CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name: Wood Gulch Repository Land Banking

Proposed Implementation Date*:* June 1, 2012

Proponent: Montana Department of Environmental Quality

Location: SESW Section 14, T17N R26W

County: Mineral

I. TYPE AND PURPOSE OF ACTION

To use the DNRC's Land Banking process to sell approximately 12 acres of Capital Buildings Trust Land (surface state only) to the highest responsible bidder. The area being proposed for sale is currently being leased by the Department of Environmental Quality for use as a repository to safely accumulate mine waste. It is anticipated that this use will continue following the sale. As the lessee, the DEQ is the party that nominated this parcel for Land Banking.

II. PROJECT DEVELOPMENT

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

Provide a brief chronology of the scoping and ongoing involvement for this project. List number of individuals contacted, number of responses received, and newspapers in which notices were placed and for how long. Briefly summarize issues received from the public.

In February of 2012, a Scoping Notice concerning this project was mailed to 2 neighboring private landowners, the Montana DFWP & DEQ, the U.S. Forest Service, the Mineral County Commissioners, Land Board members and 48 other parties that had expressed an interest in the Land Banking process. In addition, the Scoping Notice was published for two weeks in the Mineral Independent newspaper. The Scoping Notice generated 3 comments all of which supported the proposed sale of this parcel.

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

Examples: cost-share agreement with U.S. Forest Service, 124 Permit, 3A Authorization, Air Quality Major Open Burning Permit.

U.S. Environmental Protection Agency, USDI Bureau of Reclamation

3. ALTERNATIVE DEVELOPMENT:

Describe alternatives considered and, if applicable, provide brief description of how the alternatives were developed. List alternatives that were considered but eliminated from further analysis and why.

No Action Alternative-Do not proceed with the proposed sale of this parcel of Trust land. The site would continue to be leased to DEQ as a hazardous waste repository.

Action Alternative- Proceed with the proposed sale of this parcel.

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 direct, indirect, and cumulative effects to soils.

Implementation of the No Action Alternative is not likely to have any short or long term impacts on the geology/soil resources within the proposed project area.

Implementation of the Action Alternative is not likely to have any short or long term impacts on the geology/soil resources within the proposed project area.

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 direct, indirect, and cumulative effects to water resources.

Implementation of the No Action Alternative is not likely to have any short or long term impacts on the quality, quantity and\or distribution of water within the proposed project area.

Implementation of the Action Alternative is not likely to have any short or long term impacts on the quality, quantity and\or distribution of water within the proposed project area.

6. AIR QUALITY:

What pollutants or particulate would be produced (i.e. particulate matter from road use or harvesting, slash pile burning, prescribed burning, etc)? Identify the Airshed and Impact Zone (if any) according to the Montana/Idaho Airshed Group. Identify direct, indirect, and cumulative effects to air quality.

Implementation of the No Action Alternative would result in little to no change in the air quality in the proposed project area.

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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 direct, indirect, and cumulative effects to vegetation.

Under the No Action Alternative there would be no immediate impacts, beyond those which occurred during construction of the repository, to the vegetative community on the site.

Should the Action Alternative be implemented, there would be no immediate impacts, beyond those which occurred during construction of the repository, to the vegetative community on the site.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify direct, indirect, and cumulative effects to fish and wildlife.

There is low risk of direct, in-direct or cumulative effects to fish habitat or aquatic life with the proposed action and long term conditions are expected to trend towards improvement.

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 direct, indirect, and cumulative effects to these species and their habitat.

Bull Trout is a threatened fish species and Westslope Cutthroat trout is a sensitive fish species that inhabit Flat Creek (MTFWP, MFISH database). No wetlands occur on the proposed repository site. No resources of this type, other than the two fish species mentioned, which might be impacted by the implementation of the Action Alternative, were found to be present on the site.

Impacts to both bull trout and westslope cutthroat trout are not expected to differ with the selection of either alternative.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

The DNRC Archaeologist was unable to identify any cultural resources on the site that would be negatively impacted by the implementation of the Action Alternative.

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 direct, indirect, and cumulative effects to aesthetics.

Under the No Action Alternative, the current aesthetics of the site would be unlikely to change.

Under the Action Alternative, the current aesthetics of the site would be unlikely to change.

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 direct, indirect, and cumulative effects to environmental resources.

