

**MONTANA ALBERTA TIE LTD. (MATL)
CERTIFICATE OF COMPLIANCE
AMENDMENT for the Burgmaier Modification
and the Maurer Modification**

**DRAFT
ENVIRONMENTAL ASSESSMENT**

**Montana Department of Environmental Quality
Facility Siting Program
1520 East Sixth Avenue
Helena, MT 59620-0901**

May 10, 2012

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EXECUTIVE SUMMARY

Montana Alberta Tie Ltd. and MATL LLP (MATL) propose to amend the Certificate of Compliance (Certificate) for the construction, operation, and maintenance of an international 230-kV (kilovolt) alternating current merchant transmission line. The Montana Department of Environmental Quality (DEQ) issued the Certificate for the MATL project on October 22, 2008.

The transmission line is approved to originate at the existing NorthWestern Energy (NWE) 230-kV Switchyard near Great Falls, Montana, and extend north to a new substation to be constructed northeast of Lethbridge, Alberta, crossing the U.S.-Canada international border north of Cut Bank, Montana. In Montana, the length of the line is approximately 130 miles. The transmission line will be part of the Western Interconnection (Western grid).

MATL's proposed amendment would change the language in the Certificate and Environmental Specifications to allow the relocation of two segments of the approved facility location to address concerns raised by landowners after the Certificate had been issued. Both modifications are at the landowner's request. The first would modify the alignment for approximately 1.9 miles to eliminate diagonal crossings on two parcels of land currently owned by John Allen and Deanna T. Burgmaier and Heurion Family Trust (Burgmaier modification). Both the existing location and the amended location are in Section 33, T23N, R2E, and Section 4, T22N, R2E about ten miles east of Power, MT and both locations involve a mix of rangeland and land in the Conservation Reserve Program (CRP). The Burgmaier modification would add three angle structures potentially increasing project costs. The Maurer modification would modify the alignment for approximately 4.7 miles by moving it approximately 0.5 miles further east. Lands along the Maurer modification are owned by Maurer Farms Inc., State of Montana, Kyle Burgmaier, Toney and Mary Lou Grossman, and Wilma M. Wheeler (DOR 2012). The Maurer modification could be located in Sections 4, 5, 8, 9, 17, 16, 20, and 21, T24N, R2E, near Power, Montana. The Maurer modification would decrease the amount of cropland and CRP land crossed and increase the amount of rangeland crossed. The Maurer modification would cross more hilly terrain and is about 0.3 mile longer than the approved location. The Maurer modification would affect the four additional landowners listed above.

The Proposed Action (Certificate Amendment) and No Action Alternative are analyzed in this Environmental Assessment. Under the Proposed Action, DEQ would modify the location of two segments of the approved transmission line location as depicted in Figures 1 (Burgmaier modification) and 2 (Maurer modification).

Under the No Action Alternative, no changes to the current Certificate would be made.

1.0 Introduction

This Environmental Assessment (EA) provides supplemental analysis of impacts examined in the draft, supplemental draft, and final environmental impact statement for the Montana Alberta Tie Ltd. (MATL) 230-kV Transmission line (DOE and DEQ, 2007, 2008, and 2008a). It also contains the information to support DEQ's determination to grant, deny, or modify the proposed amendment. The DEQ is using the environmental assessment format because the short timeframe required by statute for the determination does not allow sufficient time for preparation of a full or supplemental environmental impact statement and an EA is an

appropriate level of environmental review for the proposed amendment. This approach is provided for in ARM 17.4.607(2)(e).

1.1 Project Background

The Montana Alberta Tie transmission line project is jointly owned by Montana Alberta Tie Ltd. and MATL LLP. The 230-kV transmission line is permitted to originate at the existing NorthWestern Energy (NWE) 230-kV Switchyard near Great Falls, Montana, and extend north to a new substation to be constructed northeast of Lethbridge, Alberta, crossing the U.S.-Canada international border north of Cut Bank, Montana. In Montana the length of the line is approximately 130 miles. The transmission line would be part of the Western Interconnection (Western grid).

