

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	LUL #3073230 for the use of existing two track trails.
Proposed Implementation Date:	Summer 2012
Proponent:	Fairways Exploration and Production LLC, 13430 Northwest Freeway, Suite 800, Houston, TX 77040
Location:	See below list of tracts.
County:	Teton
Trust:	Common Schools (CS) and Capitol Buildings (CB), see below list of tracts.

I. TYPE AND PURPOSE OF ACTION

The proponent has applied for LUL #3073230 to cross state land to use existing two track trails for ingress and egress to and from the adjacent portions of deeded land for surveying and traffic related to the current Seismic permit #1574 for the Pendroy 3D seismic project being performed in the area. The two track trails will only be used during the seismic project and no road improvements will occur. The two track trails cross approximately 2.06 miles or 4.99 acres of state land to access deeded property located in multiple sections. The proposed LUL #3073230 will be 20' wide on the existing two track trails.

Pendroy 3D SEISMIC PROJECT

Township	Range	Section	Portion	Footage Affected	Miles Affected	Acres Affected	Trust
26N	8W	3	NE4SE4	1,200.00'	0.23	0.55	CB
26N	8W	3	SW4NE4, NW4SE4	2,295.00'	0.43	1.05	CS
27N	8W	25	NE4EN4	1,535.00'	0.29	0.70	CS
27N	9W	11	SE4NE4, SE4	4,870.00'	0.92	2.24	CB
27N	9W	14	SE4NW4	980.00'	0.19	0.45	CB
TOTALS				7,050.00	1.34	3.24	CB
TOTALS				3,830.00	0.72	1.75	CS
TOTAL				10,880.00'	2.06	4.99	

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-Surface
 Gregory Duncan-Surface Lessee, Lease #6245 and #6246
 Broken O Ranch LLC-Surface Lessee, Lease #2138
 Kratt Bros. Creature Hero Society-Surface Lessee, Lease #5643
 Fairways Exploration and Production, LLC-Proponent

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

DNRC is not aware of any other agencies with jurisdiction or other permits needed to complete this project

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Deny the proponent the requested LUL #3073230.

Alternative B (the Proposed action) –Grant the proponent the requested LUL #3073230.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

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| <ul style="list-style-type: none">• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i>• <i>Enter "NONE" If no impacts are identified or the resource is not present.</i> |
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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.

Soils and geology in this area are generally suitable for use of the two track trails. The proponent will use existing two track trails and no road improvements will occur. The existing two track trails surface is rutted and covered with existing surface gravel. No grading and graveling of the existing two track trails will occur.

No cumulative effects to the soils are anticipated.

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.

No important surface or groundwater resources will be impacted by the proposed LUL #303230 as the two track trails are existing and no road improvements will occur.

Other water quality and/or quantity issues will not be impacted by the proposed action.

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.

The proposed LUL #3073230 will consist of no disturbance to soils, so no cumulative effects to air quality are anticipated.

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 vegetation within the proposed project area consists primarily of native rangeland grasses, forbs, and shrubs. The existing two track trails will be used and no road construction will take place, so no existing vegetation will be disturbed.

A review of Natural Heritage data through the NRIS was conducted for T26N, R8W: There were five species of concern and zero potential species of concern noted on the NRIS survey: Flowering Plants (Dicots)-Autumn Willow. Flowering Plants (Monocots)-Crawe’s Sedge, Simple Kobresia, and Rolland’s Bulrush. Bryophytes-Scorpidium Moss.

A review of Natural Heritage data through the NRIS was conducted for T27N, R8W: There were no plant species of concern noted or potential species of concern noted on the NRIS survey.

A review of Natural Heritage data through the NRIS was conducted for T27N, R9W: There was one species of concern and zero potential species of concern noted on the NRIS survey: Flowering Plants (Dicots)-Northern Buttercup

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.

The proposal does not include any land use change which would yield changes to the wildlife habitat. The proposed action will not impact wildlife forage, cover, or traveling corridors. Nor will this action change the juxtaposition of wildlife forage, water, or hiding and thermal cover. The proposed action will not have long-term negative effects on existing wildlife species and/or wildlife habitat.

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.

These tracts are located in the NCD grizzly bear recovery zone. The proposal is to use existing two track trails and no improvements to the two track trails will take place.

A review of Natural Heritage data through the NRIS was conducted for T26N, R8W. There were seventeen animal species of concern and three potential species of concern noted on the NRIS survey: Birds-Golden Eagle, Veery, Alder Flycatcher, Peregrine Falcon, Clark's Nutcracker, Long-billed Curlew, Horned Grebe, McCown's Longspur, and Ovenbird. Mammals-Wolverine, Hoary Bat, Fisher, Fringed Myotis, Merriam's Shrew, and Grizzly Bear. Fish-Westslope Cutthroat Trout, Northern Redbelly Dace, Northern Redbelly X Finescale Dace, Brook Stickleback, and Brassy Minnow. This particular tract of grazing land does not contain many, if any of these species. Threatened or endangered species, sensitive habitat types, or other species of special concern or potential species of concern will not be impacted by the utilization of the existing two track trails.