Implementation of the No Action Alternative would not impact any of these resources.

Implementation of the Action Alternative would not impact any of these resources.

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.

The Environmental Protection Agency, Bureau of Reclamation and the Montana Dept. of Environmental Quality have conducted numerous studies etc. of the Superfund site in Superior. These studies have analyzed, in depth, the potential environmental impacts of all of the proposed actions involved in the clean-up of this site. A critical portion of the successful clean-up of the hazardous materials associated with the Iron Mountain Mine and mitigating the potential impacts to humans and the environment of that clean-up would be the establishment of the proposed repository.

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.

Implementation of the No Action Alternative would not change any of the existing issues with human health and safety in relation to the Flat Creek drainage and\or the impacts associated with the Iron Mountain Mine.

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15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

Implementation of the No Action Alternative would not impact these values-activities would remain the same for the foreseeable future.

Implementation of the Action Alternative would not impact these values-activities would remain the same for the foreseeable future.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify direct, indirect, and cumulative effects to the employment market.

Implementation of the No Action Alternative would not create any change in the quantity and distribution of employment in the Superior area.

Implementation of the Action Alternative would not create any change in the quantity and distribution of employment in the Superior area.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify direct, indirect, and cumulative effects to taxes and revenue.

Implementation of either alternative is not likely to have a substantial impact on the Mineral County tax base in the short or long term.

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 direct, indirect, and cumulative effects of this and other projects on government services

Implementation of the No Action Alternative would not change the demand for government services within the project area in either the short or long term.

Implementation of the Action Alternative would not change the demand for government services within the project area in either the short or long term.

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.

Because the DNRC acquired this property from the U.S. Forest Service, there is no zoning and the Mineral County Growth Policy does not apply. Changing from Forest Service ownership to DNRC ownership is no net change from Mineral County's viewpoint.

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 direct, indirect, and cumulative effects to recreational and wilderness activities.

The proposed project area does not provide access to any wilderness areas.

Implementation of the either alternative has no effect on the long term to access of the area actually used as the repository. The repository area has been restricted to public access to prevent any damage/disturbance to the materials capping the hazardous waste repository. The net long-term impact would be a loss of recreational access on approximately 12 acres of state-owned land. However, should the clean-up efforts in Flat Creek be successful, in the long term, recreational opportunities in the creek may be restored.

Any funds generated through the sale of the proposed parcel would be used by the DNRC to purchase replacement lands with legal access for recreation and generate a higher rate of return for the trust.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:
Estimate population changes and additional housing the project would require. Identify direct, indirect, and cumulative effects to population and housing.

Due to the limited amount of private land adjacent to the proposed project area, implementation of either alternative is not likely to create any impacts on these resources in the short or long term.

22. SOCIAL STRUCTURES AND MORES:
Identify potential disruption of native or traditional lifestyles or communities.

Implementation of either alternative is not likely to impact the social structure and mores of the Superior area.

23. CULTURAL UNIQUENESS AND DIVERSITY:
How would the action affect any unique quality of the area?

There does not appear to be any unique qualities in the area of the proposed repository that would be impacted by the implementation of either alternative.

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 direct, indirect, and cumulative economic and social effects likely to occur as a result of the proposed action.

Implementation of the Action Alternative would be a key component in the successful clean-up of the Superfund site in Superior. Allowing the DNRC to remove itself from the role of middleman in the management of the repository, will hopefully streamline the clean-up of the Iron Mountain Mine project, and allow those parties with greater expertise in the clean-up of mine wastes and the operation of mine waste repositories to perform their activities in an expeditious manner.

The Capital Buildings Trust is not interested in retaining ownership of property containing a hazardous waste repository and the attendant liabilities associated with the storage of contaminants on this property. Funds generated from the sale of this property would be used for the purchase of other lands more suitable to long term management.

EA Checklist Prepared By:	**Name:** Jonathan Hansen	**Date:** April 4, 2012
	Title: Missoula Unit Manager	

V. FINDING

25. ALTERNATIVE SELECTED:

I have selected the Action Alternative.