Following publication of a draft environmental impact statement (EIS) (DEQ and DOE, March 2007), a supplemental draft EIS (February 2008), and a final EIS (September 2008), DEQ issued a Certificate of Compliance (Certificate) for the 230-kV transmission line on October 22, 2008. Descriptions of the transmission line and associated facilities are given in detail in the final EIS (DEQ and DOE September 2008) and are incorporated by reference.

On August 11, 2010, MATL filed a notice of amendment with DEQ to allow construction in and near wetlands (Montana Alberta Tie Ltd. and MATL LLP, 2010). Following publication of an environmental assessment, DEQ issued an amendment with conditions on September 22, 2010 (DEQ 2010) that allowed MATL to conduct temporary construction activities in and near wetlands.

On June 16, 2011, MATL filed a notice of amendment with DEQ to allow changes to the approved location in two areas – Diamond Valley South and Bullhead Coulee North. Following publication of an environmental assessment, DEQ issued an amendment with conditions on July 22, 2011 (DEQ 2011) that allowed MATL to relocate the project in these areas.

On June 29, 2011, MATL filed a notice of amendment with DEQ to allow changes to the approved location in one area south of Cut Bank - the Salois amendment. Following publication of an environmental assessment, DEQ issued an amendment with conditions on August 4, 2011 (DEQ 2011a) that allowed MATL to relocate the project in this area.

On April 2, 2012, MATL filed a notice of amendment with DEQ to allow changes to the approved location in two areas – at the Great Falls switchyard and Banka. Following publication of an environmental assessment, DEQ issued an amendment with conditions on May 2, 2012 (DEQ 2012) that allowed MATL to relocate the project in the Banka area.

On April 30, 2012, MATL filed a notice of amendment with DEQ to allow changes to the approved location in the two areas described below.

2.0 Nature of the Proposed Amendment

On April 2, 2012 Montana Alberta Tie Ltd. and MATL LLP, co-permittees for the Montana Alberta Tie Transmission Line, submitted an application to DEQ for an amendment to the Certificate. MATL requests the following amendment to the Certificate:

A. *Burgmaier Modification:*

At Mr. Burgmaier's request, the transmission line corridor would be modified from approximately milepost 18/5 to 20/4 as depicted in Figure A. This proposed alignment modification eliminates diagonal crossings of two parcels of [land] currently owned by the Burgmaier's and one they intend to purchase. These parcels are currently enrolled in the Conservation Reserve Program (CRP), but the Burgmaiers' would like the structures placed in a manner more compatible with cultivation activities should they remove these parcels from CRP in the future (MATL 2012).

Both the existing location and the amended location are in Section 33 T23N, R2E, and Section 4, T22N, R2E, about 10 miles east of Power, Montana (Figure 1).

B. *Maurer Modification:*

At Mr. Maurer's request, the transmission line corridor would be modified from approximately milepost 21 to milepost 26 to shift the alignment further to the east, and away from his residence, as depicted in Figure B. While the previously-approved corridor and structure locations avoid impacts to wetlands and cultural features along this reach, this proposed alignment modification is preferred by the landowner based on the increased distance from his residence and an area he [classifies] as a low-lying saline seep that he would prefer to remain undisturbed (MATL 2012).

The amended location would be in Sections 4, 5, 8, 9, 17, 16, 20, and 21, T23N, R2E and would be about 10 miles northeast of Power, Montana (Figure 2).

2.1 Decisions to Be Made

Based on the information submitted by MATL in its notice to amend the Certificate, information presented in the final EIS and additional information presented in this EA, DEQ will determine, pursuant to Section 75-20-219, MCA, whether the proposed amendment:

- would result in a material increase in any environmental impact of the transmission line, or
- would result in a substantial change in the location of all or a portion of the transmission line.