A review of Natural Heritage data through the NRIS was conducted for T27N, R8W. There were eight animal species of concern and two potential species of concern noted on the NRIS survey: Birds-Golden Eagle, Veery, and Clark's Nutcracker. Mammals-Wolverine, Fisher, Fringed Myotis, and Grizzly Bear. Fish-Westslope Cutthroat Trout, Brook Stickleback, and Brassy Minnow. This particular tract of grazing land does not contain many, if any of these species. Threatened or endangered species, sensitive habitat types, or other species of special concern or potential species of concern will not be impacted by the utilization of the existing two track trails.

A review of Natural Heritage data through the NRIS was conducted for T27N, R9W. There were eight animal species of concern and zero potential species of concern noted on the NRIS survey: Birds-Golden Eagle, Veery, and Clark's Nutcracker. Mammals-Wolverine, Canada Lynx, Fisher, and Grizzly Bear. Fish-Westslope Cutthroat Trout. These particular tracts of grazing land do not contain many, if any of these species. Threatened or endangered species, sensitive habitat types, or other species of special concern or potential species of concern will not be impacted by the utilization of the existing two track trails.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

No historical, archaeological, or paleontological resources were identified along the two track trails. No road improvements will take place to the two track trail, so no cultural resources will be impacted by this proposed LUL #3073230.

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 state land does not provide any unique scenic qualities not also provided on adjacent private lands. The proposed LUL #3073230 will use existing two track trails, so there would be no change to the aesthetics in either alternative.

No direct or cumulative effects to aesthetics are anticipated.

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.

The demand on environmental resources such as land, water, air, or energy will not be affected by the proposed action. The proposed action will not consume resources that are limited in the area. There are no other projects in the area that will affect the proposed action.

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.

There are no other projects or plans being considered on the tract listed on this EA. There is another EA in the area for a proposed seismic project located in the area. It is for Seismic Permit #1574 for the Pendroy 3D project which has had an extensive review and comment period. No direct or cumulative effects are anticipated in either alternative as referenced in that Environmental Assessment.

IV. IMPACTS ON THE HUMAN POPULATION
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| <ul style="list-style-type: none">• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i>• <i>Enter "NONE" if no impacts are identified or the resource is not present.</i> |
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14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

The proposed easement will not impact human health or safety in the area.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

The proponent will use existing two track trails and no road improvements will occur. The use of the existing two track trails will not add to or alter agricultural activities or production on the leases.

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 proposed action will not create any jobs as the two track trails are existing and no road improvements will take place.

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.

There are no direct or cumulative effects to taxes or revenue for the proposed project.

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

There will be no direct or cumulative effects on government services.

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.

The proposed action is in compliance with State and County laws. No other management plans are in effect for the area.

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.

These tracts of state land do have a high recreational value for hunting. The tracts are legally accessible to the public. The proposed action is not expected to impact general recreational activities on this state land.

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

The proposal does not include any changes to housing or developments.

No direct or cumulative effects to population or housing are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

The proposed action will not impact the cultural uniqueness or diversity of the area.

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.

This project will benefit the school trust in terms of the \$25.00 fee generated from the LUL application fee. The LUL #3073230 on the Common Schools trust land will affect 0.72 miles and on the Capitol Buildings trust land will affect 1.34 miles. This LUL #307320 will generate a onetime fee for the use of the two track trails for one year during the seismic project. These are existing two track trails and no road improvements will occur, so no cumulative economic or social effects are likely to occur.

EA Checklist Prepared By:	Name: Tony Nickol	Date: July 24, 2012
	Title: Land Use Specialist, Conrad Unit, Central Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative B (the Proposed action) –Grant the proponent the requested LUL #3073230.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The applicant will be temporarily using existing roads to access private property for surveying and other seismic operations. This will be used in conjunction with the Pendroy 3D seismic permit (#1574), which has under gone extensive departmental environmental review. No road improvements or off road use will occur. There are no other reasonable routes to provide access to these areas of the seismic project. Significant impacts are not anticipated as a result of issuing the LUL. The applicant will pay the school trust a one-time fee for the limited use of these roads.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS

More Detailed EA

No Further Analysis

EA Checklist Approved By:	Name: Erik Eneboe Title: Conrad Unit Manager, CLO
Signature: 	Date: July 26, 2012



