

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	NorthWestern Energy Wicks Lane Substation Expansion
Proposed Implementation Date:	Spring/Summer 2013
Proponent:	NorthWestern Energy
Location:	Section 20, Township 1 North, Range 26 East (Common Schools Trust)
County:	Yellowstone County

I. TYPE AND PURPOSE OF ACTION

NorthWestern Energy is proposing a minor expansion to an existing easement that they have on Trust land in Section 20, T1N, R26E in Yellowstone County. The original easement was granted in 1979 via Application #8034 (D-7171) and was for the purpose of constructing a substation. The existing easement measures 500'x500' but the substation sits diagonally on the easement paralleling the twin 230kV transmission lines that cross through the substation as well as the Trust land from the southeast to the northwest. NorthWestern is proposing to make some upgrades to the substation to improve its reliability and to do this they need to expand the existing fenced area that surrounds the entire substation. The new fence would abut the existing western boundary of the easement, however due to a grade change, NorthWestern will need to excavate out beyond the existing easement area. The slope already extends outside of the existing easement so the new easement would correct this trespass and also helps stabilize the existing poorly constructed slope. The new easement would add 0.096 acres to the existing easement. It is a trapezoidal shape that is approximately 150' at its longest length from north to south and extends west approximately 35' towards an existing cell tower lease on the Trust land (see Attachment A).

The final construction drawings have not been completed yet, but the Southern Land Office Area Planner did meet with representatives from NorthWestern Energy and HDR Engineering on site to review the proposal. The SLO was concerned with the erosion taking place on the existing slope and discussed BMPs with HDR and NorthWestern. The SLO is recommending that a condition be placed on the easement that the treatment for the slope be submitted to and approved in writing by the SLO prior to the commencement of any construction work in the new easement area. Such a condition was discussed with NorthWestern Energy and they were agreeable to such a stipulation being placed on the new easement.

II. PROJECT DEVELOPMENT

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

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

The Southern Land Office did not conduct any formal scoping for the project with the exception of discussions with the proponent and their consulting engineering firm. A lessee settlement form was signed by the state grazing lessee.

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

None

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Approve the issuance of an amended easement to NorthWestern Energy for the purpose of expanding an existing substation.

No Action Alternative: Deny the request by NorthWestern Energy to issue an amended substation easement.

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 proposed easement will permit the expansion of the existing Wicks Lane substation. The soils in the area consist of a fine sandy loam. NorthWestern Energy is proposing to expand the fenced area of the substation to accommodate new transmission equipment to help improve the stability of their electric service. A portion of the substation expansion would require additional earthwork on the Trust land to move the slope to the west to accommodate the expanded fence. The substation currently has a slope that trespasses onto the Trust land and is not very stable. The expanded easement would encompass this trespass plus the new cut and would provide a more stable slope that will be less susceptible to erosion. Final design plans for the new slope have not been prepared, but the SLO is recommending that a stipulation be placed on the easement that would require SLO approval of the final slope design before construction begins. The design will most likely consist of placing fabric on the new slope and then seeding it with an acceptable grass seed species that will provide stability to the soil and inhibit erosion. No significant adverse impacts to geology, soil quality, stability and moisture are expected by implementing the proposed alternative.

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.

There are no surface waters near the easement area; therefore no significant adverse impacts to water quality, quantity and distribution are expected by implementing the proposed alternative.

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 impacts to air quality are expected by implementing the proposed alternative.

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.

A search of the Montana Natural Heritage Program database indicated that no plant species of concern are located on the subject section. The new easement area is only 0.096 acres and will result in a new slope being cut into the Trust land, but it will be re-vegetated with a grass seed approved by the SLO.

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.

A variety of big game, small mammals, raptors, songbirds and grouse could use this area. The easement is located on an urban parcel of Trust land that has development to the north of it, immediately north of the substation and cell tower. The site is already developed with a substation so a minor addition is not expected to have any significant impacts on the limited wildlife use the site already supports.

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.

A proposed project area search of the Montana Natural Heritage Program database identified seven vertebrate animals that are listed as a species of concern or threatened species: Greater sage-grouse, Pinyon Jay, Spotted Bat, Greater Short-horned Lizard, Common Sagebrush Lizard, Western Hog-nosed Snake and Milksnake.

