

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Matelich Land Banking Tract
Proposed Implementation Date:	Fall 2008
Proponent:	Montana Department of Natural Resources and Conservation
Location:	Sale #386: S½NW¼ and S½SW¼ of Section 21-T1S-R14E (160 acres)
County:	Sweet Grass County

I. TYPE AND PURPOSE OF ACTION

Offer for sale at public auction, two isolated 80-acre parcels (160 acres) of State Land that is currently held in Trust for the benefit of Common Schools. Revenue generated from the sale of these parcels would be deposited into a special account to be used to purchase replacement lands meeting acquisition criteria related to legal access, productivity, potential income generation and potential for multiple use. The new parcel would then be held in Trust for the benefit of Common Schools. This proposed sale is being initiated through the Land Banking program (Montana Code Annotated 77-2-361 through 77-2-367) that was approved by the Legislature in 2003 and modified in the 2007 session. The purpose of this program is to allow the Department of Natural Resources and Conservation to dispose primarily of parcels that are isolated and produce low income relative to similarly classified tracts and to allow the Department to purchase land with legal public access that can support multiple uses and would provide a rate of return equal to or greater than the parcels that were sold. Additionally, this program allows for the Trust land portfolio to be diversified, by disposing of grazing parcels that make up a majority of the Trust land holdings and acquire other types of land, such as croplands.

II. PROJECT DEVELOPMENT

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

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

A letter soliciting comments and explaining the proposed sale was sent to the lessee, property owners adjoining these state parcels, and interested parties on October 5, 2007 requesting that comments be submitted on the proposal by November 16, 2007. A complete list of individuals and interested parties contacted is included on Attachment C of this EA. A comment was received by an adjoining property owner expressing interest in purchasing the parcel.

A legal notice was published in the Big Timber Pioneer Press on October 11, 2007 requesting that comments be submitted on the proposal by November 16, 2007.

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

None.

3. ALTERNATIVES CONSIDERED:

Action Alternative: Offer the two isolated 80-acre parcels (160 acres) of State Land for sale at public auction and subject to statutes addressing the sale of State Land found in M.C.A. 77-2-301 et seq. Proceeds from the sale would be deposited in the Land Bank Fund to be used in conjunction with

proceeds from other sales for the purchase of other State Land, easements, or improvements for the beneficiaries of the respective trusts, in this case Common Schools.

No Action Alternative: Defer inclusion of these tracts in the Land Banking Program that will permit the State to maintain ownership and continue the grazing lease.

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 existing use is expected to continue. No impacts are anticipated.

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 proposed transfer of ownership of this parcel is not expected to have any direct or cumulative effects on water quality, quantity or distribution, especially considering that the existing use is expected to continue on the parcel and therefore no impacts are anticipated.

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 existing use is expected to continue. No impacts 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 on this tract is typical of land in the surrounding area and could be affected by various land management activities including livestock grazing, development, wildlife management or agricultural use. A search of the Montana Natural Heritage Program database indicates there are no known rare, unique cover types or vegetation on this tract. The existing use is expected to continue; therefore, no direct or cumulative effects are anticipated.

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, game birds, and songbirds typical on undeveloped land throughout Sweet Grass County potentially use this area. Wildlife populations could be affected by land use activities associated with livestock grazing, residential development, or agricultural practices. The existing land use is anticipated to continue and therefore, no direct or cumulative wildlife impacts are anticipated.

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 two vertebrate animals that are listed as a species of concern, threatened species, or endangered species: gray wolf and greater sage-grouse.

Gray wolves are known to exist near the proposed project area and could occasionally use portions of the proposed project area. Due to the existing land use expected to continue, no significant impacts are anticipated.

Greater sage-grouse occupy the proposed project area. No leks have been identified near the proposed project area and, due to the existing land use expected to continue, no significant impacts are anticipated.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

The presence or absence of antiquities is presently unknown. A Class III level inventory and subsequent evaluation of cultural and paleontologic resources would be undertaken if preliminary approval of the parcel nomination by the Board of Land Commissioners is received. Based on the results of the Class III inventory/evaluation the DNRC will, in consultation with the Montana State Historic Preservation Officer, assess direct and cumulative impacts.

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 existing land use is expected to continue. No impacts 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 existing land use is expected to continue. No impacts are anticipated.

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.

These 160 acres are part of a proposed sale of State land not to exceed 20,000 acres within the state and under concurrent analysis. There are no known state or federal actions in the vicinity and no known future actions proposed by the state that would have cumulative impacts with this proposal.

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.

