

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Land Exchange Between DNRC and Bob Peebles (Lazy F6 Ranch LLC)
Proposed Implementation Date:	Fall 2012
Proponent:	DNRC and Bob Peebles (Lazy F6 Ranch LLC)
Location:	See below list of tracts
County:	Teton
Trust:	Western/Eastern (W/E) and MSU Morrill (MSU), see below list of tracts.

I. TYPE AND PURPOSE OF ACTION

The proponents are proposing a land exchange of approximately 710.00 acres of state owned trust land for approximately 716.01 acres of deeded private land. The exchange is proposed in order to provide greater management flexibility between state and private lands. This will be accomplished by blocking state land ownership that will be legally accessible.

Private Land Proposed for Exchange

County	Legal Description	Section	T	R	# of Acres
Teton	E2NW4, N2SW4, SE4SW4, SW4SE4, N2SE4NE4	24	24N	7W	260.00
Teton	NW4NE4, SW4NE4, E2W2, SE4, PT. SE4NE4 South of the Bellview Road	25	24N	7W	425.12
Teton	PT. NE4SW4, PT. SW4NW4 (Lot 2), PT. NW4SW4 (Lot 3), West of the Bellview Road	30	24N	6W	30.89
	Total:				716.01

State Land Proposed for Exchange

County	Legal Description	Section	T	R	# of Acres	Trust
Teton	N2NW4, SW4NW4, SE4, S2SW4	27	24N	7W	360.00	W/E
Teton	SE4NW4, SW4NE4, N2SW4	27	24N	7W	160.00	MSU
Teton	W2NE4SE4, NE4NE4SE4	22	24N	7W	30.00	W/E
Teton	NW4SW4, S2SW4, SW4SE4	26	24N	7W	160.00	W/E
	Total:				550.00	W/E
	Total:				160.00	MSU
	Grand Total:				710.00	

II. PROJECT DEVELOPMENT

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

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

Bob Peebles, Lazy F6 Ranch LLC – Proponent and Surface Owner
 DNRC-Proponent and Surface Owner

Interested Parties

The Blackfeet Tribe
Teton county Commissioners
Montana FWP – State Office
Montana FWP-Region 4 Manager
Montana FWP-Brent Loner, Local Biologist
Montana School Board Association
Montana Association of Counties
Montana Audubon
Montana Environmental Information Center
Dept. of Environmental Quality
Dept. of Transportation
Montana Wilderness Association
The Blackfeet Nation
The Nature Conservancy
Montana Stock growers Association
State Historic Preservation Office
Representative Christy Clark – House District 17
Senator Rick Ripley – Senate District 9
Tribal Historic Preservation Office- Confederated Salish & Kootenai Tribes
Rose Leach – Confederated Salish & Kootenai Tribes
CSKT-Tribal Preservation Department
MT Coalition for Appropriate Management of State Land
Montana State University – MSU Morrill Leslie Taylor
Western MT College – State Normal School Dr. Richard Storey, Chancellor
Montana State University - Billings
Friends of the Rocky Mountain Front
Montana Wildlife Federation

Adjacent Land Owners

NITUMO Land, LLC
Wilma J. Britt
Clay Crawford
Museum of the Rockies Inc.
Henry J. Bouma
Lazy F6 Ranch LLC
Gollehon Ranch LLC

Public Scoping notice published in the Choteau Acantha February 1 and 8, 2012.
DNRC held a public meeting to accept comments regarding the proposed land exchange on August 30, 2012, 1:00 p.m., Teton County Courthouse, One individual and 3 Teton County Commissioners attended.

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 land exchange.

Alternative B (the Proposed action) –Approve the land exchange.

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.

The state owned and privately owned lands are currently being utilized for grazing by livestock. Grazing would continue on all lands if the proposed land exchange was approved. The proposal does not include any ground disturbing activities. No cumulative effects to the soils are anticipated in either alternative as land use would not change.

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.