If DEQ finds that the proposed amendment would not result in a material increase in any environmental impact or a substantial change in the location of the transmission line, DEQ is required to automatically grant the amendment either as applied for or upon terms or conditions that the department considers appropriate. If DEQ determines the proposed amendment would result in a material increase in any environmental impact or a substantial change in the location of the transmission line, DEQ is required to grant, deny or modify the amendment with conditions it considers appropriate.

In order for DEQ to determine that an amendment to a certificate should be granted or modified, DEQ must find that the amendment would not materially alter the findings that were

the basis for granting the certificate. DEQ's determination is limited to consideration of effects that the proposed change or addition to the facility may produce.

These determinations must be made within 30 days following notice by MATL of an application to amend a Certificate. MATL filed its notice with DEQ on April 30, 2012.

A person aggrieved by a final decision by DEQ on an application for amendment to a certificate may within 15 days appeal the decision to the Board of Environmental Review.

2.2 Other Agencies

A decision to amend the Certificate may alter the location of the transmission line on State of Montana Land managed by the Department of Natural Resources and Conservation in Section 33, T23N, R2E. No other known state or federal lands would be affected by the proposed amendment.

2.3 Public Involvement

This EA was posted to DEQ's website and released for public comment. It may be revised based on public comment. Comments may be mailed to:

Craig Jones
Department of Environmental Quality
Facility Siting Program
PO Box 200901
Helena, MT 59602-0901
or emailed to craiones@mt.gov

Comments will be accepted no later than May 17, 2012. Due to statutory timelines this deadline cannot be extended.

3.0 Alternatives Considered

This section describes the alternatives that DEQ has considered during its review of the proposed amendment. MATL's proposed action and a No Action Alternative are considered.

3.1 Proposed Action

The amendment proposed by MATL described in Section 2.0 would be granted.

3.2 No Action

The No Action Alternative would mean that the approved location in the Certificate would remain unchanged.

4.0 Existing Environment

Existing environmental conditions were described in the final EIS for the project (DEQ and DOE 2008a). DEQ staff conducted a field review on May 4, 2012 of the two areas proposed for amendment, and found existing conditions described in the final EIS are still considered valid

and are incorporated herein by reference. The final EIS may be viewed in DEQ's office at 1520 East Sixth Avenue, Helena, Montana during regular business hours not including holidays. The final EIS, Certificate of Compliance, and this proposed amendment also may be viewed at the following web site: <http://deg.mt.gov/MFS/MATL.mcp>.

5.0 EA Checklist

Resource	No Action	Proposed Action
<p>1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are soils present which are fragile, erosive, susceptible to compaction, or unstable? Are there unusual or unstable geologic features? Are there special reclamation considerations?</p>	<p>As described in the final EIS, soil disturbance and soil mixing could result from the construction of crane pads and any newly constructed access roads. Soil compaction and rutting could occur during construction. With implementation of storm water controls, soil erosion is expected to be minor in these areas.</p> <p>The approved location in both areas being modified crosses land where saline soils exist.</p>	<p>The Burgmaier modification is similar to the currently approved location but is slightly longer and involves three additional angle structures. Both the approved location and the Burgmaier modifications cross nearly level ground and encounter saline areas that have not been farmed recently. Two of the new angle structures would be located on saline soils where saturated conditions may necessitate the use of special foundations.</p> <p>The area of the proposed Maurer modification contains gentle to moderately steep slopes with more hilly terrain crossed than on the currently approved location. Additional access road and crane pad disturbance may result from construction along the Maurer modification than on the currently approved location. If structures are located on the moderately steep slopes, access road construction may be necessary to move construction equipment to structure locations and crane pads may have to be excavated to safely operate cranes or other large equipment. This additional ground disturbance could result in the need for more storm water controls and for additional site reclamation.</p>
<p>2. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are</p>	<p>As described in the final EIS and the EA for the amendment allowing</p>	<p>The proposed Burgmaier modification area would cross two intermittent streams, requiring</p>

