

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Triangle Communications line upgrades – Meagher County
Proposed Implementation Date:	Spring 2011
Proponent:	Central Montana Communications, Inc, P.O. Box 751, Havre, MT 59501 (a.k.a. Triangle Communications, P.O. Box 1140, Havre, MT 59501)
Location:	Various sections in Meagher County, see attachment A and maps in attachment B
County:	Meagher Co.
Trust:	Trusts by tract are shown in the table 1, attachment A

I. TYPE AND PURPOSE OF ACTION

Triangle Communications has applied for easements to facilitate the upgrade of their buried communication lines within Meagher Co.

II. PROJECT DEVELOPMENT

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

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

State surface lessees were contacted by mail for comments. This contact included the Meagher Co. Commissioners, who are an easement holder on the tract occupied by the White Sulphur Springs airport.

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

The local County Conservation District would have “310” permit authority for any disturbance to perennial streams.

When construction operations cross existing open public roads, the contractors would need to comply with requirements of those authorities.

3. ALTERNATIVES CONSIDERED:

Alternative A - No Action – For each of the applications individually, there exists the option to not issue the easement.

Alternative B – Recommend Land Board approval for any or all of the proposed actions – However, The 2011 Legislature passed SB 35, which defines navigable rivers as, ***“navigable” means a river or stream adjudicated as navigable for title purposes by a court of competent jurisdiction.*** Based on this definition, the 7 river/stream crossing applications as of October 1, 2011 will not be upon river beds owned by the State, and hence not be under DNRC jurisdiction. The applicant will be given the option of pursuing an easement for the crossing under current law or wait for October 1 and not need an 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.

Many of the segments directly overlap, or partially overlap previous Central Montana Communications easements for various types of buried communication lines. As such, there has been surface disturbance in the past along most of the routes.

In some locations, the soils are silt or clay and subject to erosion if disturbed. For example, in sec. 24, T6N, R7E where there is some erosion occurring over the location of the existing line.



In these locations, extra care will be needed to ensure revegetation is successful, to limit future erosion which may expose the line to damage.

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.

The easement routes cross both perennial and intermittent stream segments. The applicant would need to comply with any conditions imposed by the local C. D. through the “310” permit process. Following the construction phase, there would likely be little potential for disturbance or impacts to waters from the buried line.

Line locations selected good stream crossing sites when needed, and avoided stream impacts in other areas by routing the line around stream areas (for example, in section 16, T7N, R7E).

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.

Depending upon the construction season, there may be short term generation of dust while operations are in progress. Once buried and revegetated, there should be no air quality impacts.

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.

The proposed project involves burying a communication line within easement corridors which would be 20 feet wide (+/- 10' from the surveyed centerline). Many of the segments already have other buried lines present. The disturbance is not expected to produce any long term affects to vegetation. The easement holder would become responsible for noxious weed management within the easement.

Some of the routes pass through sage brush areas, but the narrow zone of disturbance, and limited time frame of activity, would result in no identifiable adverse impacts to sage brush communities.

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.

Sage Grouse may utilize some of these areas, though most of the routes are adjacent to open public roads where traffic may already be limiting the use or effectiveness of the habitat for Sage Grouse. Ultimately, after a short construction period, the existence of a buried communications line is not expected to have any adverse affect to Sage Grouse.

No direct, indirect or cumulative adverse affects are anticipated from the proposed buried communications lines.

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.

Most of the easement segments lay parallel and adjacent to open public road right-of-ways. While some wide ranging threatened or endangered species may travel past or across these routes, there should be no related adverse effects from a buried line, or the construction/installation of the line.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

A Cultural Resource survey for the project was completed by Ethos Consultants Inc, Dec. 2010. On the State land segments 11 locations with some findings were reported. These sites and their report were reviewed by Pat Rennie, DNRC Archaeologist. The report indicated that none of the sites on State land required any further review, and that no adverse effects were anticipated. Pat Rennie concurred with the report findings, following his review.

Beyond the noted sites, field review of the proposed routes did not reveal any additional historical or archaeological sites.

No adverse direct, indirect or cumulative effects are anticipated from the proposed project.

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.

The easement routes are mostly along open traveled roads. The buried lines would cause no adverse affects to aesthetics. The construction phase for buried line progresses at a relatively rapid rate, so equipment operations along the roadways would be present at any given point for only a few hours or days.

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.

Most of the easement segments proposed occur overlapping with other easements, so additional state lands are not encumbered in most circumstances.

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

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.

During the construction phase, work crews and equipment would be operating adjacent to, and in some cases crossing open public roads. The applicant would be responsible for the placement and removal of hazard warning signs per the instructions of the applicable road authority.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

All Lessees of the affected tracts have made settlement arrangements for expected or perceived impacts to their operations.

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.

The state land easements, and the related construction operations for those segments, are a tiny fraction of the overall project and have no impact to the quantity or distribution of employment.

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.

Issuing or not issuing the easements would have no effect on tax revenues.

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

No affects are anticipated.

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.

There are no known zoning issues or management plans affecting the locations of the proposed easements.

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.

The buried communications lines would not affect the access to any of the occupied state parcels for recreational use purposes.

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.

No affects are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

No affects are anticipated.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

No affects are anticipated.

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.

Applications included 7 spots on rivers/streams which previously were defined as "Navigable Rivers" by DNRC. One on the Smith River and 6 on Sheep Creek (*two of the Sheep creek spots are in one section*). According to the 1/3/2008 DNRC Navigable River list, these sites were all claimed by the State based on historical evidence of commercial use, but without actual adjudication. The 2011 Legislature passed SB 35, which would define navigable rivers as, "[navigable](#)" means a river or stream adjudicated as navigable for title purposes by a court of competent jurisdiction." Based on this definition, these 7 easement applications would not be upon river beds owned by the State. The Bill was transmitted to the Governor, who signed it on 5/9/2011.

The timing of this new Law is such that there may be current question as to the State title to the river/stream beds in these 7 applied locations, and therefore a question as to the Department's authority to issue easements at these locations. (The first map in attachment B shows the river bed sites as yellow triangles.)

Table 1 (the first attachment following the signature page) provides a listing of all the applied easement locations. The terrestrial surface owned easement locations all occur on rangeland areas and total 35.211 acres and the river bed sites total 0.36 acres.

The terrestrial easement locations are all rangeland sites, the DNRC fee schedule for rural grazing land in Meagher Co would suggest a land value of \$700.00/acre. However, DNRC completed (via contractor) appraisals of several parcels in Meagher County in 2009, as part of the review of a series of Land Banking proposals. These appraisals indicated land values from \$750 - \$1000/acre, with the higher value tracts actually being sold at their appraised value. For the purposes of this series of applications, I am recommending a value of \$1000/acre for the terrestrial sites, and if the river bed sites are approved, then \$500/acre for those. In addition, DNRC has a minimum easement fee of \$150.00 for small easements, so some of the smaller easement applications would be assessed the minimum rate. Table 2 in Attachment A shows the proposed easement value assessment by parcel. The estimated total easement value for the terrestrial surface owned state lands is \$35,300.00. The estimated value for the river bed segments would be \$900.00.

