

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Proposed 2010 Land Banking – Glasgow Unit – NELO – Proposed Land Sale 623 A tract located in the NE¼ Sec. 16, T35N, R48E
Proposed Implementation Date:	2010
Proponent:	This tract was nominated by the surface lessee, The Scobey Saddle Club, State Lease # 344 and is being brought forward now by DNRC.
Location:	A tract located in the NE¼ Sec. 16, T35N, R48E, 9.36 acres more or less. Total Acres: 9.36
County:	Daniels County
Trust:	Common Schools

I. TYPE AND PURPOSE OF ACTION

Offer for Sale at Public Auction 9.36 acres of state land currently held in trust for the benefit of Common Schools. Revenue from the sale would be deposited in a special account, with monies from other sales around the State, to purchase replacement lands meeting acquisition criteria related to legal access, productivity, potential income and proximity to existing state ownership which would then be held in trust for the benefit of the same beneficiary Trust in relative proportion. The 2003 State Legislature passed statutes (77-2-361 through 367 MCA) authorizing the Department of Natural Resources and Conservation (DNRC) to sell State School Trust Lands and utilize those funds to purchase replacement lands for the school trust through a process called Land Banking. The intent of the program is for the state to dispose of scattered tracts of land that generally do not have legal access, generate substantially less income for the trust than their relative value or are difficult for the DNRC to manage. The funds generated from sales are then used to purchase property that is blocked or contiguous to state land, has legal access, has potential for increased Trust revenue and consequently is more efficient to manage. In 2005 the Department accepted nominations from lessees and DNRC personnel for state tracts to be considered for sale under the program. Nominations were evaluated and the State Board of Land Commissioners (Board) prioritized for sale. To date the DNRC and the Board has sold 42,968 acres and purchased 46,169 acres.

Two maps are attached to this EA checklist: 1. Labeled "Valley / Daniels Land Sale Vicinity Map" is a general map of all state land within the county (blue) and those parcels of land considered for sale under land banking (red). 2. Labeled "Sale 623" is a satellite imagery map that indicates the tract considered for sale in the EA checklist.

II. PROJECT DEVELOPMENT

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

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

- Over the past five years, discussions have been held between DNRC and the representatives of the Scobey Saddle Club concerning lease rental rates. It has been determined by both the lessee and the State that it is in the best interest of the Scobey Saddle Club, and the State to sell this land. On May 20, 2010, the lessee nominates said tract of land for sale through the land banking program.
- Legal notices were published in the in the Daniels County Leader June, 10, 2010 and in the Glasgow Courier, June 16, 2010.
- Direct mailings were made to lessees, adjacent land owners, County Commissioners, State Legislators (from the involved Districts and who were associated with the legislation), and a host of organizations

and individuals who had expressed previous interest in this process. A full listing of contacts is attached as Appendix C.

- Follow-up contacts were made by phone, mail, or email with parties requesting additional information. These are also included in Appendix C.
- The tract was also posted on the DNRC web page at, <http://dnrc/mt.gov/TLMSPublic/LandBanking/LBTest.aspx>

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

No other governmental agencies have jurisdiction over this proposal.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Under this alternative, the State retains the existing land ownership pattern and would not sell the 9.36 acres of Common School Trust Land contained in NE¼ Sec. 16, T35N, R48E.

Alternative B (the Proposed action) – Under this alternative, the Department would request and recommend approval by the Land Board to sell 9.36 acres of Common School Trust Land contained in NE¼ Sec. 16, T35N, R48E. If approved by the Board, the sale would be at public auction, subject to the requirements found in Title 77, Chapter 2, Part 3 of the Montana Codes Annotated. The income from the sale would be pooled with other land sale receipts from across the State to fund the purchase of other state land, easements, or improvements for the beneficiaries of the respective trusts. *(The State would then review available lands for sale which would generally have access and an increased potential for income. A separate public scoping and review would be conducted when a potentially suitable parcel was found. It is not possible for this analysis to make any direct parcel to parcel comparisons.)*

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.

This parcel of land is adjacent to the city of Scobey. The land has been highly disturbed by the installation of the Railroad, and the creation of the Scobey Saddle Club. The city of Scobey uses a portion of this lease as a "drain" to allow storm water to be relieved from the city of Scobey.

Soils are listed as:

Code	Soil Description	Acres	Percent of field	Non-Irr Class	Irr Class	Alfalfa hay	Corn silage Irrigated	Flax	Grass hay	Grass legume hay
14	Dooley sandy loam, 0 to 4 percent slopes	5	55.9%	IVe	IVe	2	25	13	1	2
72	Zahill loam, 15 to 45 percent slopes	4	44.1%	VIe			25			
Weighted Average						1.1	25	7.3	0.6	1.1

The State owns certain minerals under this parcel and would retain ownership of these mineral rights if the tract is sold.

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 ephemeral drainages present on this tract. There are no documented and/or recorded water rights associated with the proposed tract for sale. 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 proposal does not include any on-the-ground activities, or changes to activities. No effects to air quality would occur.