Resource	No Action	Proposed Action
<p>important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?</p>	<p>construction in wetlands, streams and water quality could be affected by streambank alteration and sediment entering streams. Required mitigation would reduce the potential for sediment reaching a stream. Two mapped intermittent streams are indicated in the currently approved location near the Burgmaier modification that may need to be crossed if workarounds cannot be found.</p> <p>Five to six mapped intermittent streams would be crossed by the reference centerline for the portion of the currently approved location that could be replaced by the Maurer modification.</p> <p>Because of the span lengths, it is likely that the conductors would span stream crossings on the currently approved locations but equipment may have to cross the stream channels if suitable workarounds cannot be found.</p>	<p>vehicles to cross these streams if workarounds cannot be found. DEQ staff observed a large concrete culvert about ½ mile northeast of the Burgmaier modification that may facilitate crossing these streams. Terrain and vegetation on a portion of both Burgmaier alignments indicate that a portion of the area may have flooded in the past.</p> <p>The Maurer modification could result in four to five intermittent stream crossings if suitable workarounds cannot be found.</p> <p>For both proposed modifications, implementation of a Storm Water Pollution Prevention Plan and conditions described in the previously approved amendment for wetlands are likely to reduce sedimentation and wetlands impacts.</p>
<p>3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I air shed)?</p>	<p>Few air quality impacts are expected.</p>	<p>Additional air quality impacts are not expected.</p>
<p>4. VEGETATION COVER,</p>	<p>Potential impacts to</p>	<p>Table 1 indicates the amount of</p>

Resource	No Action	Proposed Action
<p>QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?</p>	<p>vegetative species are described in the Final EIS and the EA for construction in wetlands. Table 1 indicates the amount of rangeland, riparian vegetation, and cropland crossed. Two mapped wetlands are indicated on National Wetland Inventory (NWI) maps for the approved location in the vicinity of the Burgmaier modification and four to five NWI wetlands are indicated along the approved location in the vicinity of the Maurer modification. Additional wetlands delineations submitted by MATL indicate that two to four wetland crossings may be required on the approved location in the vicinity of the Burgmaier modification and six to seven wetland crossings may be required on the approved location in the vicinity of the Maurer modification. No construction traffic work-arounds have yet been identified.</p> <p>Tall growing (tall enough to require removal to satisfy conductor clearance requirements) willow or cottonwood stands are generally not found along the currently approved location in either area under consideration.</p>	<p>rangeland, riparian area, and cropland crossed in each of the areas where the modifications are requested. On rangeland, mostly common species would be affected along the proposed modifications. Tall growing (tall enough to require removal to satisfy conductor clearance requirements) willow or cottonwood stands are generally not found along proposed modifications in either area under consideration. National Wetland Inventory maps indicate one mapped wetland along the Burgmaier modification while three are indicated along the Maurer modification. Additional wetland delineations submitted by MATL imply that other wetlands, although not yet delineated in the field, are likely to be encountered along the Burgmaier and Maurer modifications. For the Burgmaier modification, it could be crossed by the reference centerline but construction access might be able to be routed around it.</p> <p>The Maurer modification crosses more hilly terrain than does the currently approved location. The need to provide construction access and relatively flat areas for cranes may necessitate additional vegetation disturbance within the new location that may result in increased sedimentation.</p> <p>MATL would be required to reclaim disturbed areas as described in the Final EIS. Implementation of a Storm Water Pollution Prevention Plan and conditions described in the previously approved amendment for wetlands are likely to minimize sedimentation and wetland.</p>