EA Checklist Prepared By:	Name: D.J. Bakken	Date: 5/19/2011
	Title: Helena Unit Manager	

V. FINDING

25. ALTERNATIVE SELECTED: I have selected Alternative B:

Alternative B – Recommend the Land Board approval for proposed actions on State Trust ownerships. The 2011 Legislature passed SB 35, which would define navigable rivers as; **"navigable" means a river or stream adjudicated as navigable for title purposes by a court of competent jurisdiction.** Based on this definition after October 1, 2011, the 7 stream crossing applications would not be upon river beds owned by the State and therefore not under DNRC jurisdiction for the issuing of an easement. In conversation with Bryan Raymond (May 26, 2011), of Triangle Communications the option was presented that the easements could be processed under current law or they could wait until October and not need an easement from the DNRC. Mr. Raymond requested the river crossing easement applications be processed under current law.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The review of the proposal did not reveal any significant long term impacts. However, the recommendations for reclaiming constructions sites made by the Helena Unit should be made part of the agreement.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS More Detailed EA No Further Analysis

EA Checklist Approved By:	Name: Gavin Anderson
	Title: Forest & Lands Program Manager, CLO
Signature:	Date: 5/20/11

TABLE 1

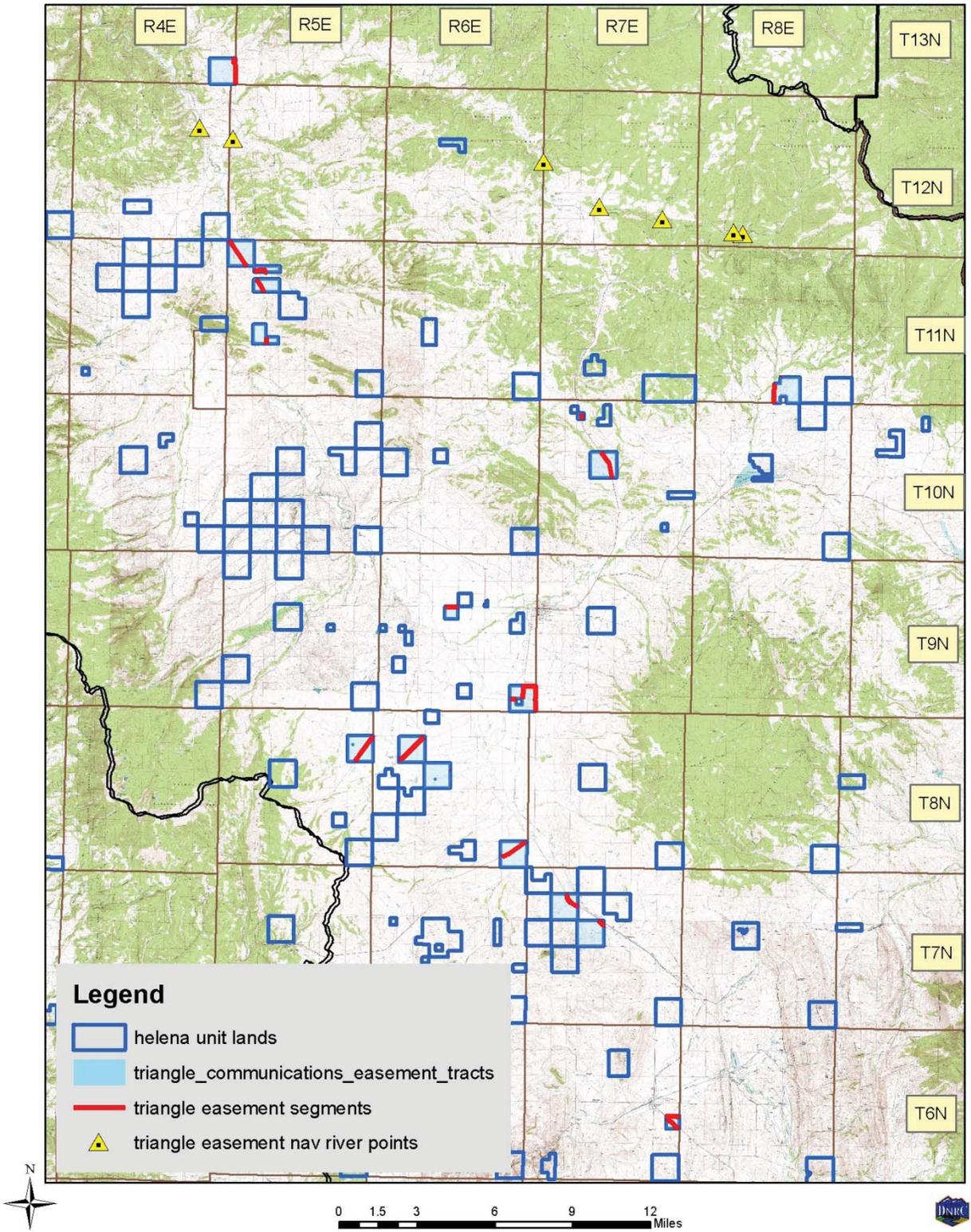
Triangle Communications 1/2011 easement package								
portion of tract	section	Township	Range	width	acres	trust	potential overlap with CMC easement number	notes
SE	24	6N	7E	20	2.817	CS	D-12726 Cu and fiber optic	2 SEGMENTS
NE	8	7N	7E	20	1.769	ACI	D-10308 Cu only	
NENE	16	7N	7E	20	0.658	CS	D-06572 buried ph.	
E2, E2W2	12	8N	5E	20	2.959	DB	D-12863 buried ph.	
all	8	8N	6E	20	3.24	DB	D-12855 buried ph.	
SENE	16	8N	6E	20	0.061	CS	D-13422	
N2, and NWSW	36	8N	6E	20	2.723	CS	D-10828 Cu & fiber optic	
NE	16	9N	6E	20	1.226	CS	D-12858 buried ph.	
NWSW, & SENW,NWNE,E2E2	36	9N	6E	20	5.453	CS	D-12860 buried ph.	2 SEGMENTS
NWSE	5	10N	7E	20	0.62	CS	No other easement here	
E2, E2W2	16	10N	7E	20	2.713	CS	D-12856 buried ph.	
W2, W2E2	6	11N	5E	20	2.957	ACI	D-07924 buried ph.	
SW & N2NW	8	11N	5E	20	2.671	ACI	D-07926 buried ph.	2 SEGMENTS
SWSE	20	11N	5E	20	0.607	CS	D-07927 buried ph.	
W2W2 & NENW	34	11N	8E	20	1.981	CS	No other easement here	2 SEGMENTS
NESE	11	12N	4E	20	0.037	?	No other easement here	SMITH RIVER
NWNW	18	12N	5E	20	0.021	?	No other easement here	SHEEP CREEK
SWSW	18	12N	7E	20	0.041	?	No other easement here	SHEEP CREEK
SWSE	26	12N	7E	20	0.021	?	No other easement here	SHEEP CREEK
NWSW	28	12N	7E	20	0.13	?	No other easement here	SHEEP CREEK
SENW, & NWSE,SWNE,SENE	32	12N	8E	20	0.11	?	No other easement here	2 SPOTS ON SHEEP CREEK
E2E2	36	13N	4E	20	2.756	CS	D-12859 buried ph.	