Numerous water rights will be affected as surface ownership is changed due to the proposed land exchange. DNRC and Peebles with the assistance of DNRC Water Rights Division will be responsible for making the necessary changes to ownership of the water rights. This will be completed at closing and will reflect new ownership. Water rights and place of use will remain the same and no changes to existing water and land management are expected. The following water rights will be affected by the proposed land exchange in the following manner

Lazy F6 Ranch LLC to the Montana State Board of Land Commissioners
410-22001-00
410-22015-00

Water rights that will be split between Lazy F6 Ranch LLC and the Montana State Board of Land Commissioners:
410-30050419
410-30050404
410-215607-00

Montana State Board of Land Commissioners to the Lazy F6 Ranch LLC:
410-22057-00
410-30050403
410-30050404
410-30050415
410-30050416
410-30050417
410-30050418

No important surface or groundwater resources will be impacted by the proposed project as no change in the current land use is expected to take place. Other water quality and/or quantity issues will not be impacted by the proposed land exchange.

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 land exchange will not consist of any 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 land exchange area consists primarily of native rangeland grasses, forbs, and shrubs. Existing land use patterns are expected to continue after the exchange on both the state owned and privately owned parcels. Vegetation may be affected by numerous land management activities including livestock grazing, development, wildlife management or other agricultural use. It is unknown what land use activities may be associated with a change in ownership; however the vegetation on these tracts is typical of a land throughout the vicinity and there are no known rare, unique cover types or vegetation on the tracts. It is expected that this land will be used for grazing livestock in the future. The proponent has indicated that the future land use would remain as grazing land. The proposal does not include any on-the-ground activities, or changes to activities and therefore we do not expect direct or cumulative effects would occur to vegetation as a result of the proposal.

A review of Natural Heritage data through the NRIS was conducted. **T24N, R6W:** There were zero plant species of concern and zero potential species of concern noted on the NRIS survey. **T24N, R7W:** There were nine plant species of concern and zero potential species of concern noted on the NRIS survey: Dicots-Great Basin Downingia and Mealy Primrose. Monocots-Beaked Spikerush, Tapered Rush, Simple Kobresia, and Tufted Club-rush. Bryophyta-Cinclidium Moss, Meesia Moss, and Scoripidium Moss. The proposal does not include any ground disturbing activities, hence these particular species will likely not be impacted. Threatened or endangered species, sensitive habitat types, or other species of special concern or potential species of concern will not be impacted by the proposed land exchange.

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 area is located on the Rocky Mountain Front and is considered good to excellent wildlife habitat. These tracts provide habitat for a variety of big game species (mule deer, whitetail deer, and pronghorn antelope), predators (black bear, grizzly bear, coyote, fox, and badger), upland game birds (sharp tail grouse, Hungarian partridge), other non-game mammals, raptors and various songbirds. 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.

This parcel is located in the NCD grizzly bear recovery (occupied) zone. The proposed land exchange will not result in any land use change or habitat manipulation and impacts to Grizzly Bears and the associated habitat is not expected.

A review of Natural Heritage data through the NRIS was conducted. **T24N, 6W:** There were six animal species of concern and two potential species of concern noted on the NRIS survey: Birds-Sprague's Pipit, Ferruginous Hawk, Bobolink, Bald Eagle, McCown's Longspur, and Hooded Merganser. Reptiles-Greater Short-horned Lizard. Fish-Brook Stickleback. **T24N, R7W:** There were sixteen animal species of concern and five potential species of concern noted on the NRIS survey: Birds-Sprague's Pipit, American Bittern, Ferruginous Hawk,

Chestnut-collared Longspur, Cassin's Finch, Veery, Black Tern, Bobolink, Alder Flycatcher, Clark's Nutcracker, Long-billed Curlew, Horned Grebe, McCown's Longspur, Brewer's Sparrow, Pacific Wren, Barrow's Goldeneye, Swainson's Hawk, Ovenbird, and Rufous Hummingbird. Reptiles-Greater Short-horned Lizard. Fish-Brook Stickleback. The proposal does not include any land use change which would modify wildlife habitat for 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 proposed land exchange.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

The state parcels involved in the proposed Lazy F6 Land Exchange were inventoried to Class III standards for cultural and paleontological resources. Six cairn sites and a small diameter stone circle were formally recorded. Most of these resources were subsequently evaluated to determine if they are potentially eligible for listing in the National Register of Historic Places (NRHP). Although two cairn sites have not been evaluated, the other archaeological resources appear to be ineligible for the NRHP. No further archaeological investigative work is recommended for the proposed land exchange.