Resource	No Action	Proposed Action
<p>5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?</p>	<p>The EIS describes the common game species in the area and potential impacts to these species. One species of concern may occur in the area of the two modifications, the chestnut collared longspur. This is a small bird that is found in grassland and shrub habitats of eastern Montana. It is considered sensitive because of very limited and/or potentially declining population numbers, range and/or habitat, making it vulnerable to global extinction or extirpation in the state. It breeds and rears its young between May and August.</p> <p>Sediment production could affect aquatic life despite implementation of Best Management Practices to control storm water runoff. Existing Certificate conditions require the installation of line marking devices to reduce the potential for bird collision within ¼ mile of a wetland. Also see the discussion of wetland and intermittent stream habitats in item 4 above.</p>	<p>impacts.</p> <p>The same common game species are found in the Burgmaier and modification areas as the currently approved location and impacts would be similar to those described in the final EIS. The chestnut collared longspur may occur in grassland and shrub habitats along both modifications and impacts would be similar to those for the no action alternative.</p> <p>For both modifications, sediment production may affect aquatic life despite implementation of Best Management Practices to control storm water runoff. Also see the discussion of wetland and intermittent stream habitats in item 4 above.</p> <p>Implementation of a Storm Water Pollution Prevention Plan and conditions described in the previously approved amendment for wetlands could minimize sedimentation and wetland habitat impacts. Required reclamation and revegetation could minimize impacts to upland habitats.</p> <p>Potential impacts would be the same as under the No Action Alternative.</p>
<p>6. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or</p>	<p>Potential impacts to these species are described in the Final EIS. There are no recorded threatened or endangered species on the currently approved locations that could be</p>	<p>Potential impacts to these species would be the same as under the No Action Alternative.</p>

Resource	No Action	Proposed Action
<p>identified habitat present? Any wetlands? Species of special concern?</p>	<p>replaced by the modifications</p>	
<p>7. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?</p>	<p>A Class III cultural resource inventory was conducted in 2007 (GCM 2010). On the currently approved location that could be replaced by the Mauer modification, Site 24TT0612 was identified. The site is situated outside of the current construction right-of-way. The proposed construction activities would have no adverse effect.</p> <p>On the currently approved location that could be replaced by the Burgmaier modification, there are no identified cultural sites within or near the current construction right-of-way.</p> <p>No paleontological resources were observed along the currently approved location in either area.</p>	<p>Ethnoscience, Inc., conducted a Class III inventory of the Mauer modification on April 12, 2012. Six cultural resource sites were identified within the 105 foot construction right-of-way. One is a historic trash scatter, the rest are prehistoric stone feature sites. The historic trash scatter is recommended not eligible to the National Register of Historic Places (NRHP). All cultural sites are to be avoided during construction through the use of avoidance fencing and alternate access routes, providing no adverse effect. However, the presence of a number of additional sites compared to the No Action Alternative indicates that the Mauer modification has a greater potential to impact cultural resources.</p> <p>As of this EA no cultural survey has been conducted on the Burgmaier modification. A file search conducted by Ethnoscience in April 2012 indicates there are no previously recorded cultural sites within or near the proposed construction right-of-way. Based on the observable landscape and environment, no cultural resources are expected to be discovered along the Burgmaier modification.</p> <p>Should adverse effects become unavoidable, a Programmatic Agreement (PA) is in place to address mitigation for adverse effects to cultural resources from the Project.</p> <p>No paleontological resources were</p>

Resource	No Action	Proposed Action
		observed along either the Mauer or Burgmaier modifications.
<p>8. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?</p>	<p>The currently approved alignment at the Burgmaier modification does not pass within one mile of any residences, and is not located on a prominent landscape feature. Aesthetic impacts are very minor.</p> <p>For the Maurer modification, the currently approved alignment is located approximately 1/2 mile from the Maurer residence. Aesthetic impacts would be major at this distance.</p>	<p>The Burgmaier modification as proposed would not be located within one mile of any residence nor would it be located on a prominent landscape feature. Aesthetic impacts would be very minor.</p> <p>The Maurer modification could move the alignment approximately 3/4 mile from the Maurer residence, decreasing impacts for this residence from major to minor. The Maurer modification could move the alignment within approximately 2/3 mile of another residence in Section 16, T23N, R2E (Wheeler). Portions of the Maurer modification could be visible from this residence, but distance and partial topographic screening between the modification and residence would likely result in minor impacts. Two local roads are crossed by both the existing alignment and the proposed modification.</p>
<p>9. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area?</p>	<p>Impacts on land, water, air, and energy are described in the final EIS and EA prepared for the amendment addressing construction activities in wetlands for MATL's approved location.</p>	<p>Impacts on land, water, air, and energy from the Burgmaier and Maurer modifications would be similar to the No Action Alternative.</p>
<p>10. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?</p>	<p>The impacts to other environmental resources are described in the final EIS and EA prepared for the amendment addressing construction</p>	<p>The impacts to other environmental resources would be similar to the No Action Alternative.</p>

