from subsoil for reclamation. The licensee shall fill holes with subsoil before covering them with topsoil and sod. All holes must be filled and reclaimed immediately upon completion of logging the test hole.
3. Geologic, geochemical/geophysical information (including but not limited to detailed sample site locations, areas disturbed by gravel pit testing, and sample results for each corresponding sample site) if collected for the tract will be provided to Minerals Management Bureau, TLMD MT-DNRC with a report on exploration activities. The lessee shall also concurrently provide GPS, GIS, or other data, detailed maps, and/or aerial photos associated with the associated permit to MMB. The licensee should advise the department if they consider this information confidential.
4. Testing will be limited to areas within the W1/2NW1/4, NWSW1/4, W1/3E1/2NW1/4, and W1/3 of NESW1/4, Section 22, Township 3N, Range 8E.
5. The permit holder agrees to avoid and not disturb historic buildings, foundations, or other cultural features on this tract. If any cultural or paleontological resources are encountered during seismic activities, all operations must stop and contact DNRC.
6. Testing will be limited to occurring only under dry or frozen conditions, in order to prevent unnecessary impacts on soils and reduce the potential for rutting.

7. The proponent will seed disturbances with the below described certified weed free seed mix, before leaving project areas or at a time that will achieve successful germination.

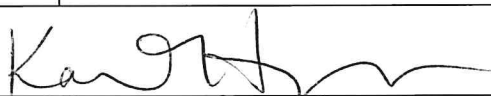
Species	Full stand Seed rate (lbs/ac)	% of Mix	lbs/ac PLS for Drill Seeding	Drill Seeding Depth	Broadcast Seeding Rate
Slender Wheatgrass	7	30	2.1	0.5	4.2
Little bluestem	4	30	1.2	0.5	2.4
Prairie Sandreed	4	10	0.4	0.75	0.8
Needle and thread	9	20	1.8	0.75	3.6
Purple Prairie Clover	3.5	5	0.2	0.25	0.4
Blue flax	3.5	5	0.2	0.25	0.4
Total PLS Lbs/ac			5.9		11.7

Notes: 1. Seed mix based on seed available at Circle S seeds in Three Forks, MT. Any licensed seed vendor or certified weed seed is allowable. 2. This seed mix follows the reclamation guidelines for both the Sage Grouse Executive order 12-2015 and the MSU Extension/ NRCS Revegetation guidelines (November 2022). 3. For varying seed depths use the middle value in the case of three depth recommendations or the shallower value in the case of only two depth recommendations. 4. Alternative species may be requested due to lack of availability or prohibitive expense but must be approved by the field office.

8. The proponent will be responsible for the management, mitigation and elimination of invasive weeds potentially introduced from testing.
9. All equipment utilized in testing activities must be regularly maintained and inspected to ensure it is not leaking fluids, spreading noxious weeds or creating an undue fire hazard.
10. If groundwater is intersected during testing activities, the permittee shall quit digging and begin backfilling after the completion of documenting the gravel resource.
11. Testing activities must maintain a 50-foot set back from the canal ditch, seen in attached map.
12. Testing may only occur during daylight hours.
13. Riverside Contracting will contact the DNRC at least 48 hours before project activities commence.
14. DNRC will contact the surface lessee to inform when project activities would commence.
15. If any damage to fences are incurred the proponent will fix damages.
16. Topsoil will be saved in a separate pile and disturbance would be reclaimed immediately upon completion of logging the test hole.
17. The proponent must consult the MT Sage Grouse Habitat Conservation Program.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS
 More Detailed EA
 No Further Analysis

EA Checklist Approved By:	Name: Kara Huyser
	Title: Bozeman Unit Manager
Signature: 	Date: 8/9/2024