

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Roen Ranch Access Easement
Proposed Implementation Date:	February 2013
Proponent:	Cliff and Linda Roen
Location:	Section 36, Township 7 North, Range 28 East (Common Schools)
County:	Musselshell County

I. TYPE AND PURPOSE OF ACTION

Cliff and Linda Roen submitted an application to allow a 30' private access easement for farm and ranch purposes across state Trust land described as Section 36-T7N-R28E in Musselshell County. The easement is proposed to encumber ±4.7 acres. The proposed easement would generally follow an existing two-track road that runs diagonally across the state land from southeast to northwest. The applicant is proposing to construct two new segments of road: a ±270' segment at the east end of the road to connect into Section 31-T7N-R29E; and a ±284' segment at the north end of the section that would go into Section 25-T7N-R28E. The proponent has obtained easements from both of these landowners which will provide access from the county road (Fishel Creek Road) to their deeded land in Section 26. The proponent originally requested a Historic easement for use of this road. However, after the east section line was surveyed, it was found that a small portion of the existing road is actually not on the Trust land. The proponent attempted to get an easement or some other permission to utilize this segment of road from that abutting landowner, but was not successful. This is the route that has historically been used to access the interior of the Trust land, as well as other private land to the west and north. The proponent instead approached another landowner in Section 31-T7N-R29E and obtained an easement to cross their private land between the County Road and the Trust land. The Roens own Section 26, which is kitty-corner to the Trust land, so they also obtained an easement from the owner in Section 25-T7N-R28E to cross the far southwest portion of that private land to access their deeded land. (see attached Exhibit A)

II. PROJECT DEVELOPMENT

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

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

No formal public scoping was performed by DNRC for this proposed project.

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

None.

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Issue a 30' private access easement to Cliff and Linda Roen for farm and ranch purposes.

No Action Alternative: Deny the request by Cliff and Linda Roen to issue a 30' private access easement for farm and ranch purposes.

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 topography of the area where the road is located is gently rolling. The soils in the easement area consist mostly of a clay loam. The NRCS Soil Survey rates the soils that the road crosses as “somewhat limited” and “very limited” for road construction mainly due to issues with slope and depth to bedrock. A vast majority of the easement will utilize an existing two-track trail, with the minor construction taking place along the east section line and in the far northwest corner of the section. Neither of these areas of new construction have significant slopes. The road location was agreed to by the Southern Land Office and the proponent during a field visit. No significant adverse impacts are anticipated by the implementing the proposed action.

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 existing road runs parallel to an intermittent drainage while the areas of new construction are located away from any drainage ways. No significant adverse impacts are anticipated from 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.

No significant adverse impact is expected to air quality by implementing the proposed action.

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 action of issuing an easement and constructing two small segments of new road will remove a small area of existing vegetation. A vast majority of the easement route is along an existing two-track road and the new construction areas will disturb less than 0.15 acres of vegetation. No significant adverse impacts to vegetative cover, quantity or quality are expected as a result of implementing the proposed alternative.

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.

No significant adverse impacts to terrestrial, avian and aquatic life and habitats are expected to occur as a result of implementing the proposed alternative.

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.

After consulting with the Montana Natural Resource Information System (NRIS) database, there were no species of concern identified on the subject section. Therefore, no significant impacts are expected from implementing the proposed alternative.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

The proposed action would utilize an existing two-track road with the exception of two new short extensions of the roadway. SLO staff walked both new construction routes and did not note any cultural resources that required further investigation. Therefore, no adverse effects to state-owned Historic Properties are expected with the implementation of the proposed 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 cumulative effects to aesthetics.

The proposed alternative would result in the continued use of an existing two-track road along with the construction of two new segments of road that combined would be ±550'. The road construction would involve the removal of the existing vegetation in the road area, so there will be a minor change in the character of the area; however, the area affected is relatively small so any overall impact will be minimal.

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.

No significant impacts to environmental resources of land, water, air or energy are expected occur as a result of implementing the proposed alternative.

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 known projects on this section of Trust land that would require MEPA by the DNRC.

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.

No significant adverse impacts to human health and safety are expected to occur as a result of implementing the proposed alternative.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

No significant impacts to industrial, commercial and agricultural activities and production are expected to occur as a result of implementing the proposed alternative.

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 alternative will not have a significant impact on the quantity and 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.

The proposed action will have no adverse impact on tax revenue from the State land since it is exempt from property taxes.

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

The implementation of the proposed alternative is not expected to generate any additional demands on services provided by Musselshell County.

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.

Musselshell County does have an adopted Growth Policy that covers the entire County and the proposed alternative does not conflict with it. In addition, the subject property is not in an area that is zoned by Musselshell County.

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 subject Trust land is utilized by recreationists due to the ability to access it from the County road in the far southeast corner of the section. The proposed alternative will not adversely impact the ability to access the Trust land and should have no or minimal adverse impact on any hunting or other recreational use that occurs on this tract.

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 significant adverse impacts to density and distribution of population and housing are expected to occur as a result of implementing the proposed alternative.

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 proposed alternative.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

Implementation of the proposed alternative would not directly impact cultural uniqueness or diversity.

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 Common Schools Trust will benefit by getting a one-time fee of \$2,350 (4.7 acres x \$500/acre) for the Easement area.

EA Checklist Prepared By:	Name: Jeff Bollman, AICP	Date: 25 January 2013
	Title: Area Planner, Southern Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that an easement be granted to Cliff and Linda Roen for farm and ranch access.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant impacts to the Trust land is minimal due to nature of the proposed action which is to grant an easement for farm and ranch access that uses an existing two-track road with the exception of two new short road segments. Additionally, there were no species of concern identified on the tract and no other natural features that could produce adverse impacts from the proposed action.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS
 More Detailed EA
 No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott	
	Title: Area Manager, Southern Land Office	
Signature: Matthew Wolcott		Date: January 28, 2013

Exhibit A – Area Map

