

## **CHECKLIST ENVIRONMENTAL ASSESSMENT**

<b>Project Name:</b>	Cherry Creek Road Gravel Testing
<b>Proposed Implementation Date:</b>	Spring 2025
<b>Proponent:</b>	Prairie County Road Department
<b>Location:</b>	13N 47E, Section 4
<b>County:</b>	Prairie
<b>Trust:</b>	

**Introduction:** In January of 2025, the Minerals Management Bureau of the Forestry and Trust Lands Division of the Montana DNRC, completed a programmatic environmental analysis for aggregate testing. The programmatic environmental analysis goes into further detail and evaluates a wider scope of resources than this checklist environmental assessment. This checklist environmental assessment should be read and understood in conjunction with the programmatic environmental analysis. The programmatic environmental assessment can be found on the Departments website at: <https://dnrc.mt.gov/TrustLand/subsurface-resources/Aggregate-Testing-Programmatic-EA-FINAL.pdf>

### **I. TYPE AND PURPOSE OF ACTION**

Eric Urban of Highlands Environmental on behalf of Prairie County Road Department, henceforth referred to as proponent, has applied to test for aggregate on State of Montana School Trust Lands. This checklist analysis, in conjunction with the programmatic analysis, will evaluate the impacts of an action alternative and a no action alternative.

### **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 application was forwarded by Zack Winfield of the Minerals Management Bureau to the Eastern Land Office.

The surface lessee for the tract was contacted and informed of the application.

### 3. ALTERNATIVES CONSIDERED:

**No Action Alternative:** The aggregate testing permit application would be denied.

**Action Alternative:** The aggregate testing permit application would be approved with standard stipulations along with any special stipulations identified resulting from this analysis.

### 4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Will the project impact any unique geologic features?

Yes, further evaluation is required.

✓ No.

### 9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

List any species of concern identified in the proposed testing area through review of the Montana Natural Heritage Program Map. Identify any impacts that aggregate testing would have on each of these species.

Greater Sage Grouse – The project is located within Sage Grouse habitat, and requires consultation with the Montana Sage Grouse Habitat Conservation Program. Any restrictions, limitations or monetary mitigation measures shall be followed by the proponent.

Is the testing area contained within the boundaries of the DNRC Habitat Conservation Plan (HCP)?

Yes, further evaluation is required.

✓ No.

Is the testing area within Core or General Sage Grouse Habitat?

- ✓ Yes, consultation is required through the MT Sage Grouse Habitat Conservation Program.
  - Consultation from SGHCP is attached.

No.

Is the testing area within one-half mile of an active Bald or Golden Eagle Nest?

Yes, further evaluation is required.

✓ No.

**10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

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

A Class I (literature review) level review was conducted by the DNRC staff archaeologist for the area of potential effect (APE). This entailed inspection of project maps, DNRC's sites/site leads database, land use records, General Land Office Survey Plats, and control cards. The Class I search revealed that no cultural or paleontological resources have been identified in the APE. Because the project is unlikely to impact any kind of cultural or paleontologic resources, no additional archaeological investigative work will be conducted.

**13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:**

Are there other studies, plans, or projects currently in place on this tract?

- ✓ Yes, further evaluation is required.
  - The DNRC currently leases the project area for livestock grazing. The digging of aggregate test holes will temporarily decrease the amount of vegetation available for grazing. Damages to the lessee's grazing lease would be paid by the proponent in accordance with Administrative Rule 36.25.138.

No.

**19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:**

Are there any locally adopted environmental plans and goals for the tracts upon which aggregate testing is proposed?

- Yes, evaluate the impacts to these plans or goals that aggregate testing would create.
- ✓ No.

**Checklist EA**  
**Prepared By:**

**Name:** Zack Winfield  
**Title:** Petroleum Engineer

**Date:** 3/31/2025

**V. FINDING****25. ALTERNATIVE SELECTED:**

After a thorough review of the programmatic environmental analysis, the applicable rules and statutes related to aggregate testing, this checklist EA, and the management and mission of State of Montana school trust lands; I have decided to select the action alternative, and the Department will issue an aggregate testing permit as applied for by the proponent. This decision is consistent

with the mission of the State of Montana School Trust Lands and will protect the future income generating capacity of the land.

**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

I have concluded that through the adoption of the standard stipulations and the checklist EA that all potential impacts have either be addressed through the checklist, programmatic EA or reduced to insignificance by the adoption of stipulations.

Stipulations to be included in the aggregate testing permit:

1. The permittee shall only conduct testing operations under dry or frozen conditions. Testing under wet or muddy conditions is not allowed under this permit.
2. No testing shall occur in areas where the slope is steeper than 4:1.
3. The permittee shall abide by a 100-foot buffer from all surface water including wetlands.
4. The permittee shall inspect and wash any equipment being utilized in testing prior to commencing work. This shall mitigate the risk of fire and the spread of noxious and invasive weeds.
5. The permittee shall be responsible for the elimination of noxious and invasive weeds that are introduced or exacerbated resulting from aggregate testing activities.
6. The permittee shall only spread a native, weed-free seed mix on the disturbance. The mixture must be approved by the unit office prior to the spreading of seed.
7. The permittee shall keep a fire extinguisher readily available during testing operations. A fire start caused by testing operations is the sole responsibility of the permittee.
8. The Department may postpone testing operations if they are deemed as a fire risk.
9. If any previously unidentified historical, archeological or paleontological resources are encountered during testing, the permittee shall avoid disturbing these resources, shall stop work, and immediately contact the Department's archeologist. Work may only continue after a professional assessment of the site is made by the Department's archeologist.
10. The proponent shall contact the surface lessee and negotiate any damages in accordance with the administrative rules of Montana. The surface lessee damages settlement form shall be returned to the Department prior to testing.

**27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:**

☐ EIS

☐ More Detailed EA

☒ No Further Analysis

<b>Checklist EA</b>	<b>Name: Scott Aye</b>
<b>Approved By:</b>	<b>Title: Program Manager</b>
<b>Signature:</b> /s/ Scott Aye Land Program Manager	<b>Date:</b> 4-30-2025

