

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name: Musselshell County – Aggregate Testing – T-2100-17

Proposed

Implementation Date: October 2026

Proponent: Musselshell County Road Department

Location: Township 10 North, Range 31 East, Section 16 – Within Musselshell – 569 acres

County: Musselshell County, Montana

Trust: Common Schools

Introduction: In January of 2025, the Minerals Management Bureau of the Forestry and Trust Lands Division of the Montana DNRC, completed a programmatic environmental analysis for aggregate testing. The programmatic environmental analysis goes into further detail and evaluates a wider scope of resources than this checklist environmental assessment. This checklist environmental assessment should be read and understood in conjunction with the programmatic environmental analysis. The programmatic environmental assessment can be found on the Departments website at: <https://dnrc.mt.gov/TrustLand/subsurface-resources/Aggregate-Testing-Programmatic-EA-FINAL.pdf>

I. TYPE AND PURPOSE OF ACTION

On September 21, 2026, DNRC received an application from Musselshell County Road Department, henceforth referred to as proponent, to test for aggregate on State of Montana School Trust Lands. The application was made for Township 10N, Range 31E, Section 16 For Musselshell County. This checklist analysis, in conjunction with the programmatic analysis, will evaluate the impacts of an action alternative and no action alternative.

The issuance of an aggregate testing permit allows the permittee to dig holes between 3ft and 20 ft in depth to observe and test the aggregate resource present. The proponent will salvage and replace topsoil and reseed disturbed areas with an approved seed mix.

II. PROJECT DEVELOPMENT

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

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

Application was received by DNRC Minerals Management Bureau on September 21, 2026

The application was forwarded to the Southern Land Office September 21, 2026.

The surface lessee for this tract was contacted and informed of the application, and will be contacted prior to testing activities.

A Sage Grouse Habitat Program consultation was submitted on October 5, 2026.

3. ALTERNATIVES CONSIDERED:

No Action Alternative: The aggregate testing would be denied

Action Alternative: The aggregate testing would be approved with standard stipulations along with any special stipulations identified resulting from this analysis.

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Will the project impact any unique geologic features?

- No - *This project area will not impact any unique geologic features.*

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.

List any species of concern identified in the proposed testing area through review of the Montana Natural Heritage Program Map. Identify any impacts that aggregate testing would have on each of these species.

Species Occurrences

? Definition of Species Occurrences	
F - Sauger (<i>Sander canadensis</i>)	BOC
A - Great Plains Toad (<i>Anaxyrus cognatus</i>)	BOC
B - Greater Sage-Grouse (<i>Centrocercus urophasianus</i>)	BOC
M - Black-tailed Prairie Dog (<i>Cynomys ludovicianus</i>)	BOC
B - Sage Thrasher (<i>Oreoscoptes montanus</i>)	BOC
B - Burrowing Owl (<i>Athene cunicularia</i>)	BOC
B - Loggerhead Shrike (<i>Lanius ludovicianus</i>)	BOC
R - Spiny Softshell (<i>Apalone spinifer</i>)	BOC
B - Chestnut-collared Longspur (<i>Calcarius ornatus</i>)	BOC
I - <i>Leucrocota petersi</i> (A Flat-headed Mayfly)	BOC
O - Bat Roost (Non-Cave) (Bat Roost (Non-Cave))	IAH

Conducting aggregate testing within the project area is not expected to have significant impacts on any of the species of concern listed above. Several trucks and excavating machinery would be in the project area for approximately a day or two to excavate test holes. Excavated test holes would be reclaimed and reseeded the same day.

This majority of this tract is located between two established roads, MT Highway 12 to the south and east and is bisected by Mosby Road.

Is the project area contained within the boundaries of the DNRC Habitat Conservation Plan (HCP)?

- No – *this testing area is not contained within the boundaries of the DNRC Habitat Conservation Plan (HCP).*

Is the project area within Core or General Sage Grouse Habitat?

- Yes – This project area is located in a combination of core and general designated habitat and is overlapped with BLM priority areas. A consultation through the Montana Sage Grouse Habitat Program will be conducted.

Is the project area within one-half mile of an active Bald or Golden Eagle Nest?