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.

All acres proposed for sale are tame grass species. This lease is a commercial lease and is used as a horse corral.
proposal.

A review of Natural Heritage data through the NRIS was conducted, as well as tract specific requests for concerns being made to the MT FWP and they made no comments regarding plant species. There were no plant species of concern noted or potential species of concern noted on the NRIS survey.

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 not considered critical 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.

A review of Natural Heritage data through the NRIS was conducted, as well as tract specific requests for wildlife concerns were made to the Montana FWP. Montana FWP did not provide any site specific comments regarding wildlife. There were no animal species of concern identified and no potential species of concern identified on the NRIS survey.

There are no threatened or endangered species, sensitive habitat types, or other species of special concern associated with the proposed land sale.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

No state owned cultural properties are located on the state tracts slated for sale in Daniels County. Further, neither Hell Creek nor Judith River geologic formations are present on these tracts.

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 tract is located adjacent to the town of Scobey. The Scobey Saddle Club is a prominent infrastructure. The tract is commonly known in the community and is highly visible.

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.

There are 5,153,434.65 acres of Trust land and 4,625,112.67 acres of Common School surface ownership in Montana (TLMD, 2009 Annual Report). There are approximately 220,579 acres of Trust lands in Daniels County. This proposal includes 9.36 acres in Daniels County, a small percentage of the state land within this County.

There are additional tracts of state land currently under consideration for sale through the Land Banking Program. .

The potential transfer of ownership will not have any impact or demands on environmental resources of land water, air, or energy.

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.

IV. IMPACTS ON THE HUMAN POPULATION

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|---|
| <ul style="list-style-type: none">• 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. |
|---|
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14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

No impacts to human health and safety would occur as a result of the proposal.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

The tract included in this proposal is leased by The Scobey Saddle Club for grazing. Sale of the land to The Scobey Saddle would allow the club to manage the land in the best interest of the public.

Legal	Acres	Lease #
NE¼ Sec. 16, T35N, R48E, 9.36	9.36	344

This proposal does not include any specific changes to the industrial, commercial or agricultural activities. The nominating lessee indicated that they will continue to manage the land as a Saddle Club considering the local public needs.

No direct or cumulative impacts are anticipated as a result of the proposal.

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 proposal would have no affect on 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.

State School Trust Lands are currently exempt from property tax. Daniels County has greater than 6% State Trust Lands and therefore receives a payment in lieu of taxes (PLT) to mitigate for the State Trust Land tax exempt status. If sold, the Saddle Club would pay taxes on the land. The sale will not result in the State owning

less than 6% of the land in the county. The State will continue to pay PLT taxes on the land they own in the county.

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

Being adjacent to the city of Scobey, the local fire Department would respond to fire. No traffic changes would be anticipated. All state and private land are under the County Coop wildfire protection program. The proposed sale will not change fire protections in the area.

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.

This tract is surrounded by State land, private land and the city of Scobey land. There are no zoning or other agency management plans affecting this land.

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 sale of this land does not prohibit access or recreational opportunities.

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. The nominating lessee has indicated that the land would continue to use the land as a Saddle Club, if they purchase it at auction. No effects 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 potential sale of the state land would not directly or cumulatively impact cultural uniqueness or diversity. It is unknown what management activities would take place on the land if ownership was transferred. The tract was nominated by the lessee with the intent of purchasing and continuing use as grazing land.

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.

Legal	Acres	2010 Lease Income	Income per acre
NE¼ Sec. 16, T35N, R48E, 9.36	9.36	\$670.80	\$71.60

The tract proposed to sell is small, legally accessible, and adjacent to the city of Scobey. The Saddle club is a local nonprofit group which manages the lands in the best interest of the public and provides public service. The Saddle Club has no means of generating revenues to pay the State for the annual revenue. If the State continues to own the land that the Saddle Club resides on, the Saddle Club will be forced to relocate due to high rental rates. The land will then become vacant and will not generate income. Management cost of the parcel is estimated at \$50 per acre.

No land has been sold in Daniels County. .

Under DNRC rules, an appraisal would be conducted if preliminary approval to proceed is granted by the Board of Land Commissioners. The former appraisal could not be utilized because the appraisal was not conducted within the last year. The Department is conducting more detailed evaluations at this time in order to make a determination on whether to offer the tracts for sale. The revenue generated from the sale of these parcels would be combined with other revenue in the Land Banking Account to purchase replacement property for the benefit of the Trust. It is anticipated the replacement property would have legal access and be adjacent to other Trust lands which would provide greater management opportunities and income. If replacement property was not purchased prior to the expiration of the statute, the revenue would be deposited into the permanent trust for investment.

