

DNRC - Trust Land Management Division

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DNRC

DS-252{PRIVATE }

{PRIVATE } CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name: Sunrise Angus Ranch ET AL Proposed Private Access Road R/W Easement Across State Lands	Proposed Implementation Date: March 22, 2004
Proponent: Sunrise Angus Ranch ET AL, c/o Robert Larson, 615 31 st St. N., Havre, MT 59501	
Type and Purpose of Action: Sunrise Angus Ranch ET AL has applied for a right-of-way easement across State lands for the purpose of constructing and maintaining a high grade private access road. The private access road is necessary for the purpose of accessing private land in the NW¼, Section 29, Township 33.0 North, Range 16.0 East, MPM. The road would provide access for agricultural purposes and access to residential housing. The proposed easement is said to contain approximately 0.11 acres of State land under State Surface Lease No. 7795. Power and phone utilities will be placed within right-of-way easement at a later date.	
Location: Township 33.0 North, Range 16.0 East Section 30: NE¼NE¼NE¼NE¼	County: Hill County, Montana

{PRIVATE } PROJECT DEVELOPMENT

<p>1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED: Provide a brief chronology of the scoping and ongoing involvement for this project.</p> <p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">MAR 16 2004</p> <p style="text-align: center;">LEGISLATIVE ENVIRONMENTAL POLICY OFFICE</p>	<p>The Montana Department of Natural Resources & Conservation/Trust Land Management Division/Northeastern Land Office/Havre Unit Office received an application for a right-of-way easement across State lands from Sunrise Angus Ranch ET AL. The purpose of the proposed right-of-way easement is for the construction and maintenance of a high grade private access road across State land on an existing two-track trail. The proposed easement would provide access to private land for agricultural purposes and access to residential housing. Power and phone utilities will be placed within right-of-way easement at a later date. Sunrise Angus Ranch ET AL is currently the lessee of State surface Lease No. 7795 and Robert Larson has signed a notice of damage settlement form. No damages are anticipated with the proposed activity.</p>
<p>2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:</p>	<p>The MT DNRC/TLMD is the only governmental agency with jurisdiction for this type of activity on this tract of State School Trust land. The State of Montana Land Board will be the governmental office to approve or deny this right-of-way easement across State lands.</p>
<p>3. ALTERNATIVES CONSIDERED:</p>	<p>Action Alternative: Sunrise Angus Ranch ET AL has applied for a right-of-way easement across State lands for the purpose of constructing and maintaining a high grade private access road. The proposed easement will provide access for agricultural purposes and access to residential housing. Grant Sunrise Angus Ranch ET AL a right-of-way easement across State lands for the purpose of constructing and maintaining a high grade private access road. Power and phone utilities will be placed within right-of-way easement at a later date.</p> <p>No Action Alternative: Deny Sunrise Angus Ranch ET AL a right-of-way easement across State lands for the purpose of constructing and maintaining a high grade private access road to access deeded land in the NW¼, Sec. 29, T33N, R16E.</p>

{PRIVATE } IMPACTS ON THE PHYSICAL ENVIRONMENT

<p>4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are fragile, compactible or unstable soils present? Are there unusual geological features? Are there special reclamation considerations?</p>	<p>Action Alternative: The soils found in the immediate area of disturbance are mostly silty loams. The topography in this area consists of gently rolling plains. There are no unusual geological features present on the existing two-track trail. Constructing a high grade private access road across this tract of State land will involve blading the existing trail and putting down gravel to make an all-weather road. Power and phone utilities will be installed within this right-of-way and will have a minimal impact on the soils in this area. There are no special reclamation considerations for this project.</p> <p>No Action Alternative: The existing two-track trail will not be disturbed. The soils on the State land will not be altered. The soil quality, stability, and moisture levels will not be impacted. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance of a high grade private access road. The utilities will not be installed within this right-of-way easement.</p>
<p>5. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?</p>	<p>Action Alternative: Sunrise Angus Ranch ET AL will not disturb any surface or groundwater resources in this area with this type of project. This type of project does not have the potential to contaminate drinking water. Constructing a high grade private access road will not violate any ambient water quality standards. Power and phone utility installation will not impact surface or groundwater resources in this area. Water quality will not be degraded in this area.</p> <p>No Action Alternative: There will no be adverse impacts on the quality, quantity, or distribution of water resources in this area. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance of a high grade private access road. The utilities will not be installed within this right-of-way easement.</p>
<p>6. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?</p>	<p>Action Alternative: Some dust particulates may be produced during the construction phase of the road and during the installation of the power and phone utilities. However, once the project is completed the air quality will return to normal in this area. This project is not influenced by air quality regulations or zones. The air quality will return to normal once the road has been built.</p> <p>No Action Alternative: The air quality will not be altered on this tract of State land or in this area. There are no air quality regulations or zones for this area. No pollutants or particulates will be produced on the State land. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance of a high grade private access road. The utilities will not be installed within this right-of-way easement.</p>