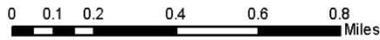
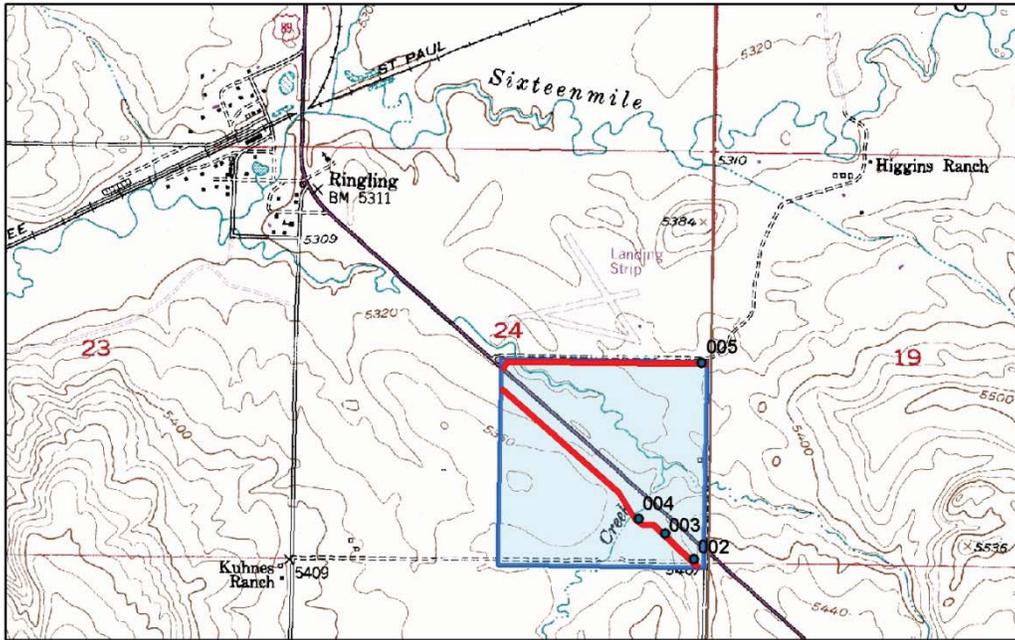
TABLE 2

portion of tract	section	Township	Range	width	acres	trust	estimated value per acre	value times acres	minimum easement fee
SE	24	6N	7E	20	2.817	CS	\$1,000.00	\$2,817.00	\$2,817.00
NE	8	7N	7E	20	1.769	ACI	\$1,000.00	\$1,769.00	\$1,769.00
NENE	16	7N	7E	20	0.658	CS	\$1,000.00	\$658.00	\$658.00
E2, E2W2	12	8N	5E	20	2.959	DB	\$1,000.00	\$2,959.00	\$2,959.00
all	8	8N	6E	20	3.24	DB	\$1,000.00	\$3,240.00	\$3,240.00
SENE	16	8N	6E	20	0.061	CS	\$1,000.00	\$61.00	\$150.00
N2, and NWSW	36	8N	6E	20	2.723	CS	\$1,000.00	\$2,723.00	\$2,723.00
NE	16	9N	6E	20	1.226	CS	\$1,000.00	\$1,226.00	\$1,226.00
NWSW, & SENW,NWNE,E2E2	36	9N	6E	20	5.453	CS	\$1,000.00	\$5,453.00	\$5,453.00
NWSE	5	10N	7E	20	0.62	CS	\$1,000.00	\$620.00	\$620.00
E2, E2W2	16	10N	7E	20	2.713	CS	\$1,000.00	\$2,713.00	\$2,713.00
W2, W2E2	6	11N	5E	20	2.957	ACI	\$1,000.00	\$2,957.00	\$2,957.00
SW & N2NW	8	11N	5E	20	2.671	ACI	\$1,000.00	\$2,671.00	\$2,671.00
SWSE	20	11N	5E	20	0.607	CS	\$1,000.00	\$607.00	\$607.00
W2W2 & NENW	34	11N	8E	20	1.981	CS	\$1,000.00	\$1,981.00	\$1,981.00
NESE (river bed)	11	12N	4E	20	0.037	?	\$500.00	\$18.50	\$150.00
NWNW (river bed)	18	12N	5E	20	0.021	?	\$500.00	\$10.50	\$150.00
SWSW (river bed)	18	12N	7E	20	0.041	?	\$500.00	\$20.50	\$150.00
SWSE (river bed)	26	12N	7E	20	0.021	?	\$500.00	\$10.50	\$150.00
NWSW (river bed)	28	12N	7E	20	0.13	?	\$500.00	\$65.00	\$150.00
SENW, & NWSE,SWNE,SENE (river bed)	32	12N	8E	20	0.11	?	\$500.00	\$55.00	\$150.00
E2E2	36	13N	4E	20	2.756	CS	\$1,000.00	\$2,756.00	\$2,756.00
							terrestrial	totals =	\$35,300.00
							river bed	totals =	\$900.00