A cultural and paleontologic resources inventory report has been prepared and is on file with the DNRC, (Helena) and the Montana State Historic Preservation Office (Helena):

Rennie, Patrick J. 2012 A Cultural Resources Inventory of State Land within the Proposed Lazy F6 Land Exchange. Report prepared for the DNRC (Helena, MT). Report dated June, 2012.

It should be noted that Two Medicine geological formations occur beneath the ground surface of the subject state tracts. Although rich fossil resources have been discovered in the general area, no paleontologic materials were identified on the subject state tracts. Alternately, the state may acquire private land in Section 24, T24N R7W as part of the proposed exchange. A cursory examination of this particular tract revealed small fragments of dinosaur bone thinly and intermittently distributed throughout the heavily eroded areas. Presently, it is uncertain if scientifically significant paleontologic remains exist on this parcel, but the potential certainly exists.

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 land exchange is in a remote area, 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 project.

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 tracts listed on this EA.

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.

No direct, indirect, or cumulative impacts to human health and safety are anticipated as a result of the proposed action.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

Existing land use practices are anticipated to continue after the land exchange. The Bob Peebles will continue to lease state land for grazing purposes after the exchange is completed.

No direct, indirect, or cumulative impacts to industrial, commercial, or agricultural activities are anticipated as a result of the proposed action.

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 new jobs.

No cumulative effects to the employment market are anticipated as a result of the proposed action.

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.

The proposed land exchange is essentially tax revenue neutral because the exchange consists of near equal acreages. The result of the proposed land exchange would yield 716.01 acres that become tax exempt when transferred from private to state ownership, while concurrently 710.00 acres of land transferred from state to private ownership will become taxable. Teton County Commissioners are aware of the proposal and supported the exchange.

There are not other direct or cumulative effects to taxes or revenue for the proposed action.

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, indirect, 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.

The proposed land exchange will increase access to 880 acres of state land that was previously land locked. The proposal will create a block of state land consisting of 2,095.12 acres. All of this land is accessible from the Bellview Road (County Road). Access to Willow Creek, the adjoining breaks, and uplands all provide excellent

hunting, fishing and other general recreational opportunities. The existing state land proposed to be exchanged to private ownership is largely land locked with no legal access. Exchanging of these lands would not isolate any other state lands in the area. The proposed action will greatly improve recreational access to state lands in this area.

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.

The exchange will create split mineral estates. DNRC has vast holdings of split mineral estates throughout Montana. Over time DNRC has effectively managed these split estates on behalf of trust beneficiaries.

The private land offered in the exchange contains 716.01 acres of grazing land that would support 184 AUM's. The state minimum grazing rental is \$7.90/AUM. Thus the projected annual income is \$1,453.60.

The state land offered in the exchange contains 710.00 acres of grazing land that will support 201 AUM's. The state minimum grazing rental is \$7.90/AUM. Thus the project annual income from grazing is \$1,587.90. Also, the state land offered for exchange contains acres that are classified as hay when cut (HWC). Section 22 contains 5.00 acres of HWC with a 9 year average of \$14.33/acre for a total return of \$71.65 per year. Section 27 contains 12.00 acres of HWC with a 9 year average of \$11.95/acre for a total return of \$143.40 per year. Section 27 contains 5.00 acres of HWC with a 9 year average of \$13.19/acre for a total return of \$65.95. The total income from the state land offered for exchange is \$1,587.90/year from grazing and \$281.00 from (HWC) for a total of \$1,868.90.

Based on productivity of the lands, the proposed land exchange does not meet the land exchange criteria of equal or greater income. The proposed land exchange will result in a loss of revenue to the state of \$415.30/year. The exchange proponent is proposing to make a contingency donation of \$4,613 to be deposited in the permanent fund. This donation would produce an annual annuity of \$415.30, over 20 years to supplement the income generated from the lands the state would receive.

DNRC has completed extensive public scoping and received 1 written comment from Montana FWP supporting the proposed exchange because of the increased recreational access. DNRC received one phone call from the Museum of the Rockies generally supporting this exchange as long as Paleological resources will be considered in the future management of the area. DNRC received 1 verbal comment from the August 30th public meeting which voiced general support of the project because of the increased public access to state land in this area. DNRC received no written or verbal opposition to this proposed land exchange.

