

## **CHECKLIST ENVIRONMENTAL ASSESSMENT**

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| <b>Project Name:</b>                 | Aggregate Testing Near Loma |
| <b>Proposed Implementation Date:</b> | October/November 2025       |
| <b>Proponent:</b>                    | Riverside Contracting       |
| <b>Location:</b>                     | 26N 10E Section 36          |
| <b>County:</b>                       | Choteau                     |
| <b>Trust:</b>                        | 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 October 17, 2025, DNRC received an application from Riverside Contracting henceforth referred to as proponent, to test for aggregate on State of Montana School Trust Lands. The application was made for Section 36, Township 26N Range 11E near Loma, MT. 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 has indicated that the testing area will be limited to the flat bench area in the W2W2 of the section.

## II. PROJECT DEVELOPMENT

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

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

- DNRC's Lewistown/Havre Unit has been informed of the application
- The Department's surface lessee has been contacted about the application, they had no concerns with the proposed action.

### 3. ALTERNATIVES CONSIDERED:

**No Action Alternative:** The permit to test for aggregate would be denied.

**Action Alternative:** The permit to test for aggregate would be issued.

### 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.

+ B - Bald Eagle (*Haliaeetus leucocephalus*) SSS  
+ R - Spiny Softshell (*Apalone spinifer*) SOC

The nearest known Bald Eagle nest is over one mile away, which is outside of the buffer area for disturbance of nesting Bald Eagles. Furthermore, the proposed action is expected to occur outside of breeding season for Bald Eagles. Individual Bald Eagles that are in the area may experience minor audible and visual disturbances for one or two days while testing occurs, but

this is not expected to negatively impact the individuals in any significant way. The Spiny Softshell is a turtle that relates closely to water. The testing area is a high and dry bench area well above the nearby Missouri River. The Spiny Softshell would not be expected to be present within the testing area. Testing would not be expected to impact the Spiny Softshell.

Is the testing 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 – Consultation with the Sage Grouse Program is necessary.
  - Sage Grouse consultation was received by Program on November 25, 2025.

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. Because the APE was previously cultivated, and because it is on an upper bench landform where deep soils are not expected, 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 – add any of the following that are included on the trust land tract(s).
  - The tract is currently leased for grazing purposes by a neighboring landowner, the lessee has been contacted and afforded the opportunity to express concerns or submit comments related to the application. No concerns were communicated by the surface lessee related to the proposed action.

**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?*

- No.

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| <b>Checklist EA</b> | <b>Name: Zack Winfield</b>       | <b>Date: 10/17/25</b> |
| <b>Prepared By:</b> | <b>Title: Petroleum Engineer</b> |                       |

**V. FINDING**

**25. ALTERNATIVE SELECTED:**

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 be addressed through the checklist, programmatic EA or reduced to insignificance by the adoption of stipulations.

Stipulations to be included in the aggregate testing permit:

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1. The permittee shall only conduct testing operations under dry or frozen conditions. Testing under wet or muddy conditions is not allowed under this permit.
  2. No testing shall occur in areas where the slope is steeper than 4:1.
  3. The permittee shall abide by a 100-foot buffer from all surface water including wetlands.
  4. The permittee shall inspect and wash any equipment being utilized in testing prior to commencing work. This shall mitigate the risk of fire and the spread of noxious and invasive weeds.
  5. The permittee shall be responsible for the elimination of noxious and invasive weeds that are introduced or exacerbated resulting from aggregate testing activities.
  6. 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.
  7. The permittee shall keep a fire extinguisher readily available during testing operations. A fire start caused by testing operations is the sole responsibility of the permittee.
  8. The Department may postpone testing operations if they are deemed as a fire risk.
  9. If any previously unidentified historical, archeological or paleontological resources are encountered during testing, the permittee shall avoid disturbing these resources, shall stop work, and immediately contact the Department's archeologist. Work may only continue after a professional assessment of the site is made by the Department's archeologist.
  10. The proponent shall contact the surface lessee and negotiate any damages in accordance with the administrative rules of Montana. If damages are paid, the proponent shall return the surface lessee settlement of damages from the Department.

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| <b>Checklist EA</b> | <b>Name:</b> Josh Stoychoff                    |
| <b>Approved By:</b> | <b>Title:</b> Lewistown and Havre Unit Manager |
| <b>Signature:</b>   | <b>Date:</b> 12/1/25                           |