Triangle Communications 2011 easements

Meagher County applications

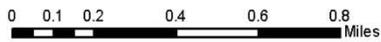
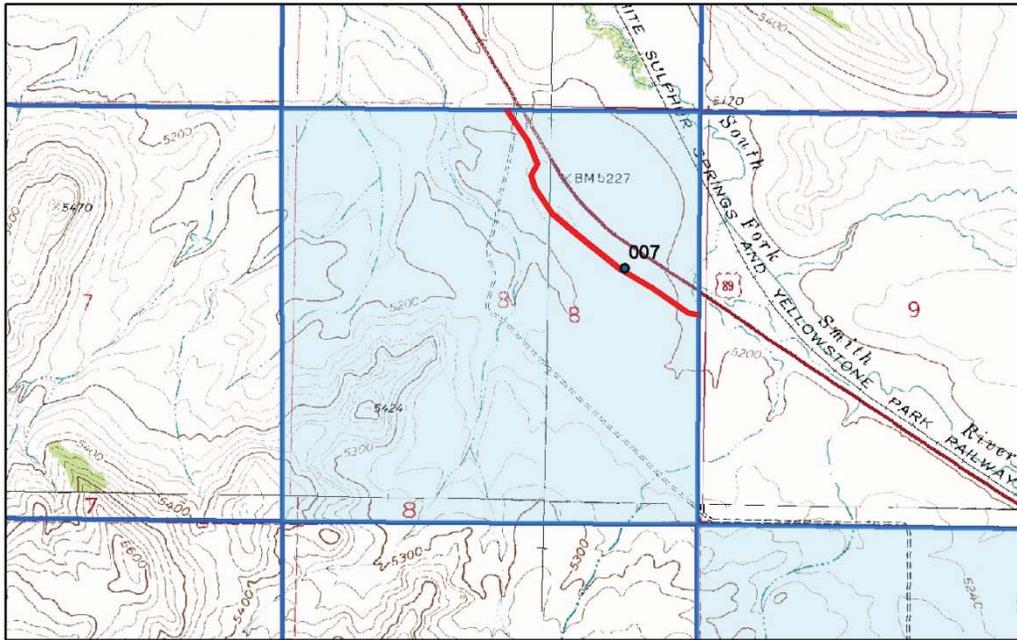




point 004

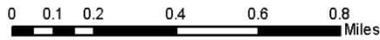
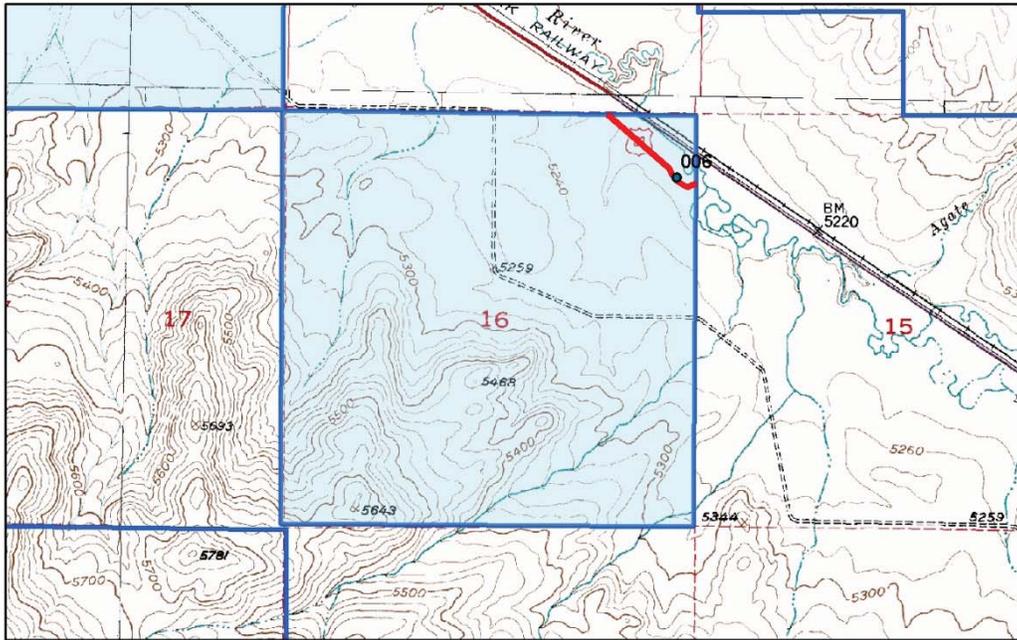
point 005





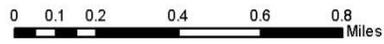
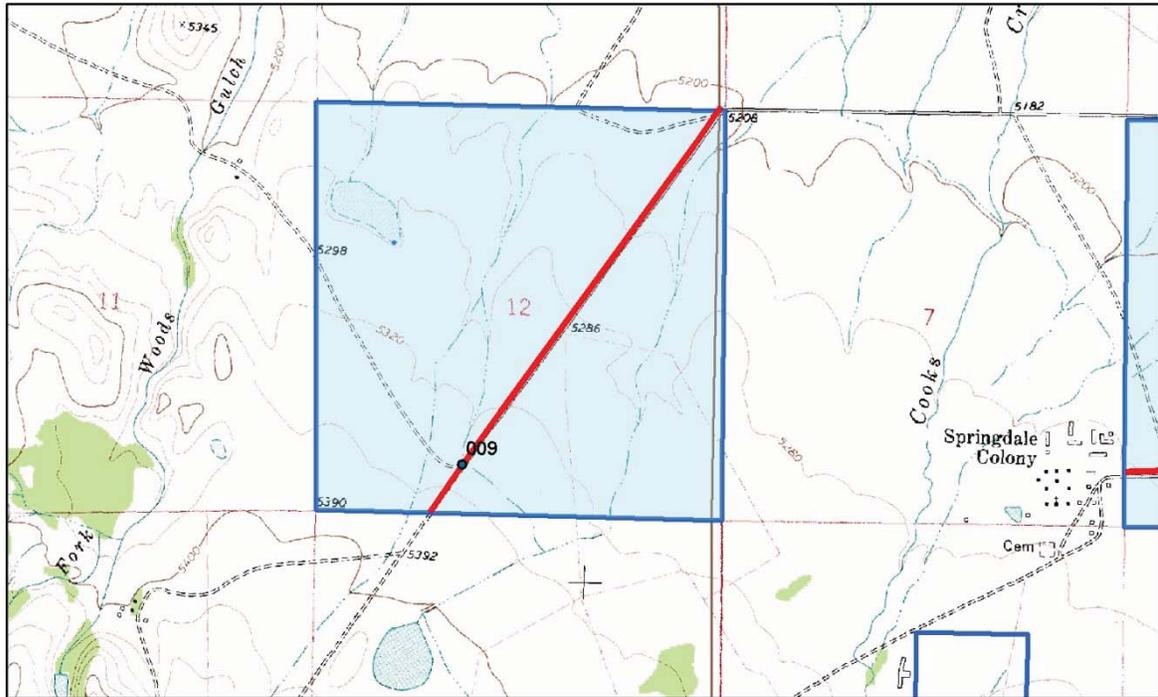
point 007