{PRIVATE } IMPACTS ON THE PHYSICAL ENVIRONMENT

7. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be permanently altered? Are any rare plants or cover types present?

The area of the proposed disturbance is located in tame grass pasture that is dominated by pubescent wheatgrass (*Agropyron trichophorum*). The tame pasture contains some native rangeland species, which include the following plants: western wheatgrass (*Agropyron smithii*), needle-and-thread (*Stipa comata*), blue grama (*Bouteloua gracilis*), green needlegrass (*Stipa viridula*), sedges (*Carex* spp.), sandberg bluegrass (*Poa secunda*), cudweed sagewort (*Artemisia ludoviciana*), fringed sagewort (*Artemisia frigida*), dense clubmoss (*Selaginella densa*), silver sagebrush (*Artemisia cana*), and woods rose (*Rosa woodsii*).

Action Alternative: The vegetative communities in the immediate area of disturbance will be permanently altered by constructing a high grade private access road across this tract of State land. The disturbance will be small in scope and the existing vegetation will reclaim the areas along the road. There are no rare plants or cover types present in the area of the proposed route. This area is primarily used for livestock grazing purposes. Depending upon the approval of the right-of-way easement, a stipulation will be added to the easement for the control of noxious weeds on State land and adjacent private land. The utilities will have a minimal impact on the vegetation in this area, since they will be placed within the road right-of-way easement.

No Action Alternative: The vegetative communities found in the immediate area of the proposed disturbance will not be permanently altered on this tract of State land. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement for the construction and maintenance of a high grade private access road across this tract of State land. No utilities will be installed within this private access road right-of-way easement.

<p>8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?</p>	<p>Action Alternative: Wildlife habitat found in the immediate area of disturbance will be permanently altered with this type of project. However, the disturbance will be small in scope and the remaining habitat will more than support wildlife species that exist in the area. An increase in road travel through this area may temporarily displace some wildlife species. The project will not permanently relocate wildlife species that are found in this area. This area is used by many different types of wildlife species, but the proposed project will not have any long-term negative impacts on the wildlife species or habitat that is found within this area. This area contains some residential housing and wildlife use in this area is limited.</p> <p>No Action Alternative: The terrestrial and avian life and associated habitat within this area will not be altered. The existing two-track trail will remain intact. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>
<p>9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Sensitive Species or Species of special concern?</p>	<p>Action Alternative: The proposed action is not expected to cause any adverse impacts on threatened or endangered wildlife species. There is no confirmed use of threatened or endangered species using this area, but the potential of occasional use does exist. There are no species of special concern, nor are there any sensitive habitat types associated with the proposed project area. No wetlands are found within the immediate area of the proposed disturbance. Listed, threatened, and/or endangered will be able to migrate through the area with minimal disturbance.</p> <p>No Action Alternative: The unique, endangered, fragile, and/or limited environmental resources that exist on this tract of State land will not be altered. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>
<p>10. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological, or paleontological resources present?</p>	<p>Action Alternative: No historical or archaeological resources are known to exist in the immediate area of disturbance. No surface features or cultural artifacts were discovered during prior field evaluations on this tract. The proposed route does not contain any known cultural or archaeological resources.</p> <p>No Action Alternative: No historical or archaeological resources are known to be present on this tract of State land. Unknown or buried cultural and/or archaeological resources will not be disturbed. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this right-of-way easement.</p>