Greater sage-grouse have been observed in this general area; however the closest lek identified was over 3 miles northwest of the proposed easement. The area around Billings is not in the sage-grouse core area that has been identified by Montana Fish, Wildlife and Parks. Additionally, the easement area does not contain any sagebrush and no significant impacts are anticipated.

Pinyon Jay is listed as a species of concern and has been observed in the general area around the proposed project, but not on the Trust land. No significant impacts are anticipated.

Spotted Bat is listed as a species of concern. The easement area does not contain features that comprise their preferred habitat. The Spotted Bat could traverse or forage through the subject site and they may roost outside the project area in the surrounding cliffs and outcroppings. No significant impacts are anticipated.

Greater Short-horned Lizard is listed as a species of concern. The proposed easement area does have characteristics of the preferred habitat of the greater short-horned lizard, but the easement area is only 0.096 acres and will be sloped and reseeded. The Montana Field Guide shows their Montana range as the eastern 2/3rds of the state, essentially the portion of the state east of the Rocky Mountain Front. The proposed action is not expected to have a significant impact based on its extensive range and the small size of the easement.

Common Sagebrush Lizard is listed as a species of concern. The proposed easement area has some of the characteristics that are desirable for the common sagebrush lizard habitat. The Montana Field Guide shows an extensive range, that runs roughly east and south of the Missouri River. The proposed action is not expected to have a significant impact based on its extensive range and the small easement area.

Western Hog-nosed Snake is listed as a species of concern. The habitat for the western hog-nosed snake is not well defined; however their year-round range includes most of the state east of the Rockies, so it is possible that they may be on the subject property. Any impact of this proposed action will be minimal in comparison to their entire range.

Milksnake is listed as a species of concern. The proposed easement area has some characteristics that are common for milksnake habitat. The Montana Field Guide shows an extensive range, that runs roughly east and south of the Missouri River. The proposed action is not expected to have a significant impact based on its extensive range and the relatively small easement area.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

There are no cultural resources known to exist within the proposed project area. Additionally, when the SLO Area Planner visited the site in March of 2013, a visual survey of the project area was conducted and no cultural features were noted in the proposed project area. No significant adverse impacts to historical and archaeological sites are expected by implementing 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 action would allow the issuance of an amended easement for an existing substation. The new easement would only cover 0.096 acres and there is already an existing substation on the site. NorthWestern

Energy is proposing to add new equipment within the existing easement area and will be expanding the fence that surrounds the entire substation. The new easement area will only be occupied by a cut into a small rise. The new easement area is not easily visible from the closest public road, Wicks Lane, which is north of the parcel. No significant adverse impacts are expected to aesthetics.

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 adverse impacts to environmental resources of land, water, air or energy are expected to 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.

The purpose of this amended easement is to allow a small expansion into the Trust land to accommodate the need to expand the fenced in area that surrounds the existing substation. There are no other known state or federal environmental reviews taking place on the subject Trust land.

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.

NorthWestern Energy is proposing to add new equipment in the existing substation to improve the reliability of their power distribution, so this would seem to be a positive impact on human health and safety. 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 agricultural, industrial or commercial activities 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 implementation of the proposed alternative is not expected to create any new jobs. The proposed action is not expected to have a significant impact on 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.

Implementation of the proposed action is not expected to have a significant positive or negative impact to the local or state tax base.

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 will not generate an increase in 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.

The area contained in the amended easement is located within the City of Billings and is zoned Residential Multi-Family-Restricted. Since the substation will not physically occupy the new area, it would be in compliance with the existing zoning. The current substation easement is zoned Public.

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 does have legal public access; however it is closed to recreational use. Additionally, since it is located in the City of Billings, no firearm discharge is allowed on it. Implementation of the proposed alternative will not have an adverse effect on the recreation or hunting activity on the section.

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.

Implementation of the proposed alternative is not expected to have an adverse impact on density and distribution of population and housing.

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?

The proposed alternative is not expected to adversely 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 State will benefit by getting a one-time payment of \$6,220 from NorthWestern Energy for the purchase of the easement on this Trust parcel. The Common Schools Trust will be the beneficiary of this payment.

