

CHECKLIST ENVIRONMENTAL ASSESSMENT

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MAR 29 2008

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Project Name: McClellan ROW
Proposed Implementation Date: Spring 2008
Proponent: McClellan Creek Homeowners RUA
Location: SESE Section 8 T.9N. R.2W.
County: Jefferson
Trust: Common School Trust

I. TYPE AND PURPOSE OF ACTION

The McClellan Creek Estates Homeowners Road Users Association proposes to obtain an easement for a road to access private property for all legal purposes including utilities. The proposal would involve State land in section 8 T.9N. R.2W. The easement would allow access to the private land of the proponent to the south of the State land. The proposed right of way would begin on the existing McClellan Creek county road at the existing turnoff to woodhaulers road and proceed south along the section line to private land currently owned by Ron and Donald Smith. The proposed 60' ROW would involve 0.71 acres of grazing land.

II. PROJECT DEVELOPMENT

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

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

The state's lessee and adjacent owners were contacted.

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

NA

3. ALTERNATIVES CONSIDERED:

1. Issuing the easement as proposed.
2. Not issuing the easement.

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.

None. The area involved in new construction would extend approximately 516.58'. The proposed grade and alignment would limit washing and drainage problems. Standard easement stipulations also require maintenance.

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.

None. No surface water resources are on the proposed easement area and no ground water impacts are expected.

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.

None. No class 1 zones would be impacted. A minimal amount of dust could be expected during construction but the small nature of the project would limit impact.

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.

None. No rare plants or cover types were observed on the area involved. Some minimal disturbance would occur but reseeding would minimize impact. Standard stipulations in the easement require reseeding of disturbed areas.

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.

None. Mule deer and elk frequent the area however the small size of the project would limit any impact. The adjacent land has been subdivided with several owners.

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.

None. Some Bald Eagle use is present in the general area. No impacts are expected.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

None. No sites are listed and no resources were observed.

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.

None. Terrain and the location limit the visibility of the project from the adjacent private land. The project would be visible from the main road at the junction.

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.

None. The small scope of the project limits any impacts.

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.

None. The tract is currently leased for grazing and agriculture. The proposed road would be located on the grazing portion of the tract which is unfenced and currently not used.

IV. IMPACTS ON THE HUMAN POPULATION

- *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.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

None. The proponent contacted Jefferson County regarding alignment at the junction, which is acceptable.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

None.

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.

None.

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.

None.

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

None. The small scale of the project would limit impact.

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.

None.

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.

None. The tract is accessible from surrounding private land and the county road. Due to the size of the State tract, and the presence of existing nearby houses, the standard ¼ mile firearm discharge restriction in the Recreational Use Rules prohibits firearm discharge on the entire State tract.

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.

None.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

None.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

None.

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.

If the easement is granted return to the trust would be approximately 2500.00/ac. for the first 30 feet of easement width, and then \$2640.00/ac. (\$1.00/foot/rod) for the remaining width. Total easement value thus being **\$1824.70**. Additional revenue could occur in the future in the form of conveyance fees if the existing parcels are divided and sold. No impacts are expected.

EA Checklist Prepared By:	Name: Robert Vlahovich	Date: 1/29/08
	Title: Spec. Uses coord.	

V. FINDING

25. ALTERNATIVE SELECTED:

I have selected the alternative to recommend Land Board approval of this easement request.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

Easement scope, size and standard stipulations will limit potential impacts.

The easement is located along the section line, on the upper slope/ridge. The proponent land has no documented other legal access, but has utilized a road across other private lands for many years. The proponent does anticipate future subdivision and has applied for a 60 foot easement. The conveyance fee provision will be included in the easement and would become applicable when subdivision happens. In addition, the proponent has formed as the McClellan Creek Estates Homeowner Road User Association, a business registered and in good standing with the Montana Sec. of State office (id# D172990). The proponent has provided written documentation that shows they are unable to secure access across other adjacent private lands.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

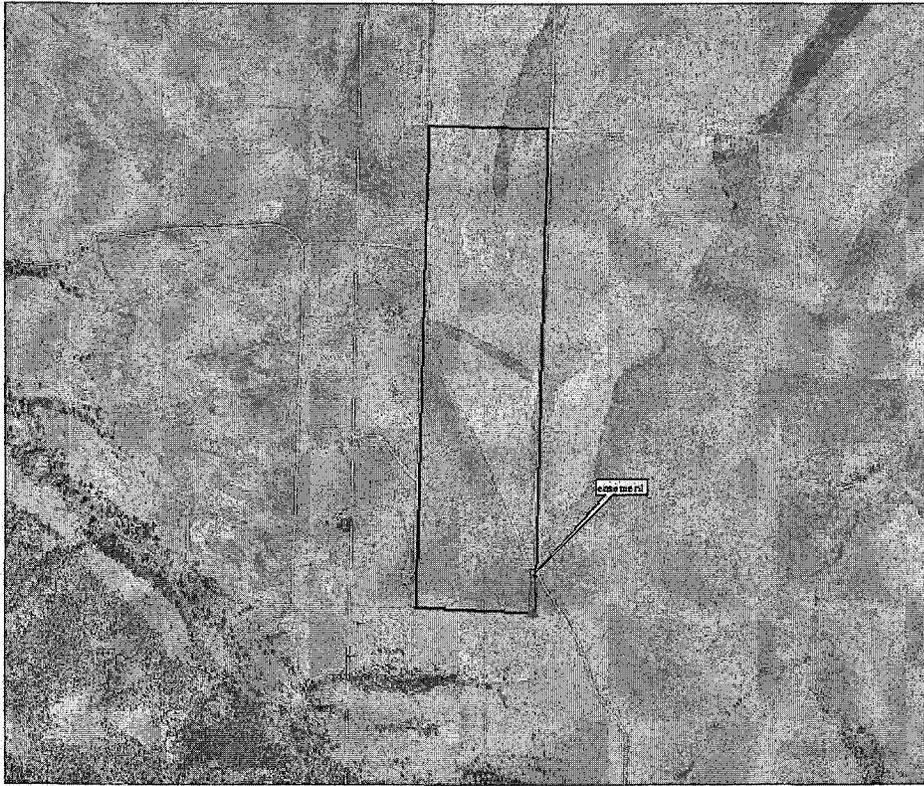
EIS

More Detailed EA

No Further Analysis

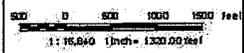
EA Checklist Approved By:	Name: D.J. Bakken
	Title: Helena Unit Manager
Signature: /s/ Darrel J. Bakken	
Date: 1/30/2008	

McClellan Cr. Estates Homeowners RUA easement 8, T9N, R2W



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Montana DNRC
Trust Land Management Division
Central Land Office
Helena Unit



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