CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Lane Alternative Drain Field Site, Easement and LUL
Implementation Date:	April, 2011
Proponent:	Ron and Betsy Lane
Location:	Section 16, Township 6 South – Range 3 West
County:	Madison

I. TYPE AND PURPOSE OF ACTION

Ron and Betsy Lane of Box 261, Virginia City, Montana are interested in purchasing an easement from the Montana DNRC for an alternative drain field site on state land. The Lane's are currently trying to purchase the land that their home is on, but are unable to complete the transaction until they have an alternative site for a drain field. Their current drain field works fine, but due to zoning regulations in Madison County they are not able to purchase the property without an alternative site. Their current acreage does not have enough room to install an alternative drain field and the only other neighbor besides the State will not allow the Lane's to put a drain field on his property (Cal Creek Cattle Company). Because the Lane's property is next to state highway 278 the only option they have for an alternative drain field is on state land. This EA is also for a Land Use License (LUL) to perform preliminary work to determine what type of drain field Madison County Sanitarian will require at the location. The license would allow the Lane's to perform a perk test, and dig a 4 foot x 4 foot soil profile pit with a backhoe on state land. The soil profile pit will allow the Sanitarian to determine which type of drain field he will require at this particular location. The pit would be re-claimed after the Madison County Sanitarian has inspected it.

II. PROJECT DEVELOPMENT

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

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

MT FWP Wildlife Biologist, Bob Brannon
Madison County Sanitarian, Ralph Hamler
Madison County Commissioners
Madison County Planner, Charity Fletcher
Hart Batis, State land Lessee
Ron & Betsy Lane
Patrick Rennie, MT DNRC Archeologist
Montana Natural Heritage, NRIS Search

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

Madison County Sanitarian

3. ALTERNATIVES CONSIDERED:

A. Action Alternative – Give Ron and Betsy Lane a LUL to complete the necessary preliminary steps for an alternative drain field and sell an easement to the Lane's for an alternative drain field on Section 16, Township 6 South – Range 3 West.

B. No Action Alternative – Deny Ron and Betsy Lane a LUL and easement for an alternative drain field on state land.

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 NRCS soil survey identifies the soils at this location as Varney Clay Loam. The settings for these types of soils are usually found in alluvial fans, hills and fan terraces. These soils have a land capability classification of 4e. The typical profile is 0 to 5 inches Clay loam, 5-16 inches Gravelly clay loam, 16 to 48 inches, Gravelly sandy clay loam and 48 to 60 inches Stratified gravelly loamy sand to loam. These soils are generally well drained, don't hold moisture on the surface which reduces the amount of erosion activity due to runoff events. The surface is slippery when wet due to the amount of clay in the top portion of the soil. No long term or cumulative impacts are expected from either the LUL activities or possible future construction of a drain field.

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.

Alder Gulch is located approximately ¼ mile south of this proposal; however the ditch along MT Highway 278 would capture any sediment from any activities associated with this proposal from reaching the creek. The Madison County Sanitarian will determine the type of drain field that would be required to protect ground water resources, or degradation of water quality. This is the reason for the soil profile pit is being dug and the perk test performed. No long term or cumulative impacts are anticipated from this proposal.

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.

This proposal will have no long term or cumulative effects on ambient air quality standards in the area.

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 current vegetation is native bunch grasses and sage brush. An NRIS search didn't reveal any rare plants or cover types identified in this area. Any ground disturbance will require the planting of native grass seed on disturbed areas. No long term or cumulative impacts are anticipated from this proposal.

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.

An NRIS search of this location didn't identify any threatened or endangered species occurring within the proposal area. The proposal is located near MT Highway 278 and has traffic from the towns of Nevada and

Virginia City accessing the transfer station on a gravel road within 100 yards of the proposed site. The area supports small mammal and bird use, however due to the location of the Lane's residence and moderate traffic this is not considered prime wildlife or bird habitat. No long term or cumulative impacts to wildlife habitat would occur due to this proposal.

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.

Although no threatened or endangered species or habitat are identified in the proposal location, the state section does have activity or has the potential for use by the following species; gray wolf, Brewer's sparrow, wolverine, and pygmy rabbit.

Gray Wolf (Canus Lupus) Wolves are distributed throughout Southwest Montana. The project would not have any measurable effect on wolf prey or wolves, thus direct, indirect, or cumulative effects are not anticipated.