EA Checklist Prepared By:	Name: Jeff Bollman, AICP	Date: 15 March 2013
	Title: Area Planner, Southern Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that an amended easement be granted to NorthWestern Energy for the purpose allowing the expansion of an existing substation. The new easement would add 0.096 acres to the original easement that was granted in 1979 via Application #8034 (D-7171) for the purpose of constructing a substation. The easement is located in the NW¼ of Section 20, T1N, R26E in Yellowstone County.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant adverse impacts to the Trust lands listed above are minimal based on the above analysis and the nature of the proposed action. Additionally, it is recommended that a stipulation be placed on the easement to require prior written approval of the final slope design in the new easement area before any construction commences. There are no natural features that are expected to be impacted and produce adverse impacts if the proposed action is implemented.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

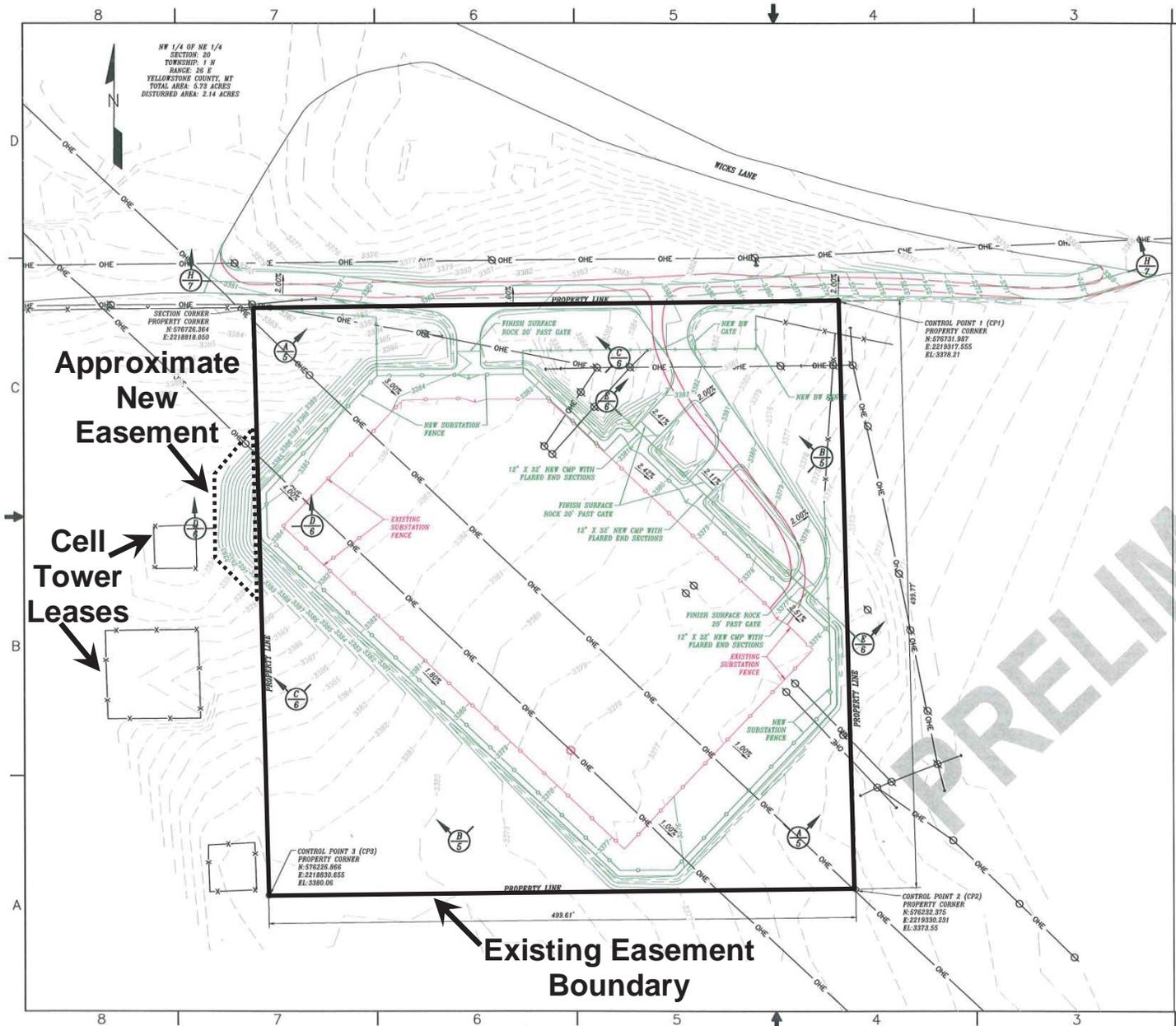
EIS

More Detailed EA

No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott
	Title: Area Manager, Southern Land Office
Signature: /s/ Matthew Wolcott	Date: March 15, 2013