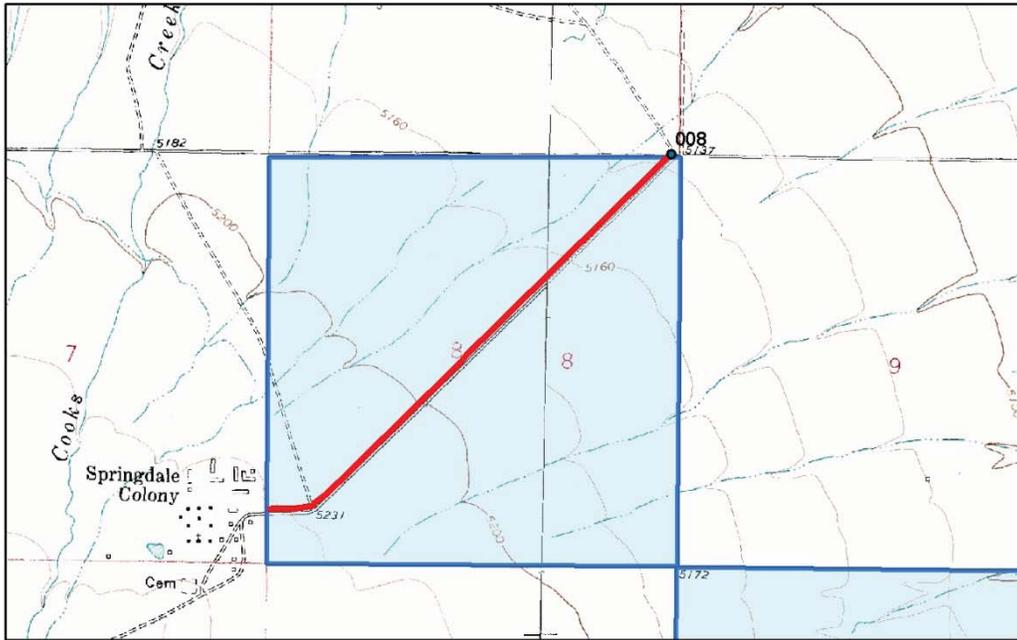
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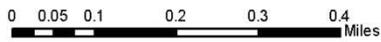
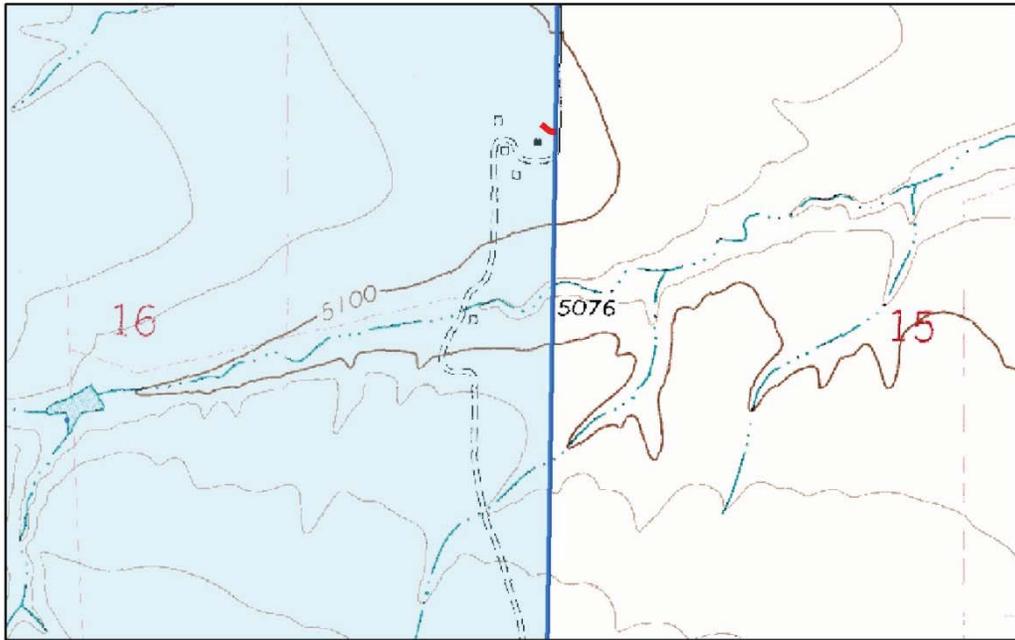
point 009 looking NE





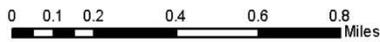
point 008 to SW





Short segment in to farmstead



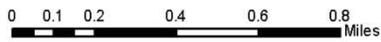
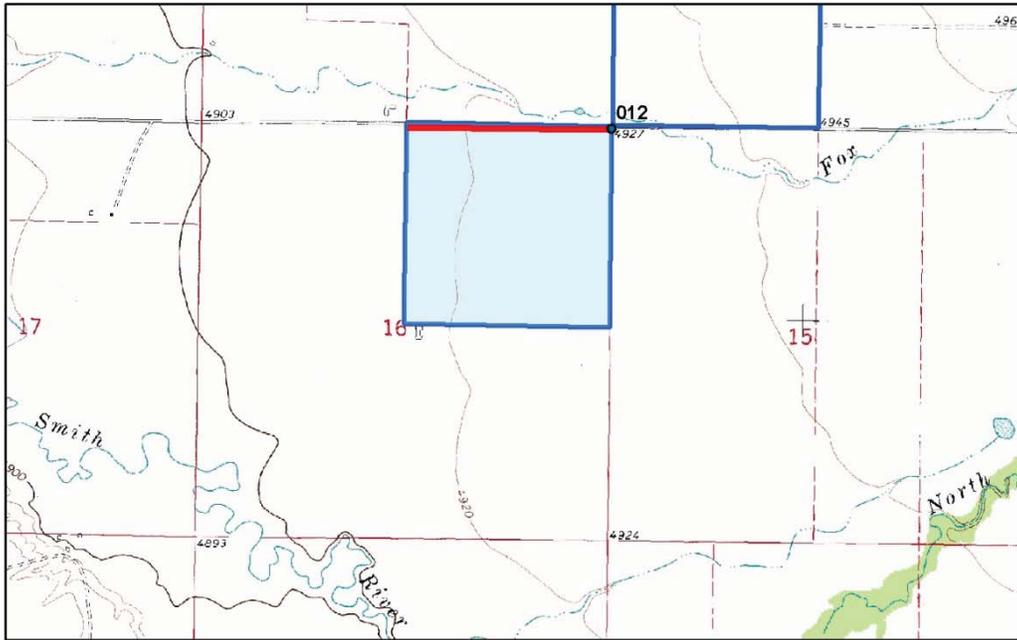