Resource	No Action	Proposed Action
	activities in wetlands for MATL's approved location.	
11. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	The impacts to health and safety are described in the final EIS and EA prepared for the amendment addressing construction activities in wetlands for MATL's approved location.	The impacts would be similar to those described for the No Action Alternative.
12. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	<p>The impacts on these activities are described in the final EIS and the EA prepared for the amendment addressing construction activities in wetlands.</p> <p>In the vicinity of the Maurer modification, the approved location crosses one petroleum pipeline.</p>	<p>The Burgmaier modification would use more rangeland and cross less non-irrigated croplands or CRP lands than the No Action Alternative as shown on Table 1. Also, the modification avoids the placement of an angle structure in CRP land and crossing this land on a diagonal.</p> <p>The Maurer modification would cross less non-irrigated cropland or CRP lands and increase the amount of rangeland crossed compared to the No Action Alternative (Table 1).</p>
13. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.	The impacts on employment are described in the final EIS and EA prepared for the amendment addressing construction activities in wetlands for MATL's approved location.	The impacts would be the same as the No Action Alternative.
14. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	Impacts to tax base and tax revenues are described in the final EIS and EA prepared for the amendment addressing construction activities in wetlands for MATL's approved location.	No substantial change is expected in the tax base or tax revenue from that described in the Final EIS.
15. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?	Impacts to government services are the same as those described in the final EIS and EA prepared for the amendment addressing construction activities in wetlands for	There would be no substantial change in the need for government services for fire, police, or schools from those described in the final EIS and the EA prepared for the amendment addressing construction activities in wetlands.

Resource	No Action	Proposed Action
	MATL's approved location.	
16. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	Impacts to locally adopted environmental plans and goals are the same as those described in the final EIS and EA prepared for the amendment addressing construction activities in wetlands for MATL's approved location.	The proposed Burgmaier modification may alter the location of the transmission line on State of Montana land managed by the Department of Natural Resources and Conservation in section 33, T23N, R2E. The impacts of the Maurer modification would be the same as the No Action Alternative.
17. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	Impacts to access to and quality of recreational and wilderness activities are the same as those described in the final EIS and EA prepared for the amendment addressing construction activities in wetlands for MATL's approved location.	No substantial change to recreation access and quality of recreation activities is expected from the proposed Burgmaier modification. No substantial change to recreation access and quality of recreation activities is expected from the proposed Maurer modification.
18. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	Impacts to density and distribution of population and housing are the same as those described in the final EIS and EA prepared for the amendment addressing construction activities in wetlands for MATL's approved location.	The impacts would be the same as the No Action Alternative.
19. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	Impacts to social structures and mores are the same as those described in the final EIS and EA prepared for the amendment addressing construction activities in wetlands for MATL's approved location.	The impacts would be the same as the No Action Alternative.