The existing land use is expected to continue. No impacts are anticipated.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

The existing land use is expected to continue. No impacts are anticipated.

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 existing land use is expected to continue. No impacts are anticipated.

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.

These tracts are currently tax-exempt and the sale of this tract to a non-exempt entity would add it to the county tax base, thus marginally increasing tax revenue to 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

The existing land use is expected to continue. No impacts are anticipated.

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 Sweet Grass County 2003-2008 Growth Policy identified two goals regarding land use: To protect, encourage and support the agricultural base of the county and its agricultural resources, and, to achieve the most appropriate use of land within the County so sufficient areas are provided for existing and future residential, commercial and industrial needs and, at the same time, to enhance ecological and environmental values; To encourage future residential, commercial, and industrial growth within or near the presently existing communities of the county in a manner that provides for efficient use of the county's infrastructure and services. Based on these goals and the location of these parcels approximately seven and one-half miles southwest of Big Timber, it is assumed that the current grazing use of the parcel will continue and, therefore, there will be no significant impact.

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.

These tracts are surrounded by private deeded property. Currently there is no legal access and no impacts are anticipated.

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 existing land use is expected to continue. No impacts are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

The existing land use is expected to continue. No impacts are anticipated.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

The existing land use is expected to continue. No impacts are anticipated.

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.

This 160-acre parcel currently has a grazing lease for 35 Animal Unit Months (.22 acres/AUM) at a rate of \$6.18/AUM. Revenue generated from the tract in 2008 is \$216.30 or approximately \$1.35/acre. The average annual income for the past 5 years has been \$216.40 or \$1.35/acre. Based on the DNRC Annual Report for Fiscal Year 2006, the average income for the 4.3 million acres of grazing land was \$1.62/acre with an average productivity of .26 acres/AUM. This tract is considered below average in productivity and below average in revenue per acre.

An appraisal of the property value has not been completed to date. Under DNRC rules, the appraisal would be conducted after preliminary approval to proceed is granted by the Board of Land Commissioners and the Department is conducting more detailed evaluations in order to make a final determination on whether to offer the tract for sale. The revenue generated from the sale of this tract is intended to 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, which would provide greater management opportunities and income. Assuming an appraised value of \$500/acre, the current annual return on the asset value from grazing lease revenues for this tract is 0.27%.

EA Checklist Prepared By:	Name: Richard A. Moore	Date: February 8, 2007
	Title: Area Manager, Southern Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

After review, I have selected the proposed Action Alternative. It is recommended that these tracts receive preliminary approval for sale and continue through the Land Banking process.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The only comments DNRC has received are those expressing interest in purchasing the parcel. These tracts do not have any unique characteristics, critical habitat, or environmental conditions indicating it should necessarily remain under management by the Department of Natural Resources and Conservation. There are no indications these tracts would produce substantially greater revenue or have substantially greater value to the trust in the near future.

The transfer of ownership of these two isolated 80-acre parcels (160 acres) will not result in any significant effects to the human or natural environment.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:☐