- No – *This project area is not within one-half mile of an active Bald or Golden Eagle Nest.*

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

A Class I (literature review) level review was conducted by the DNRC staff archaeologist for the area of potential effect (APE). This entailed inspection of project maps, DNRC's sites/site leads database, land use records, General Land Office Survey Plats, and control cards. The Class I search revealed that no cultural or paleontological resources have been identified in the APE, and only a small portion of the APE has been inventoried for cultural resources. No additional archaeological investigative work will be conducted in response to this proposed development. However, if previously unknown cultural or paleontological materials are identified during project related activities, all work will cease until a professional assessment of such resources can be made.

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.

Are there other studies, plans, or projects currently in place on this tract?

- Yes:
 - OG-44404-25
 - AG-7873

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

Are there any locally adopted environmental plans and goals for the tracts upon which aggregate testing is proposed?

- Yes
 - Musselshell and Golden Valley Long-Range Plan
 - Musselshell County Growth Policy

Checklist EA	Name: KELLY BERTELLOTTI	Date: 10/8/2026
Prepared By:	Title: MINERALS RESOURCE SPECIALIST	

V. FINDING

25. ALTERNATIVE SELECTED:

Action Alternative: The proponent's application would be granted, and the proponent would be allowed to conduct aggregate testing for the period requested in the application.

After a thorough review of the programmatic environmental analysis, the applicable rules and statutes related to aggregate testing, this checklist EA, and the management and mission of State of Montana school trust lands; I have decided to select the action alternative, and the Department will issue an aggregate testing permit as applied for by the proponent. This decision is consistent with the mission of the State of Montana School Trust Lands and will protect the future income generating capacity of the land.

26.SIGNIFICANCE OF POTENTIAL IMPACTS:

I have concluded that through the adoption of the standard stipulations and the checklist EA that all potential impacts have either been addressed through the checklist, programmatic EA or reduced to insignificance by the adoption of stipulations.

Appendix A: List of Standard Stipulations:

I have concluded that through the implementation of the stipulations listed below that the impacts of the proposed action are non-significant, being either negligible or minor and short-term in nature.

1. The permittee must contact the Department's surface lessee at least 24 hours prior to entering the tract and commencing testing activities. Any damages to the surface lessee's leasehold interest, caused by the permittee's activities authorized herein are subject to Administrative Rule 36.25.138.
2. The permittee shall only conduct operations under dry or frozen conditions. Operations are not allowed under wet or muddy conditions.
3. Testing may only take place during daylight hours.
4. No testing shall occur in areas where the slope is steeper than 4:1.
5. Topsoil/sod will be stockpiled separately from subsoil for reclamation. The permittee 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.
6. The permittee shall abide by a 100-foot buffer from all surface water including wetlands.
7. The permittee shall inspect and wash any equipment being utilized in testing prior to commencing work. All equipment utilized in testing activities must be regularly maintained and inspected to insure it is not leaking fluids, spreading noxious weeds or creating an undue fire hazard.
8. The permittee shall be responsible for the elimination of noxious and invasive weeds that are introduced or exacerbated resulting from aggregate testing activities.
9. The permittee shall only spread a native, weed-free seed mix on the disturbance. The mixture must be approved by the unit office prior to the spreading of seed.
10. The permittee shall keep a fire extinguisher readily available during operations. A fire start caused by permitted operations is the sole responsibility of the permit.

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11. The Department may postpone operations if they are deemed as a fire risk.
 12. If any previously unidentified historical, archeological or paleontological resources are encountered during permitted activities the permittee shall stop activities, avoid the site, and immediately report it to DNRC.
 13. The permittee shall report test results to DNRC within 30 days of completing testing activities.
 14. The permit holder shall follow all applicable state and federal laws, rules, and regulations.
 15. If groundwater is intersected during testing activities, the permittee shall quit digging and begin backfilling after the completion of documenting the gravel sources.

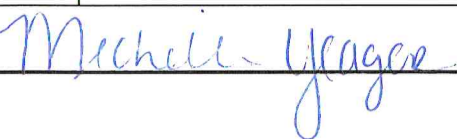
Checklist EA Approved By:	Name: Michelle Yeager
	Title: Area Planner
Signature:  Date: 10/09/2026	

Exhibit A:

Map of the Musselshell County testing area within Section 16