Resource	No Action	Proposed Action
<p>20. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?</p>	<p>Impacts to cultural uniqueness and diversity are the same as those described in the final EIS and EA prepared for the amendment addressing construction activities in wetlands for MATL's approved location.</p>	<p>The impacts would be the same as the No Action Alternative.</p>
<p>21. PRIVATE PROPERTY IMPACTS: Are we regulating the use of private property under a regulatory statute adopted pursuant to the police power of the state? (Property management, grants of financial assistance, and the exercise of the power of eminent domain are not within this category.) If not, no further analysis is required.</p>		<p>On those areas where MATL has obtained easements, the proposed amendment could affect MATL's property rights.</p>
<p>22. PRIVATE PROPERTY IMPACTS: Does the proposed regulatory action restrict the use of the regulated person's private property? If not, no further analysis is required.</p>		<p>Selection of the Proposed Action would not restrict the use of MATL's private property.</p>

Resource	No Action	Proposed Action
23. PRIVATE PROPERTY IMPACTS: Does the agency have legal discretion to impose or not impose the proposed restriction or discretion as to how the restriction will be imposed? If not, no further analysis is required. If so, the agency must determine if there are alternatives that would reduce, minimize or eliminate the restriction on the use of private property, and analyze such alternatives.	Not applicable.	No further analysis is required.
24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:		

5.1 Additional Land Use Information

Table 1 indicates the amounts of land in various land use classifications that would be crossed by the reference centerline of each existing corridor and contrasts it to the amount crossed by each modification.

Table 1. Land Use as Calculated by DEQ

Types of Land Use Crossed by Alternatives Calculated by DEQ in 2012 (Approximate Miles)					
	Existing Corridor	Burgmaier		Existing Corridor	Maurer
Irrigated cropland	0.00	0.00		0.00	0.00
Non-irrigated cropland/CRP	0.92	0.96		1.82	1.30
Rangeland	0.93	1.00		2.35	3.22
Road/ROW	0.00	0.00		0.07	0.01
Water/Riparian	0.05	0.03		0.15	0.20
Total Miles	1.89	1.99		4.39	4.73

Source: 2011 NAIP Imagery, 2012 field checking.

6.0 Cumulative Impacts

Cumulative impacts would be similar to those described in the final EIS.

6.1 Unavoidable Adverse Impacts

Except for the changes indicated in the EA checklist and Table 1, unavoidable adverse impacts would be similar to those described in the final EIS. There would be no change in unavoidable adverse impacts under the No Action Alternative.

6.2 Irreversible and Irretrievable Impacts

Except for the changes indicated in the EA checklist and Table 1, irreversible and irretrievable impacts would be similar to those described in the final EIS. There would be no change in irreversible and irretrievable impacts under the No Action Alternative.

7.0 List of Preparers

Tom Ring - Environmental Science Specialist
Nancy Johnson – Environmental Science Specialist
Craig Jones – Environmental Science Specialist
James Strait - Environmental Science Specialist

Reviewers:

Warren McCullough – Bureau Chief
Ed Hayes – Attorney

8.0 REFERENCES

Montana Alberta Tie Ltd. and MATL LLP. 2012. Application to Amend Certificate of Compliance for the Montana Alberta Tie 230-kV International Transmission Line. Lethbridge, Alberta – Great Falls, Montana.

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Montana Department of Environmental Quality (DEQ) and United States Department of Energy (DOE). 2008. Federal Draft Environmental Impact Statement and State of Montana Supplemental Draft Environmental Impact Statement for the Montana-Alberta Tie Ltd. (MATL) 230-kV Transmission Line.

Montana Department of Environmental Quality (DEQ) and United States Department of Energy (DOE). 2008a. Final Environmental Impact Statement for the Montana-Alberta Tie Ltd. (MATL) 230-kV Transmission Line.

Montana Department of Environmental Quality (DEQ). 2010. Decision Amendment in the Matter of the Application of Montana Alberta Tie Ltd. and MATL LLP. To Amend their Certificate of Compliance under the Major Facility Siting Act. September 22, 2010.

Montana Department of Environmental Quality (DEQ). 2011. Decision Amendment in the Matter of the Application of Montana Alberta Tie Ltd. and MATL LLP. To Amend their Certificate of Compliance under the Major Facility Siting Act. July 22, 2011.

Montana Department of Environmental Quality (DEQ). 2011a. Decision Amendment in the Matter of the Application of Montana Alberta Tie Ltd. and MATL LLP. To Amend their Certificate of Compliance under the Major Facility Siting Act. August 4, 2011.