EA Checklist Prepared By:	Name: Tony Nickol	Date: September 19, 2012
	Title: Land Use Specialist, Conrad Unit, Central Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

I have selected Alternative B (the Proposed action) –Approve the land exchange

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

Significant impacts are not expected to occur as a result of the proposed land exchange. With the contingent donation, the proposed project meets the 7 land exchange criteria set forth by the Land Board. This proposed exchange increases access to state land for recreational and management purposes. The proposal did not receive any public opposition during scoping.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

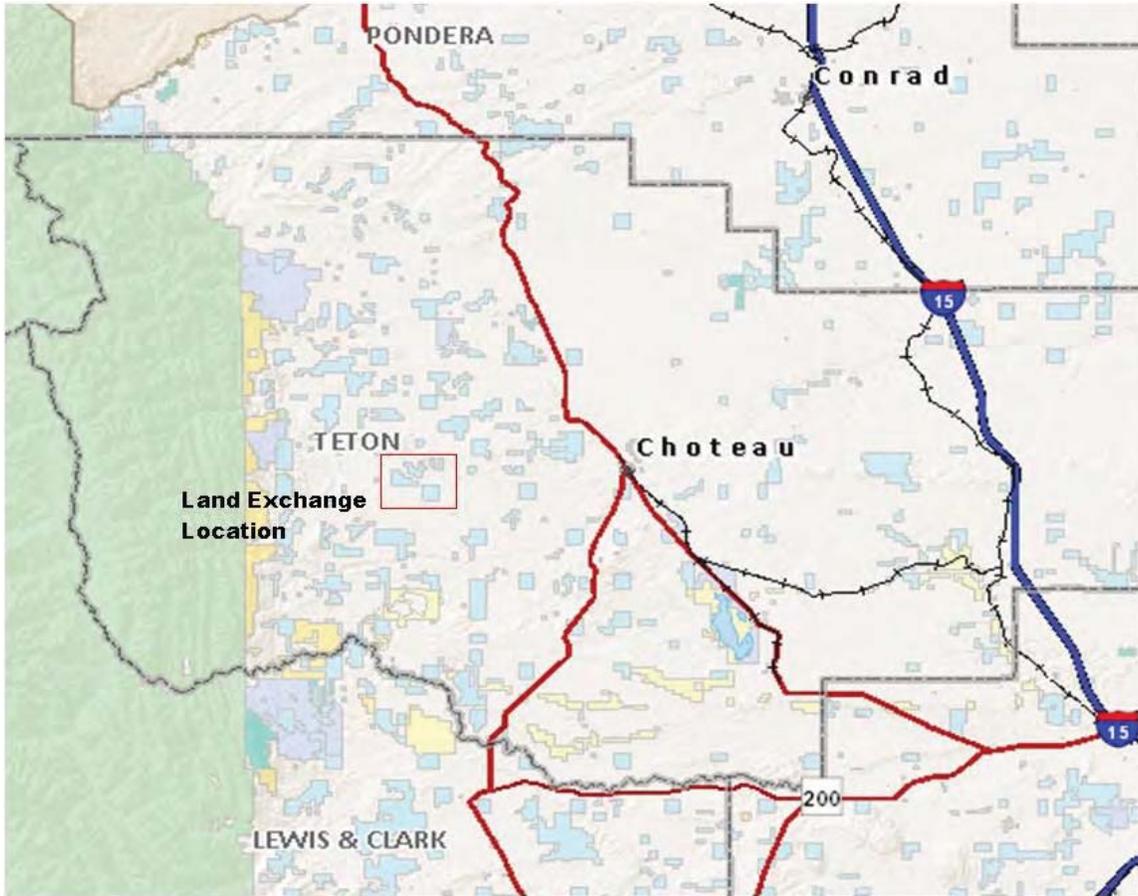
EIS

More Detailed EA

No Further Analysis

EA Checklist Approved By:	Name: ERIK ENEBOE
	Title: Conrad Unit Manager
Signature: 	Date: September 20, 2012

Peebles/Lazy F6 Land Exchange Location Map



Peebles/Lazy F6 Land Exchange General Map

