

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	ONEOK Rockies Midstream, L.L.C. Pipeline Project
<b>Proposed Implementation Date:</b>	2024
<b>Proponent:</b>	ONEOK Rockies Midstream, LLC
<b>Location:</b>	T26N-R59E-Sec 36
<b>County:</b>	Richland County

### Definitions

- HDD- Horizontal Directional Drilling**
- DNRC- Montana Department of Natural Resources and Conservation**
- ONEOK-ONEOK Rockies Midstream, LLC**
- ASI- Applicant Supporting Information**

### I. TYPE AND PURPOSE OF ACTION

ONEOK Rockies Midstream LLC (Henceforth referred to as proponent) has requested a temporary land use license and right of way easement to cross state trust land owned tracts located T26N-R59E-Sec 36 with an 8" poly pipeline for natural gas. The distance of the proposed crossing upon State Trust Land would be approximately 5702.87 feet (345.63 rods) in length X 25 feet in width for permitted area (3.27 acres) for the right of way easement and approximately 286.08 feet (17.34 rods) of access road and 5702.87 ft length X 50 feet width (6.55 acres) for temporary workspace for the Land Use License. The proposed pipeline would be buried, and all topsoil and subsoil would be stripped and stockpiled for reclamation use. There will only be one live stream crossing upon state trust lands, this stream would be crossed utilizing HDD methods.

### 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 Eastern Land Office staff has been working with ONEOK Rockies land and environmental staff since 2023. At this time the proponent began surveying operations along the route of the proposed pipeline DNRC Eastern Land Office staff conducted a field inspection of the sites during the fall of 2023. The proponent has coordinated with the Montana Department of Environmental Quality. The Montana Department of Natural Resources and Conservation does not have jurisdictional authority over pipeline operation and safety. The operation and safety compliance of the pipeline falls within the jurisdiction of the Pipeline Hazardous Materials and Safety Administration

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

- Montana Department of Environmental Quality; Permitting and Compliance Division; Water Protection Bureau:  
401 Permit, 318 Permit, MPDES Permit, MTR100000 Storm Water Discharge
- Montana Department of Fish, Wildlife and Parks
- Montana Public Service Commission
- Montana State Historical Preservation Office
- United State Department of Defense; U.S. Army Corp of Engineers:  
Nationwide Permit 12, 404 Permit
- United States Pipeline and Hazardous Materials Safety Administration
- United States Fish and Wildlife Service:  
Section 7 Endangered Species Act
- Local Conservation Districts:  
Section 310 Permit

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**3. ALTERNATIVES CONSIDERED:**

Alternative A- Grant land use license and right of way easement, to the proponent to for the purpose of installing operating and maintaining an 8" poly pipeline for natural gas upon the mentioned state trust lands tracts.

Alternative B- No Action

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III. IMPACTS ON THE PHYSICAL ENVIRONMENT
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| <ul style="list-style-type: none"><li>• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i></li><li>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i></li><li>• <i>Enter "NONE" If no impacts are identified or the resource is not present.</i></li></ul> |
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**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.*

Alternative A- No fragile unstable or compactable soils have been noted within the scope of the project. All topsoil and subsoil will be stripped and segregated into separate stockpiles to be used upon backfilling and reclamation of the project. Erosion control devices including water bars, straw waddles and silt fences will be utilized to mitigate impacts from water erosion. Sites will be reseeded to a native seed mixture upon completion of the project to reestablish sod.

Alternative B- No Impact.

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**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.*

Alternative A- Minimal impact to water quality, quantity and distribution could be expected. Utilization of erosion control devices and best management practices should minimize any potential runoff which could affect water quality. The single stream crossing and any other areas of concern for water impact in the project will be constructed using HDD practices.

Alternative B- No Impact

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**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.*

Alternative A- Construction could be expected to temporarily impact local ambient air-quality. This impact would be produced through fugitive dust as well as emission from construction equipment. This temporary localized impact should only take place on these tracts of trust land during clearing, construction and restoration processes. Fugitive dust would be controlled through applying water and dust palliatives to roads and work areas as well as revegetating the disturbed areas in a prompt time frame after construction. Impact from construction would be temporary and should not result in significant long-term impacts in air quality.

Alternative B- No Impact

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## **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.*

Alternative A- Vegetation would be disrupted through the stripping of topsoil along the pipeline route. After completion of the construction phase of the pipeline the route would be reseeded to a prescribed native seed mix. Current plant species which occupy the construction area include but are not limited to Western Wheatgrass (*Agropyron smithii*), Green Needlegrass (*Stipa viridula*), Blue Bunch Wheatgrass (*Agropyron spicatum*), Crested Wheatgrass (*Agropyron cristatum*), Prairie Sandreed (*Calamovilfa longifolia*), Little Bluestem (*Schizachyrium scoparium*) Needle and Thread (*Stipa comata*), Prairie Junegrass (*Koeleria pyramidata*), Blue Grama (*Bouteloua gracilis*), Threadleaf Sedge (*Carex filifolia*), Sandberg Bluegrass (*Poa secunda*), Big Sagebrush (*Artemisia tridentata*), Silver Sagebrush (*Artemisia cana*), Fringed Sagewort (*Artemisia frigida*), Broom Snakeweed (*Gutierrezia sarothrae*), Smooth Brome (*Bromus inermis*), Downy Brome (*Bromus tectorum*) and Japanese Brome (*Bromus japonicus*).