point 001 looking west



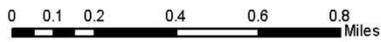
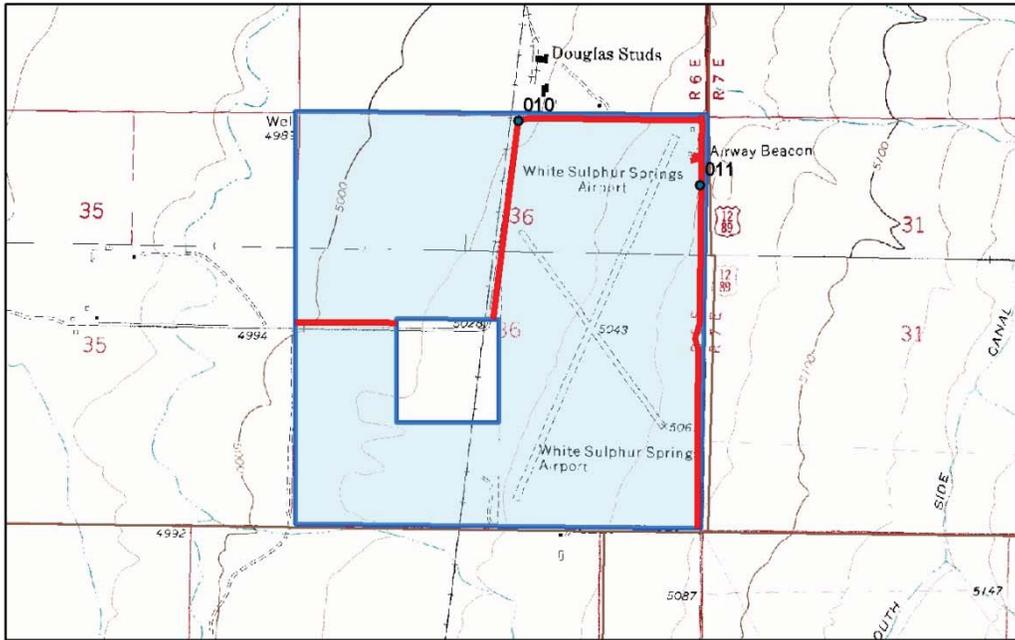
point 001 looking east





point 012 looking west





point 010 looking east

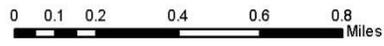
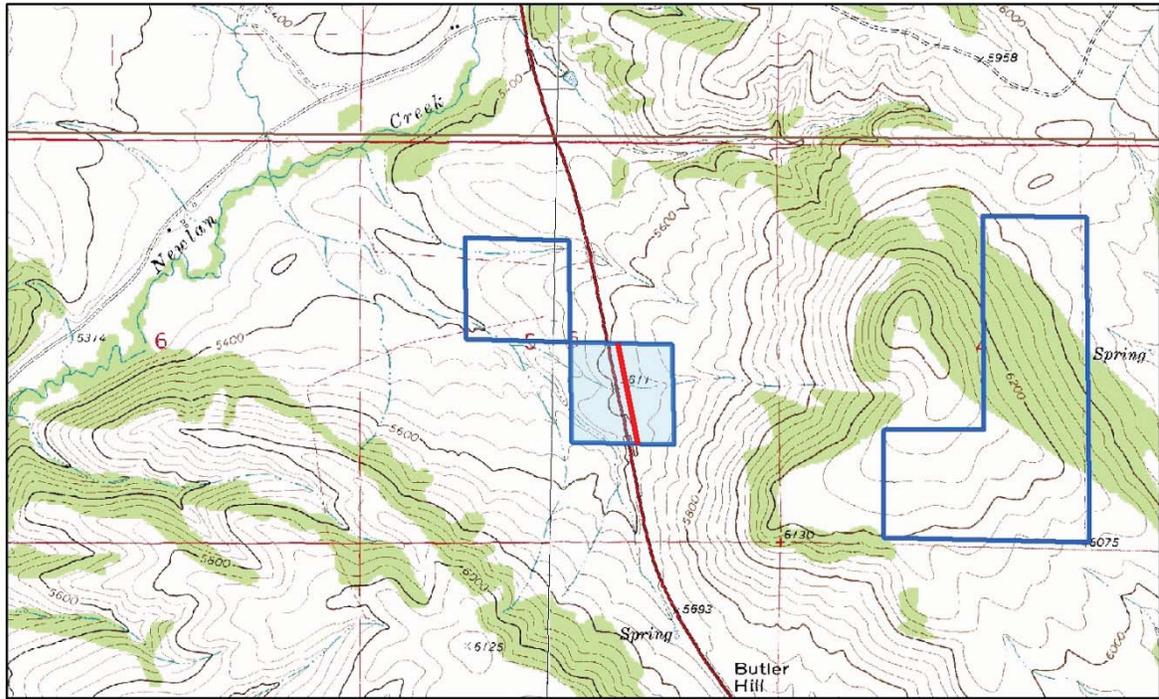


point 010 looking south



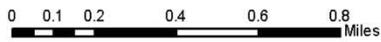
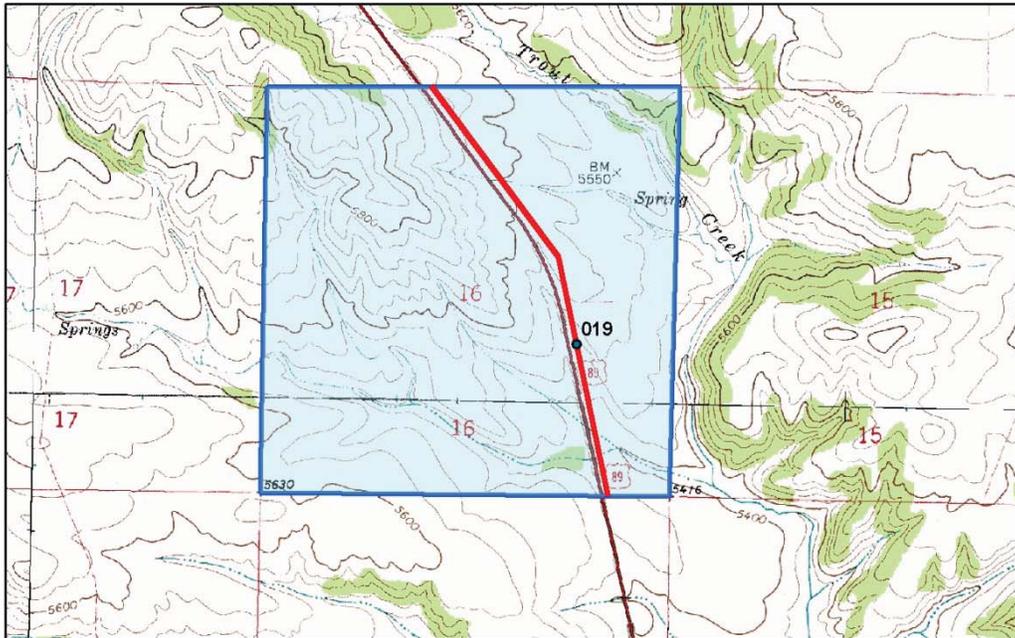
point 011