<p>11. AESTHETICS: Is the project on a prominent topographical feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?</p>	<p>Action Alternative: The proposed action will not lower the aesthetic value of the State land. Construction of a high grade private access road will be visible to the public. There is an adjacent home site approximately 1500 feet to the north. The private access road will be visible to the public from State Hwy. 233 located immediately to the west and north. Power and phone utilities will be installed within this private access road right-of-way easement.</p> <p>No Action Alternative: The aesthetics that are found on this tract of State land will not be altered. This area will continue to be used primarily for livestock grazing purposes. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>
<p>12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENGERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project?</p>	<p>Action Alternative: The proposed project will demand the environmental resource of a small portion of land to construct the private access road and utilities across this tract of State land. Constructing a private access road and installing power and phone utilities will increase the overall use on this tract of State land. The project will not use resources that are limited in this area. There are no other known activities nearby that will affect this project.</p> <p>No Action Alternative: There will be no additional demands on the environmental resources of land, water, air, and/or energy on this tract of State land. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. Sunrise Angus Ranch ET AL will be forced to find an alternative route that will be more devastating to the existing natural resources that exist in this area.</p>
<p>13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA: Are there other studies, plans or projects on this tract?</p>	<p>Action Alternative: The Montana DNRC does not currently have any studies, plans, or projects for this tract of State land. The Montana DNRC will continue to monitor livestock grazing activities and set stocking rates on this tract of State land for livestock grazing purposes. The surface lease issued to Sunrise Angus Ranch ET AL will continue to be evaluated on a ten year basis, in accordance with Montana State Statute.</p> <p>No Action Alternative: There are no other environmental documents pertinent to the area. The MT DNRC/TLMD will continue to manage the State of Montana's Trust land resources to produce revenues for the trust beneficiaries while considering environmental factors and protecting the future income-generating capacity of the land. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road.</p>

{PRIVATE }III. IMPACTS ON THE HUMAN POPULATION

<p>14. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risk in the area?</p>	<p>Action Alternative: The proposed action will not increase or decrease the human health and safety risks that are found in this area. Constructing a high grade private access road and installing the utilities across this tract of State land is considered as an occupational hazard to whoever does the work.</p> <p>No Action Alternative: The human health and safety risks found in this area will continue to remain minimal. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>
<p>15. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?</p>	<p>Action Alternative: The proposed action will provide Sunrise Angus Ranch ET AL with a reliable all-weather road for agricultural purposes and access to residential housing. The grazing land will be impacted with this type of project. Forage production on the grazing land will be lowered with this type of activity. However, the disturbance will be small in scope and the State's surface lessee, Sunrise Angus Ranch ET AL has signed the notice of damages settlement form and no damages are anticipated. Construction of a high grade private access road and the installation of the utilities will increase the overall use on this tract of State land.</p> <p>No Action Alternative: The industrial, commercial, and agricultural activities will not be altered on this tract of State land. The grazing land will not be disturbed and future forage production of the tame pasture will not be lowered. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>
<p>16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.</p>	<p>Action Alternative: The quantity and distribution of employment will not be impacted with the proposed action. Constructing a high grade private access road and installing utilities across the State land will not create, move, or eliminate any jobs within the surrounding area.</p> <p>No Action Alternative: The quantity and distribution of employment will not be impacted in this rural community. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>

{PRIVATE }III. IMPACTS ON THE HUMAN POPULATION

<p>17. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?</p>	<p>Action Alternative: The proposed action will create additional tax revenue in Hill County with the construction of a new house on deeded land in Section 29. The local and state tax base will not change as a result of constructing a high grade private access road and installing utilities across this tract of State land.</p> <p>No Action Alternative: The local and state tax base will not be impacted by denying Sunrise Angus Ranch ET AL a right-of-way easement. Tax revenue from this tract of State land will not change in Hill County. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>
<p>18. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?</p>	<p>Action Alternative: There will not be an increase in traffic on the existing roads and State highways with the construction of a high grade private access road. No additional government services will be needed for the proposed action. The project will not require the services of fire protection, police, or schools on this tract of State land.</p> <p>No Action Alternative: No additional government services will be needed on this tract of State land. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>
<p>19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc., zoning or management plans in effect?</p>	<p>Action Alternative: There are no other known locally adopted environmental plans or goals for this tract of State land. The MT DNRC/TLMD will continue to evaluate State School Trust land resource issues from a logical, environmental, and economic point of view. Staff from the MT DNRC/TLMD will continue to monitor grazing management practices and set stocking rates on this tract of grazing land every ten years in accordance with Montana State Statute.</p>
	<p>No Action Alternative: There are no other locally adopted environmental plans or goals that the MT DNRC/TLMD has for this tract of State land. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>