EA Checklist Prepared By:	Name: Hoyt Richards	Date: April 19, 2010
	Title: Glasgow Unit Manager, Glasgow Unit Manager, Northeastern Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

Action, sale.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

No significant impact

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

☐ EIS ☐ More Detailed EA ☒ No Further Analysis

EA Checklist Approved By:	Name: Clive Rooney
	Title: Area Manager
Signature: S/Clive Rooney/S	
Date: 10/30/10	

Anne Hedges		
Mt. Envir. Info. Center	P.O. Box 1184	Helena MT 59624
Bill Orsello / Stan Frasier		
Mt. Wildlife Federation	P.O. Box 1175	Helena MT 59624
BobVogel		
Mt. School Boards Assn.	863 Great Northern Blvd	Helena MT 59601
Daniel Berube	27 Cedar Lake Dr.	Butte MT 59701
Ellen Simpson		
Mt. Wood Products	P.O. Box 1149	Helena MT 59624
Harold Blattie		
Mt. Assn. of Counties	2715 Skyway Dr.	Helena MT 59601
Jack Atcheson SR.	3210 Ottawa	Butte MT 59701
Janet Ellis		
Mt. Audubon	P.O. Box 595	Helena MT 59624
Jeanne Holmgren		
DNRC	P.O. Box 201601	Helena MT 59624
Leslie Taylor		
MSU Bozeman	P.O. Box 172440	Bozeman MT 59715
Nancy Schlepp		
Mt. Farm Bureau Fed.	502 S 19th, Suite 4	Bozeman MT 59715
Ray Marxer		
Matador Cattle Co.	9500 Blacktail Rd.	Dillion MT 59725
Rosi Keller		
University of Montana	32 Campus Dr.	Missoula MT 59812
Denise Juneau		
Common Schools	P.O. Box 202501	Helena MT 59620
Rosi Keller		
University of Montana	32 Campus Dr.	Missoula MT 59812
Leslie Taylor		
MSU Morrill	P.O. Box 172440	Bozeman MT 59717
Leslie Taylor		
MSU 2nd Grant	P.O. Box 172440	Bozeman MT 59717
Steve Gettel		
School for Deaf & Blind	3911 Central Ave.	Great Falls MT 59405
Frank Gilmore		
School of Mines	1300 W Park Street	Butte MT 59701
Richard Storey		
State Normal School	710 South Atlantic	Dillion MT 59725
Dr. Ronald Sexton		
State Normal School	1500 N 30th Street	Billings MT 59101
Budget Director		
Public Buildings	P.O. Box 200802	Helena MT 59620
Director DPHHS		
Soldiers Home	P.O. Box 4210	Helena MT 59620
Mike Ferriter		
State Industrial School	P.O. Box 201301	Helena MT 59620
Hugh Zackheim		
Mt. Fish Wildlife & Parks	P.O. Box 200701	Helena MT 59620
Pat Gunderson		
Mt. Fish Wildlife & Parks	54078 US Hwy 2 W	Glasgow MT 59230
Mark Sullivan	54078 US Hwy 2 W	Glasgow MT 59230

Mt. Fish Wildlife & Parks		
Tom Ellerhoff		
Mt. DEQ	P.O. Box 200901	Helena MT 59620
Shane Mintz		
Mt. DOT	P.O. Box 201001	Helena MT 59620
County Commissioner		
Daniels County	P.O. BOX 247	Scobey MT 59263
County Commissioner		
Phillips County	P.O. BOX 360	Malta MT 59538
County Commissioner		
Roosevelt County	400 2nd Ave. South	Wolf Point MT 59201
County Commissioner		
Sheridan County	100 West Laural ave.	Plentywood MT 59254
County Commissioner		
Valley County	501 Court Square	Glasgow MT 59230
Representative Julie French		
House District 36	P.O. Box 356	Scobey MT 59263
Senate, John Brenden		
Senate District 18	P.O. Box 970	Scobey MT 59263
Representative Wayne Stahl		
House District 35	P.O. Box 345	Saco MT 59261
Representative Tony Belcourt		
House District 32	P.O. Box 192	Box Elder MT 59521
Senate, Jonathan Windy Boy		
Senate District 16	P.O. Box 269	Box Elder MT 59521
Rep. Margaret Campbell		
House District 31	P.O. Box 228	Poplar MT 59255
Sonya Germann		
DNRC	2705 Spurgin Road	Missoula MT 59804
Monte Mason		
DNRC	1625 11th Ave	Helena MT 59620
Mike O'Herron		
DNRC	2705 Spurgin Road	Missoula MT 59804
Will Wood		
DNRC	2705 Spurgin Road	Missoula MT 59804
Kevin Chappell		
DNRC	P.O. Box 201601	Helena MT 59620
Mike Sullivan		
DNRC	P.O. Box 201601	Helena MT 59620
BNSF Railway		
Property Tax Dept.		Fort Worth TX 76161
Nemont Telephone	P.O. Box 600	Scobey MT 59263
Dept of Transportation Land Section /		
Right of Way	2701 Prospect	Helena MT 59620
Lee Ranch	P.O. Box 134	Scobey MT 59263
Scobey Saddle Club	P.O. Box 244	Scobey MT 59263
City of Scobey	P.O. Box 68	Scobey MT 59263
Danny & Renee Wolfe	P.O. Box 944	Scobey MT 59263
Tim Tande	P.O. Box 1161	Scobey MT 59263