No photo taken

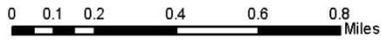
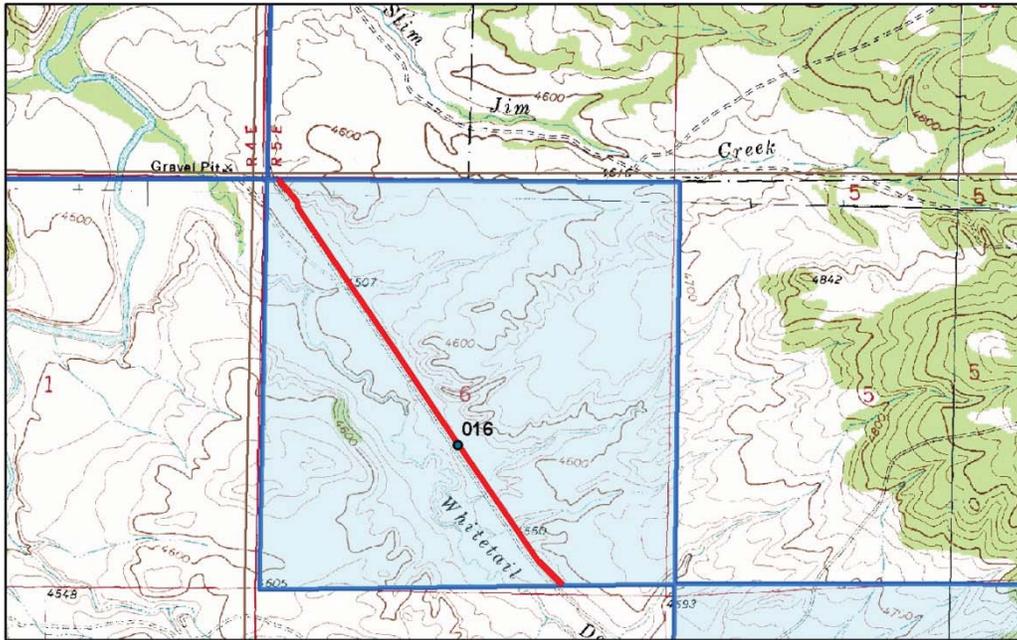




point 019 looking N

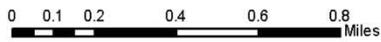
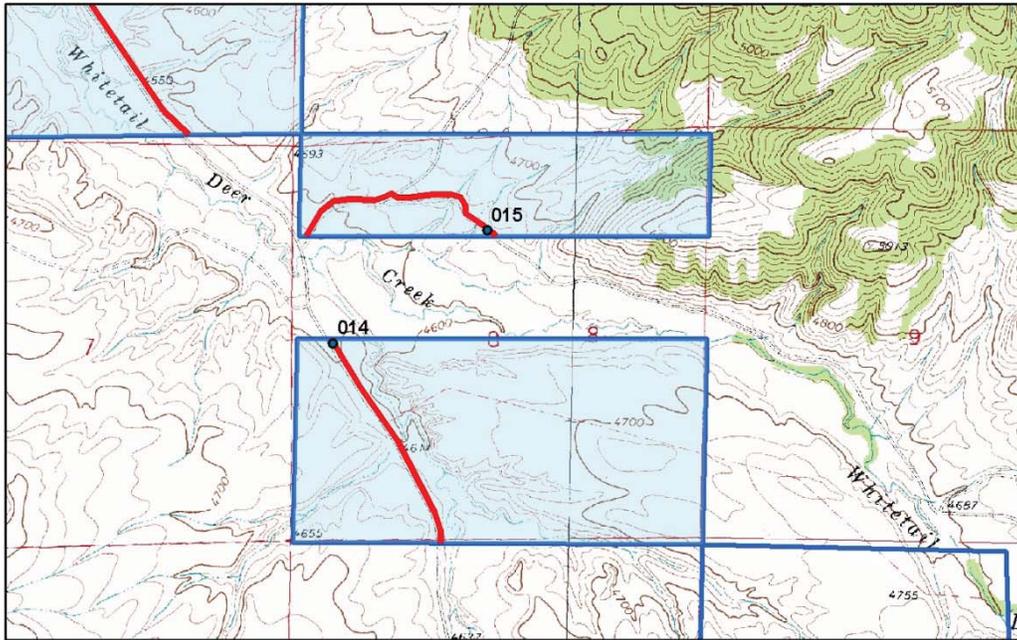
point 019 looking S