Figure 1

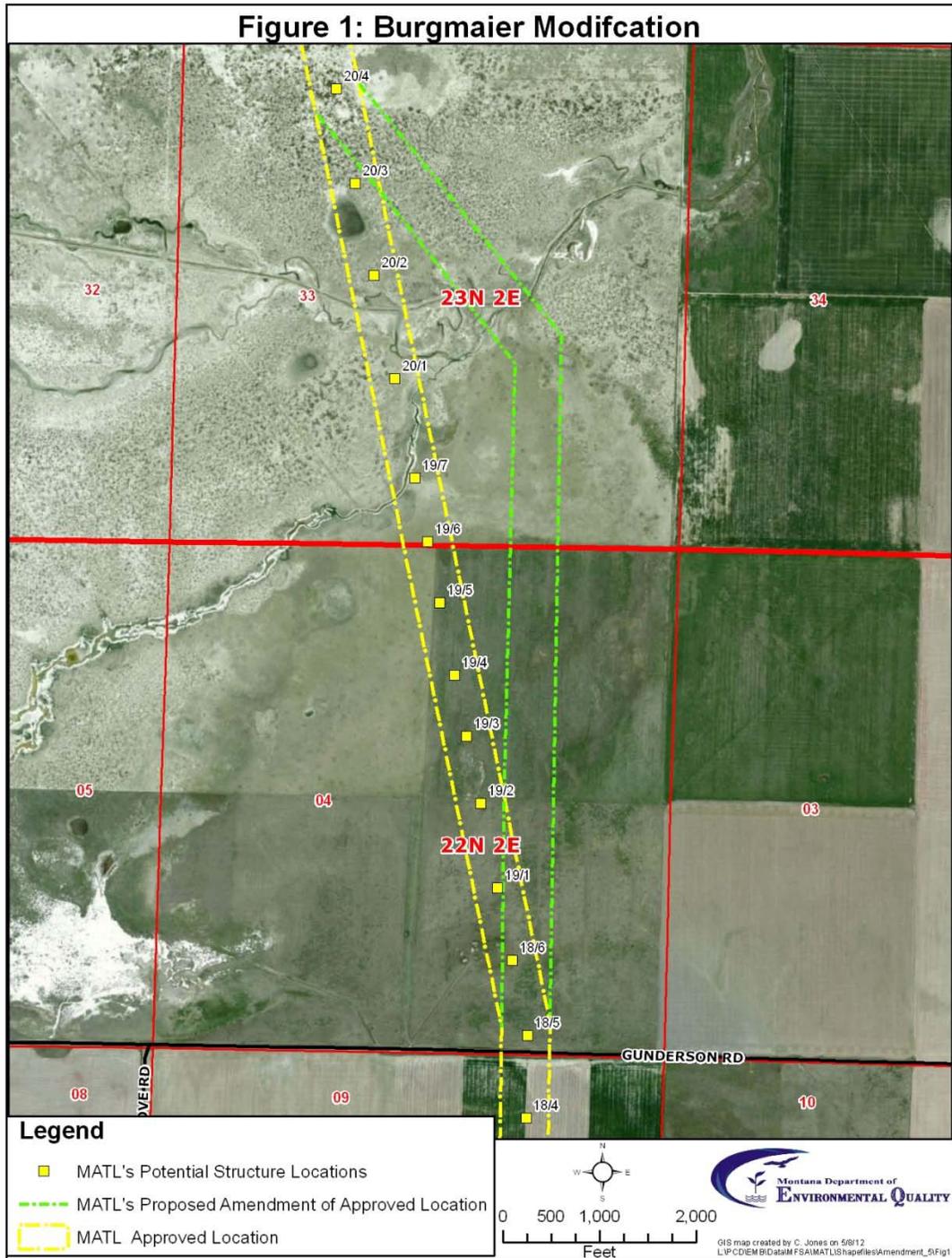


Figure 2