Brewer's Sparrow (Spizella breweri) – Brewer's sparrow is a BLM sensitive species. Per Montana Natural Resource Information Service (NRIS), the species prefers nesting in sagebrush averaging 16 inches in height. Where the proposal is located there isn't any sage brush present, however the birds my use the area during certain times of the year. The proposed project would not significantly alter the current vegetative community and the limited use of this proposal should not alter the vegetation permanently or lead to negative cumulative effects on Brewer's sparrow populations in this area.

Wolverine (Gulo gulo) – Wolverines are listed as sensitive by both the BLM and USFS. Per Montana Natural Resource Information Service (NRIS) wolverines have been seen within ½ mile of the proposed site. This proposal however, has a small foot print and is located by an existing state highway and homestead which are not considered prime wolverine habitat. Because of this no long term or cumulative impacts to wolverines are anticipated from this proposal.

Pygmy Rabbit (Brachylagus idahoensis) Pygmy Rabbit's have been sited within ½ mile north of the proposed project area. The project could affect the rabbits during the construction phase, and may destroy some of the surrounding sagebrush cover if the drain field was ever constructed. However the foot print will be an area of 50' X 100' so very little habitat loss would occur. The rabbits are currently not identified as using the location where the proposal is located. The overall impact to the species from this proposal would be minimal. Because of this no long term or cumulative impacts are anticipated.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:
Identify and determine effects to historical, archaeological or paleontological resources.

No archaeological or paleontological resources have been identified at the proposals locaction.

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.

This proposal is located just north of highway 278 near Nevada City, MT. The proposal would be clearly visible from the highway. Because of the proposals small foot print and the drain field being located below ground the impacts to the aesthetics would be minimal. All disturbed soils will be seeded with native grass seed and reclaimed. No long term 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.

This proposal will have no long term or cumulative impacts on environmental resources of land, water or energy in the southwest Montana area.

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 currently are no other environmental reviews occurring in this area that I am aware of and there weren't any identified during the scoping process.

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.

Any drain field construction will need to be inspected and approved by the Madison County Sanitarian. No long term or cumulative impacts to health and safety are anticipated.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

This proposal will not affect the current grazing lease on this tract of state land. If the drain field is ever constructed the foot print is small less than ¼ acre and will not reduce the amount of grazing available on the section.

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.

This proposal will not affect employment in the area.

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.

This proposal will not affect the local or state tax base or 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.

This proposal will not affect the demand for 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.

Under the current zoning regulations in Madison County the Lane's are unable to purchase the property that their house is on without an alternative site for a septic system drain field. If the easement is granted the Lane's will purchase the property that their house is on. If the easement is not granted the Lane's will need to move their house from the property and relocate to another location.

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.

Due to the proposals location away from any wilderness or recreation areas there will not be any long term affect on recreation or wilderness activities.

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 will allow the Lane's to purchase the land that their house is on. There will be no additional houses constructed by the granting of this proposal.

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

N. A.

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

The Lane's house has been located in this location for approximately twenty years. No changes to the uniqueness or diversity of the area are anticipated if this proposal is approved.

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 approved the LUL will generate a onetime fee of $150.00, and the easement would generate a onetime fee of approximately $500.00.

EA Checklist Prepared By:	**Name:** Timothy Egan	**Date:** April 5, 2011
	Title: Dillon Unit Manager	

V. FINDING

25. ALTERNATIVE SELECTED:

Issue Land Use License to allow testing and if suitable recommend issuing an easement for the drainfield.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

Significant impacts are not anticipated as a result of the proposed activity. The existing drainfield servicing the residence is functioning and suitable for the use. The alternate drainfield site would only be used if the original drainfield fails. There is no other suitable location on the lot where the residence is located. The drainfield will only encumber roughly a 150' X 150' area (.52 acres). The applicant purchased the residence many years ago believing there was a State Lease for the property. It turns out after surveying, the structures are located on private land. The private land owner is willing to sell the lot to the applicant but an alternative drainfield location is required by Madison County. Madison County Sanitarian will oversee and approve the design of the alternate drainfield to ensure compliance with current standards. There are no unique environmental conditions associated with this parcel, it is located close the highway and is used for similar development purposes.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

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

EA Checklist Approved By:	**Name:**	Garry Williams
	Title:	Area Manager, Central Land Office
Signature:		**Date:** 4/7/2011

Ron & Betsy Lane Alternative Drain Field
Section 16, township 6 South - Range 3 West, Madison County

0 0.03 0.06 0.12 Miles

1:3,128

N

TE, 3/10/2011