EIS

☐

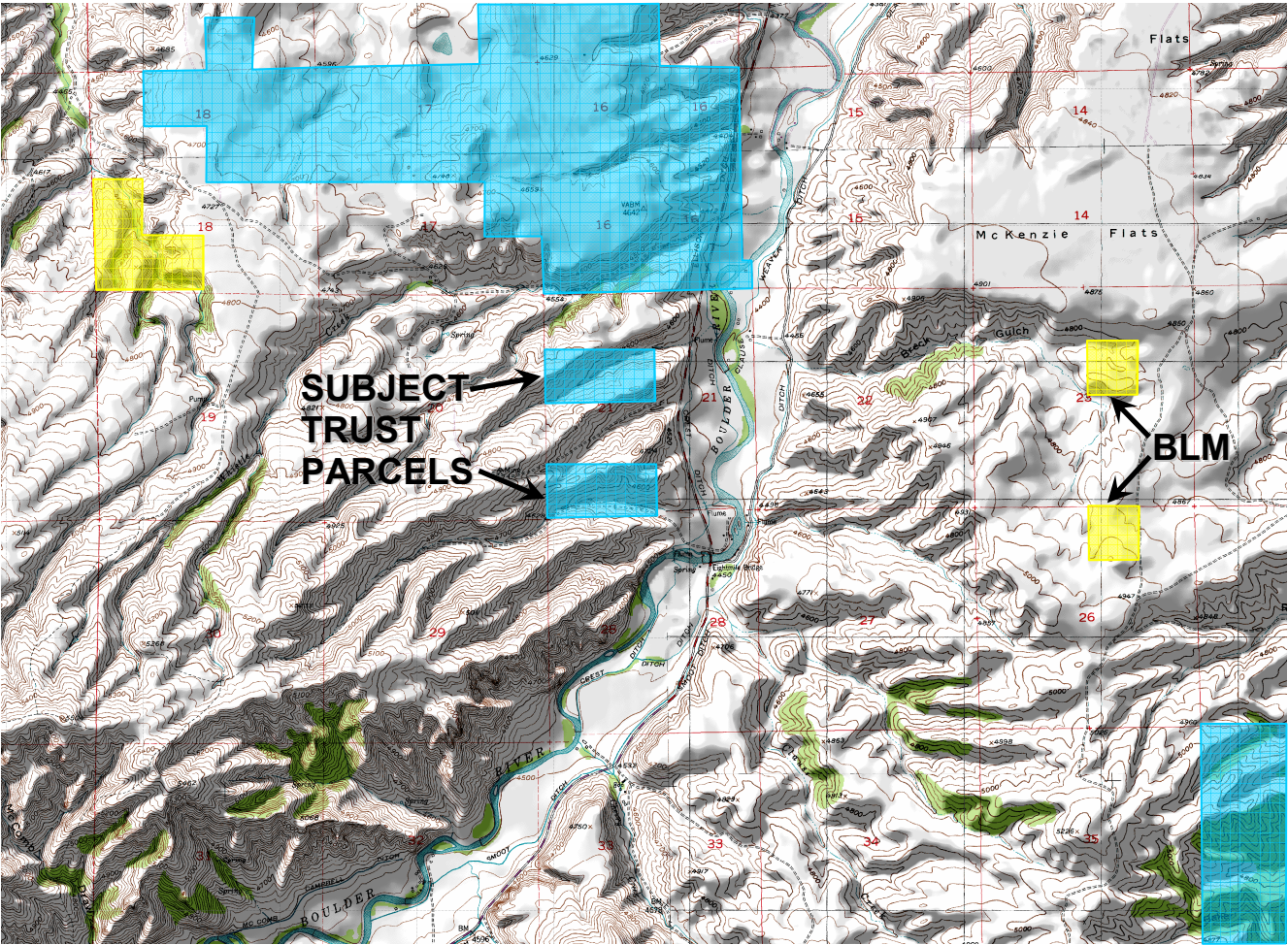
More Detailed EA

☒

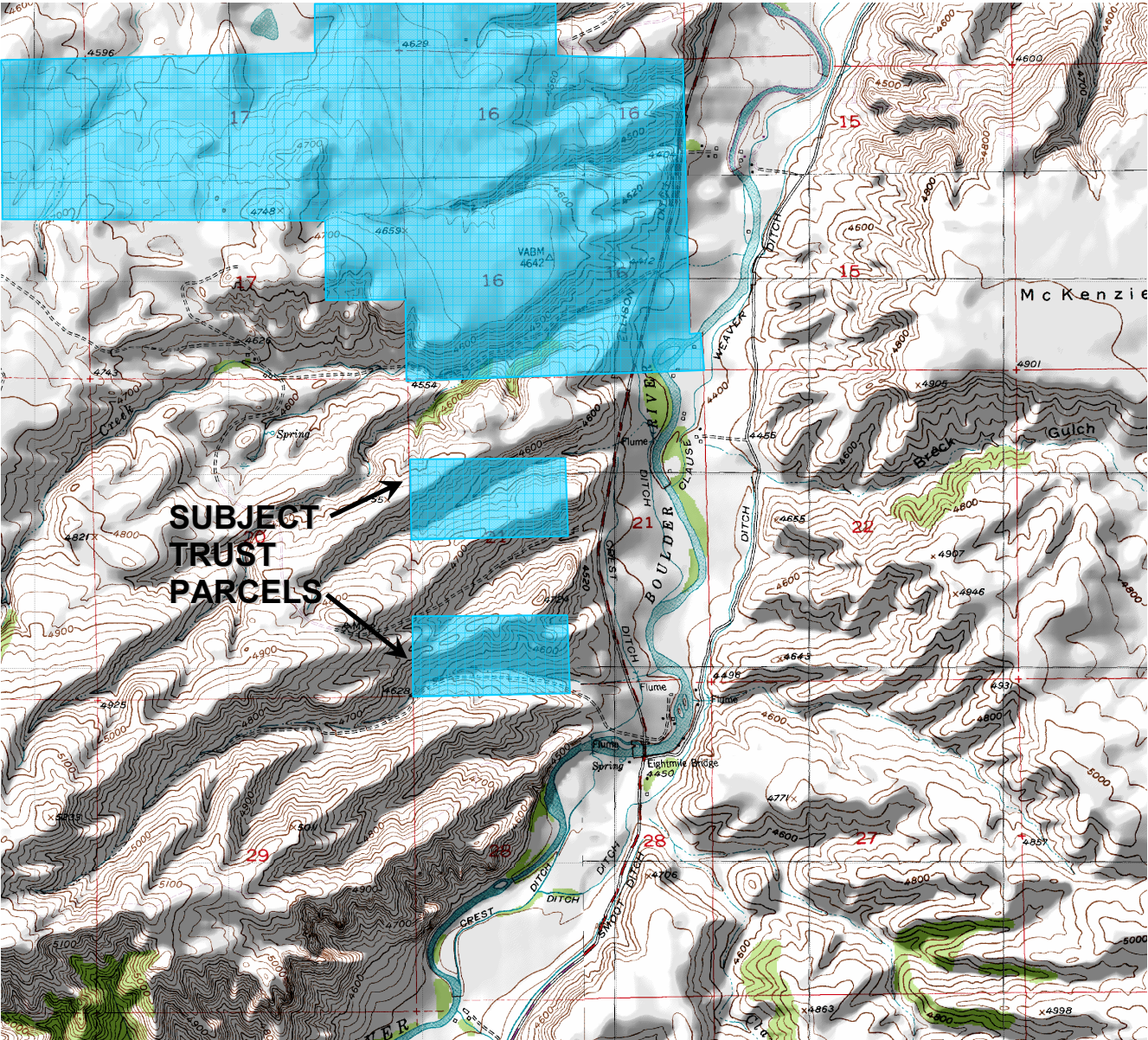
No Further Analysis

EA Checklist Approved By:	Name:	Jeff Bollman
	Title:	Area Planner, Southern Land Office
Signature:		Date: 26 February 2008

Attachment A – Area Map



Attachment B – Property Map



Attachment C – List of Persons Notified in Matelich Land Banking Scoping Process

Anne Hedges
Montana Environmental
Information Center
PO BOX 1184
HELENA, MT 59624

NANCY SCHLEPP
MT FARM BUREAU FEDERATION
502 SOUTH 19th, SUITE 4
BOZEMAN, MT 59715

Ray Marxer
Matador Cattle Co.
9500 Blacktail Road
Dillon, MT 59725

Bill Orsello or Stan Frasier
MT WILDLIFE FEDERATION
PO BOX 1175
HELENA, MT 59624

Jeanne Holmgren
DNRC
P.O. Box 201601
Helena, MT 59620-1601

Rosi Keller
University of Montana
32 Campus Drive
Missoula, MT 59812-0001

Bob Vogel
Montana School Boards Association
One South Montana Avenue
Helena, MT 59601

Leslie Taylor
MSU Bozeman
P.O. Box 172440
Bozeman, MT 59717

Kathy Bramer
Office of Public Instruction