I recommend the parcel receive preliminary approval for sale and continue with the Land Banking process.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

I have evaluated the comments received and potential environment effects and have determined significant environmental impacts would not result from the proposed land sale. This parcel does not have any unique characteristics; critical habitat or environmental conditions indicating the parcel should necessarily remain under management by the Department of Natural Resources and Conservation.
I have reviewed the comments and believe that all concerns have been adequately addressed under the appropriate headings.

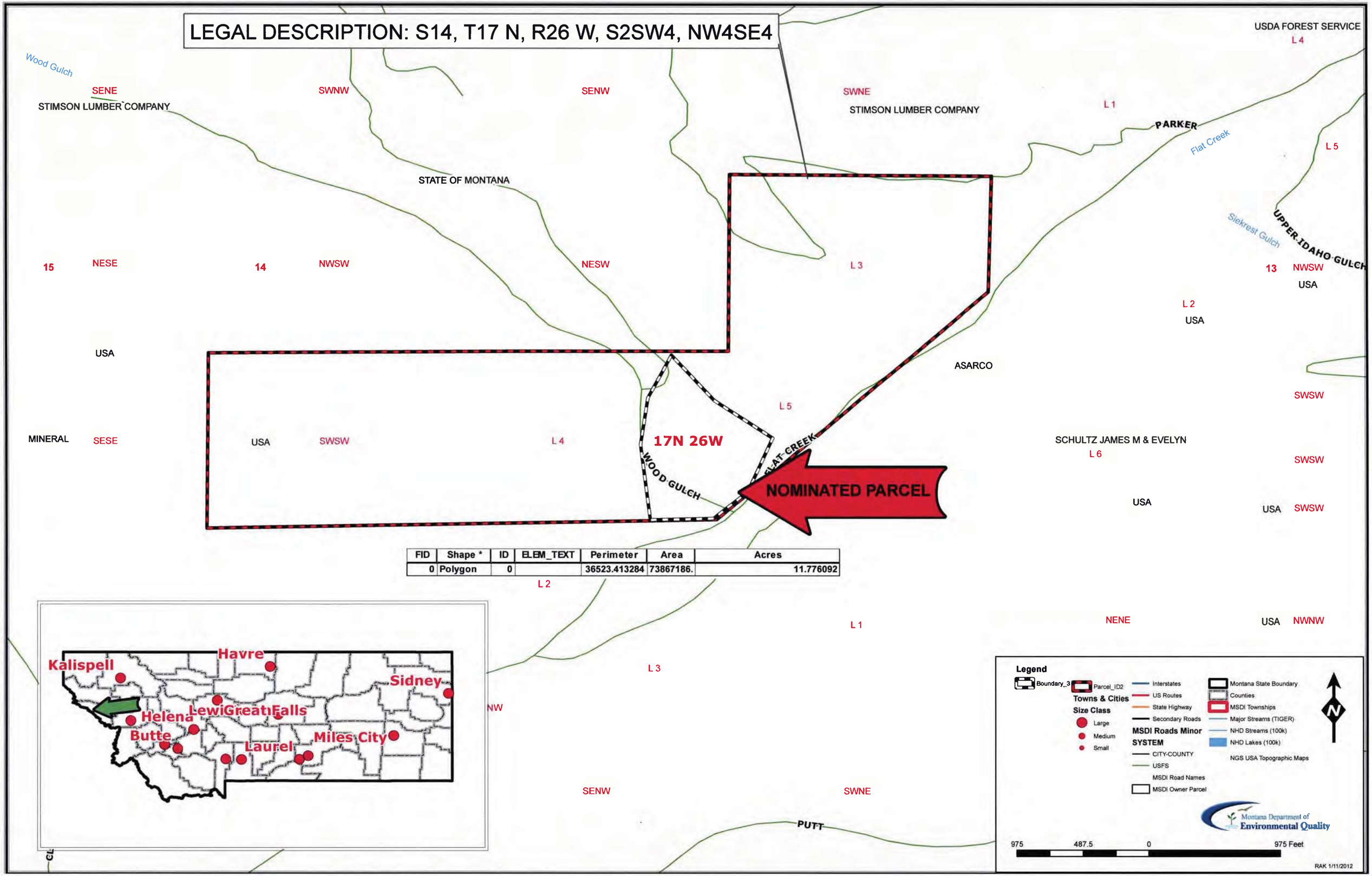
If this parcel is sold, all future actions or changes in land use would have to meet with all applicable laws and rules.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