Attachment A – Preliminary Grading Plan



REVISIONS		DATE	BY	CHECKED	SCALE	MICROFILM NUMBER
REV.	DESCRIPTION/NETWORK #					
0	NEW DRAWING ISSUED, NETWORK #					

ESTIMATE OF QUANTITIES

RAW CUT:	3,876 CY
RAW FILL:	740 CY
BALANCE:	3,136 CY (CUT)
CROSSED ROCK SURFACING MATERIAL:	443 CY (4" THICK)
AGGREGATE BASE MATERIAL:	1,084 CY (VALUES)
TOPSOIL STRIPPING:	570 CY (2" THICK)

* QUANTITIES ARE ASSUMED COMPACTED AND IN PLACE

LEGEND

ITEM	DESCRIPTION
— 6442 —	CONTOUR - EXISTING
— 5444 —	CONTOUR - NEW
— 0 —	CUT WIRE
— 0 —	POWER POLE
— X —	PROPERTY BOUNDARY
— X —	EXISTING BARRIERS FENCE
— X —	NEW BARRIERS FENCE
— X —	EXISTING SUBSTATION FENCE
— X —	NEW SUBSTATION FENCE
— X —	EDGE OF NEW PAD
— X —	EDGE OF NEW DITCH
— X —	SILT FENCE
— X —	NEW CULVERT
— X —	STRAW WATTLE

BLACK ITEMS ARE EXISTING
 GREEN ITEMS ARE NEW CONSTRUCTION
 RED ITEMS ARE REMOVALS
 LT BLUE ITEMS ARE FUTURE

NOTES

- CONTOURS REPRESENT ROUGH GRADE ELEVATIONS AT 1 FOOT INTERVALS. SUBSTATION GRADED AREA TO RECEIVE 4" OF CRUSHED ROCK AFTER FOUNDATIONS HAVE BEEN INSTALLED.
- ALL WATER FILL SHALL CONSIST OF NATIVE SOILS EXCLUDING ORGANIC CLAYS, PEAT AND TOPSOIL.
- ALL DISTURBED AREAS BEYOND THE SUBSTATION FOOTPRINT SHALL BE SEEDED AND MULCHED PER WRITTEN SPECIFICATION.
- FILL MATERIAL SHALL BE PLACED IN HORIZONTAL LAYERS NOT EXCEEDING SIX INCHES AND COMPACTED TO A MINIMUM OF 95% OF STANDARD ASTM D698 PROCTOR METHOD. FILL SHALL BE PLACED AT A MOISTURE CONTENT 1.2% OF OPTIMUM MOISTURE CONTENT.
- USE MDT TYPE D GRADE 2 CRUSHED BASE COURSE FOR SUBSTATION PAD AGGREGATE BASE.
- CONTRACTOR SHALL ESTABLISH CONTROL BASED ON EXISTING BENCHMARKS. SEE SHEET 1 FOR CONTROL POINT.
- ALL ELEVATIONS SHOWN ARE TOP OF ROUGH GRADE.

TOPOGRAPHY	41736-C17
CERTIFICATE OF SURVEY	41736-B1
ELECTRICAL PLAN AND SECTIONS	41736-C6
FOUNDATION PLAN AND SCHEDULE	41736-C5
REFERENCE DRAWING	DRAWING NUMBER

NorthWestern Energy

BILLINGS WICKS SUBSTATION GRADING PLAN

PROJ. ENGR.	DATE
DIRECTOR	
DESIGNER	
DRAWN	

THE PROJ. NO. **41736-C4**

SCALE **1"=40'-0"** SHEET **3 OF 7**

41736-C4-3-0