point 016 looking NW



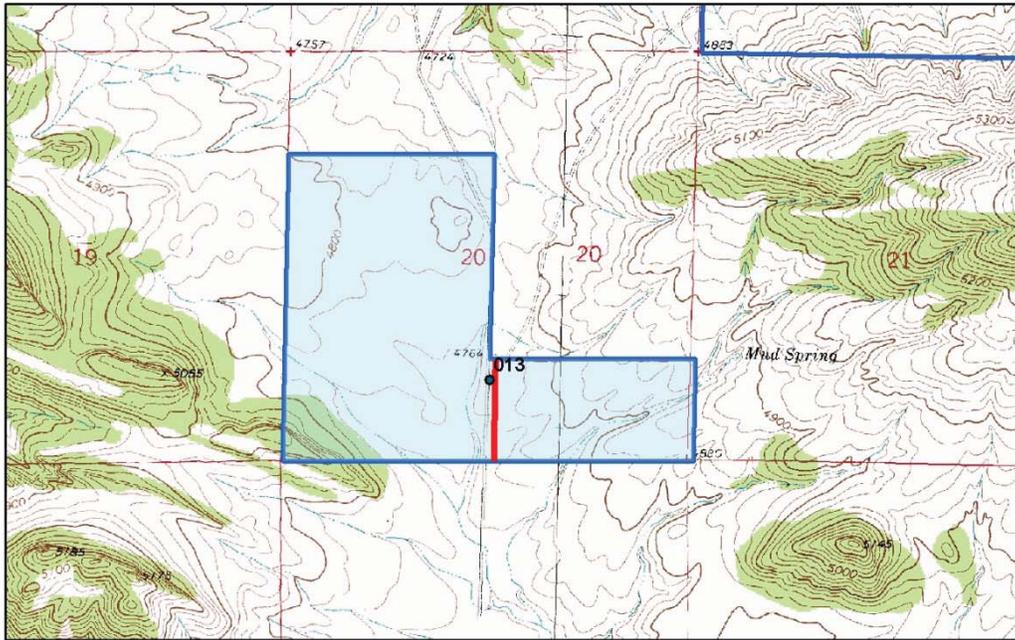


point 014 looking SE



point 015 looking NW



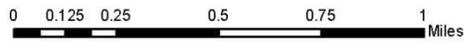
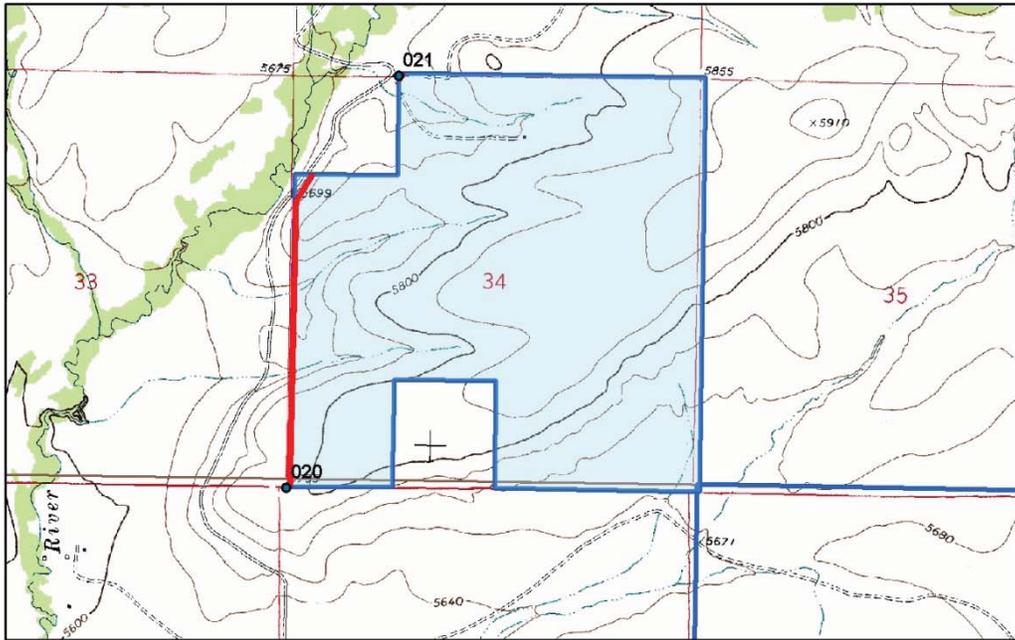


point 013 looking south



Triangle Communications 2011 easements

T11N, R8E, sec. 34

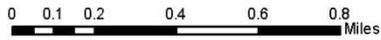
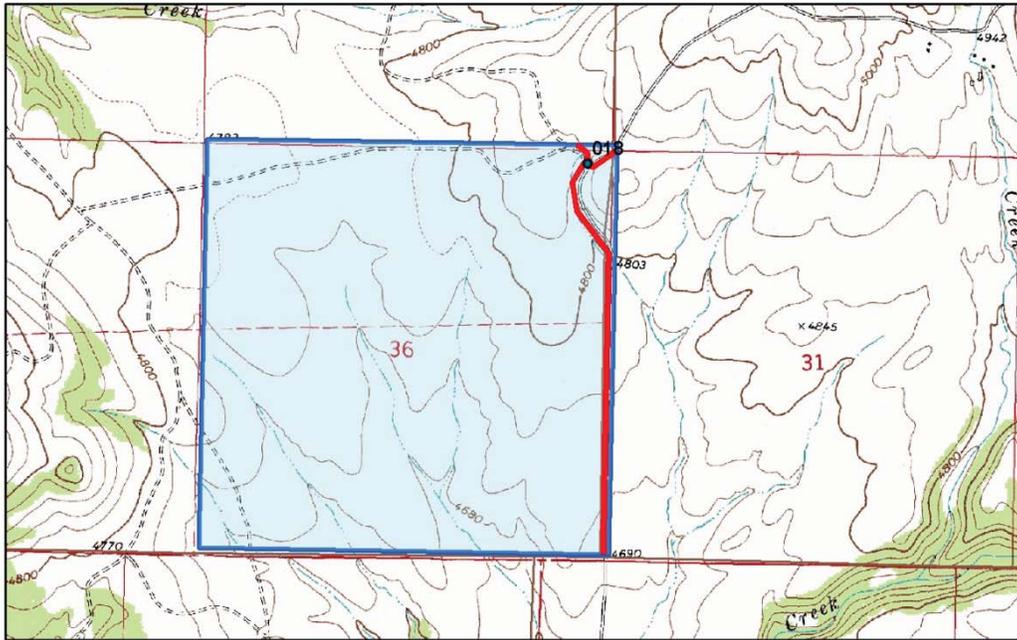


point 021 in NWNENW



point 020 at SW corner stone



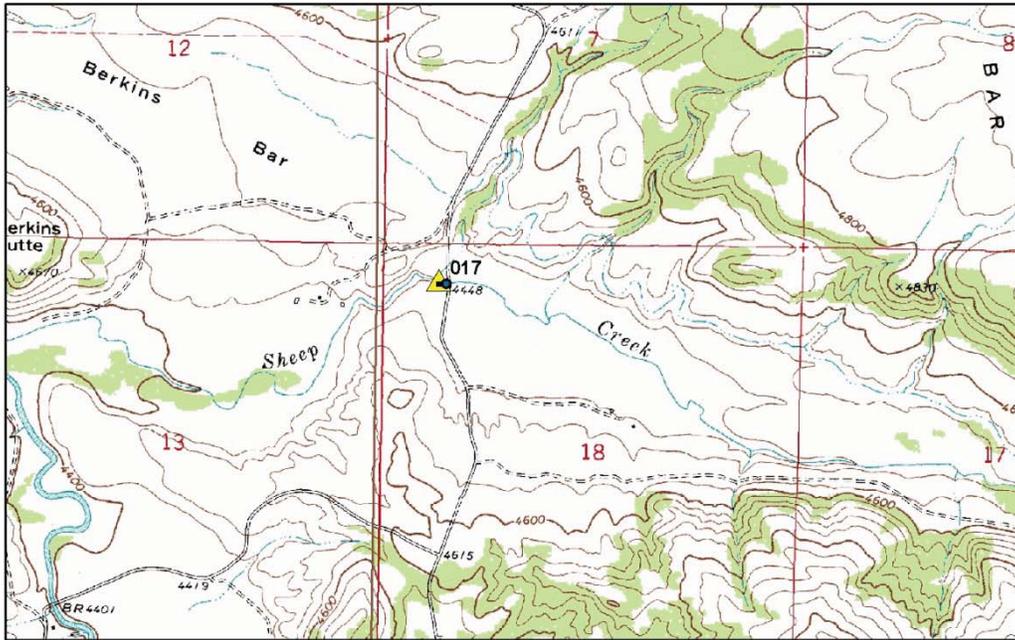


point 016 looking west



and looking north





point 017 from bridge looking up stream on Sheep Creek