[ ] EIS [ ] More Detailed EA [X] No Further Analysis

EA Checklist Approved By:	**Name:** Anthony L. Liane	
	Title: Southwest Area Manager	
Signature: //Signature on file		**Date:** April 17, 2012

LEGAL DESCRIPTION: S14, T17 N, R26 W, S2SW4, NW4SE4



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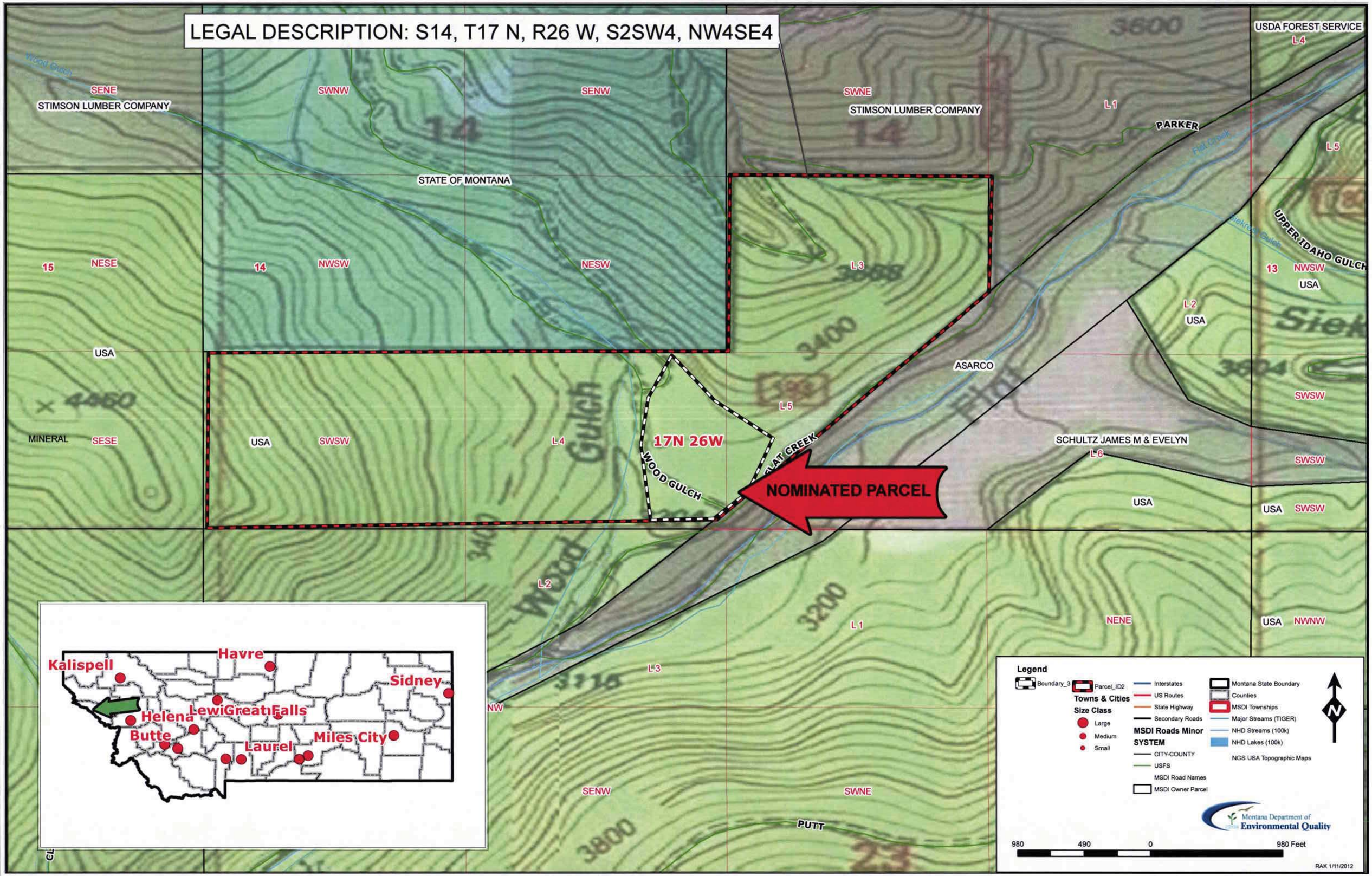
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