PO Box 202501
Helena, Montana 59620-2501

Daniel Berube
27 Cedar Lake Drive
Butte, MT 59701

JANET ELLIS
MONTANA AUDUBON
PO BOX 595
HELENA, MT 59624

US Fish and Wildlife Service
2900 - 4TH AVENUE NORTH,
ROOM 301
BILLINGS, MT 59101-1266

ELLEN ENGSTEDT
MONTANA WOOD PRODUCTS
PO BOX 1149
HELENA, MT 59624

Tom Madden
RE/MAX of Billings
1250 – 15th Street West
Billings, MT 59102

Gary Hammond, Regional
Supervisor
Fish Wildlife and Parks
2300 Lake Elmo Drive
Billings, MT 59105

Harold Blattie
Montana Association of Counties
2715 Skyway Drive
Helena, MT 59601

USFS – Gallatin National Forest
Big Timber Ranger District
PO Box 1130
Big Timber, MT 59011-1130

Sweet Grass County
Board of County Commissioners
200 West 1st Avenue
Big Timber, MT 59011

JACK ATCHESON, SR.
3210 OTTAWA
BUTTE, MT 59701

Whistle Creek Partners, LLC
c/o Geoff Walton
540 Boulder Road
Big Timber, MT 59011

John Gibson
3028 Avenue E
Billings, MT 59102

George Matelich
c/o Kelso & Company
320 Park Avenue, 24th Floor
New York, NY 10022