<p>20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?</p>	<p>Action Alternative: This tract of State land does have a perfected legal access for recreational purposes. However, with the existence of inhabited dwellings located less than a quarter mile away, hunting and the discharge of firearms are strictly prohibited. This tract has low to moderate recreational values for hiking and bird watching. Constructing a high grade private access road across this tract of State land will have a minimal impact on the recreational activities that occur in this area.</p> <p>No Action Alternative: The recreational activities that are found in this area will continue to remain minimal, since this area contains residential housing less than a quarter mile away from this tract of State land. Anyone person with a recreational use license from the State of Montana/DNRC can recreate on this tract of State land. However, hunting and the discharge of firearms is strictly prohibited. No utilities will be installed within this private access road right-of-way easement.</p>
<p>21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?</p>	<p>Action Alternative: The proposed action will increase the density and distribution of the human population and housing in this area. The proposed right-of-way easement would grant legal access to a new house that is going to be built on deeded land adjacent to the State land. Installation of utilities will take place within the private access road right-of-way easement.</p> <p>No Action Alternative: The density and distribution of population and housing will change in this area, regardless of the MT DNRC issuing a right-of-way easement. However, Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>
<p>22. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?</p>	<p>Action Alternative: The proposed action will not disrupt the traditional lifestyles that are found in this area. The surrounding area is made up of farming and ranching lands. The area of the proposed easement is in a semi-rural location. Constructing a high grade private access road and installing utilities across the State land will not disrupt the native and traditional lifestyles found in this area.</p> <p>No Action Alternative: The native and traditional lifestyles that are found within this area will not be altered. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>

<p>23. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?</p>	<p>Action Alternative: The proposed action will not impact the cultural uniqueness and/or the cultural diversity that is found within this area. Constructing a private access road in this area will not cause a shift in the unique quality of this area. State Highway 233 is located to the northwest of the proposed road. There are existing utilities in the area and they will only have to be extended to provide service to the new house.</p> <p>No Action Alternative: The cultural uniqueness and diversity of this area will remain the same. The two-track trail will continue to be used for agricultural purposes, access to residential housing, and recreational opportunities. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>
<p>24. OTHER APPROPRIATE SOCIAL AND ECONOMICAL CIRCUMSTANCES:</p>	<p>Action Alternative: There are no other social or economical circumstances associated with the proposed action on this tract of State land. The State of Montana's "General Fund" will benefit from the additional revenue generated from the right-of-way easement. Sunrise Angus Ranch ET AL will benefit from this road by obtaining an easement for agricultural purposes and access to residential housing. The utilities will be contained within this right-of-way easement and will keep further disturbances to the grazing land to a minimum.</p> <p>No Action Alternative: There are no further social or economic circumstances to be discussed within this Environmental Assessment Checklist. The social and economic circumstances will remain the same in this area. Sunrise Angus Ranch ET AL will not be issued a right-of-way easement across State lands for the construction and maintenance a high grade private access road. No utilities will be installed within this private access road right-of-way easement.</p>

EA Checklist Prepared By: Dan Dobler, Havre Unit Manager, Northeastern Land Office



Signature

Date: February 20, 2004

{PRIVATE }IV. FINDING	
25. ALTERNATIVE SELECTED:	N.S.I Action
26. SIGNIFICANCE OF POTENTIAL IMPACTS:	Action N.S.I
27. Need for Further Environmental Analysis: <input type="checkbox"/> EIS <input type="checkbox"/> More Detailed EA <input checked="" type="checkbox"/> No Further Analysis	

EA Checklist Approved by: CLIVE ROONEY, Area Manager, Northeastern Land Office


Signature _____ Date: 2/23/4