Alternative B- No Impact

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## **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.*

Alternative A- This project may disrupt wildlife habitat for a number of species. Species which may have habitat in the area of the project may include deer, elk, antelope, rodents, coyotes, foxes, mountain lions, rodents, amphibians, fish, raptors, waterfowl, migratory and prairie birds. The majority of disruption would occur during the construction and reclamation phases of the project. Most habitat loss will be temporary as vegetation cover will be re-established after construction and will be a small percentage of the habitats available throughout the region crossed by the project. Upon project completion habitats and wildlife utilization should return to normal levels.

Alternative B- No Impact

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## **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.*

Alternative A- A search of the Montana Natural Heritage Database shows no species of concern observed in the general area surrounding this tract of state trust land.

While these sensitive species may be present on state trust lands within the project location, disturbance to these species should be temporary in nature. Disturbance may occur during the pre-construction, construction and reclamation phases of the project. Upon completion of these phases use by these species should return to pre-construction levels.

The tract of state trust land proposed in this project is not located within Greater Sage Grouse Core, General or Connectivity habitat.

Alternative B- No Impact

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**10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

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

Alternative A: A Class III cultural and paleontological resources inventory was conducted of the area of potential effect on state land. Despite a detailed examination, no cultural or fossil resources were identified in the easement corridor. No additional archaeological or paleontological investigative work is recommended. The proposed project will have *No Effect* to *Antiquities* as defined under the Montana State Antiquities Act. A formal report of findings is on file with the DNRC and the Montana State Historic Preservation Officer.

Alternative B- No Impact

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**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.*

Alternative A- No impacts to aesthetics on this tract are anticipated due to the pipeline being placed beneath the ground. Alteration of the viewshed may occur during the clearing, construction and restoration activities. Some areas of the project are remote and are not visible from populated areas while others are visible from county roads and state highways. Construction activities may leave a scar on the vegetative community which should recover fully after restoration is complete, generally within 3 years or less. Noise levels around the site of construction may be temporarily increased. Maximum noise levels from the construction are expected to be 75-85 decibels in the immediate area of construction. This increase should be temporary in nature and subside when construction ceases. No above ground appurtenances are proposed with this project.

Alternative B- No Impact

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**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.*

Alternative A- The proponent would require the temporary surface use of approximately 9.82 acres of land during the construction phase of the project. Upon completion and full reclamation of the disturbed area land resources should return to a preconstruction state

Alternative B- No Impact

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**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.*

Some or all of the following permits may be needed from other state and federal agencies.

Montana Department of Environmental Quality;  
Water Protection Bureau: 401 Permit, 318 Permit, MPDES Permit

Montana Department of Fish, Wildlife and Parks Joint Application 310/404

Montana State Historical Preservation Office

Antiquities Act of 1906  
Archeology Resources Protection Act of 1979  
National Historic Preservation Act Section 106

United State Department of Defense;  
U.S. Army Corp of Engineers: Nationwide Permit 12, 404 Permit

United States Fish and Wildlife Service:  
Section 7 Endangered Species Act

United States Department of Transportation;  
Office of Pipeline Safety (49 CFR Parts 194 and 195)

Local Conservation Districts:  
Section 310 Permit Joint Application

Pipeline and Hazardous Material Safety Administration

#### **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.*

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#### **14. HUMAN HEALTH AND SAFETY:**

*Identify any health and safety risks posed by the project.*

Alternative A- There may be potential health and safety risks associated with this project. These risks can be mitigated with proper training and on-site safety protocols. The proponent has developed an emergency response plan to comply with applicable health and safety requirements and regulations. Prior to beginning any construction, the proponent will organize a meeting involving employees, contractors and inspectors to discuss health and safety requirements of the project.

The proponent will also participate in the "One Call" program prior to commencing construction activity.

The proponent will contact local fire districts to facilitate a plan for fire prevention during the construction of the proposed project.

Alternative B- No Impact

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#### **15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:**

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

Alternative A- This project should have a long-term positive effect on industrial and commercial activities and production in Eastern Montana. This project may have a short-term negative effect on agricultural activities and production. These negative effects should only last through the construction and restoration phases of the proposed project. The proponent has been coordinating with landowners and surface lessees to repair any damaged infrastructure (fences, cattle guards, stock water pipelines, ect...).

Alternative B- No Impact

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**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.*

Alternative A- This project has the potential to create jobs with further development possibilities. The expected maximum workforce is unknown currently.

Alternative B- No Impact

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**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.*

Alternative A- This project is expected to increase tax revenue within counties crossed by the pipeline through issuance of property taxes, applicable local taxes, and payroll income taxes collected from employees working in Montana. The total increase to local and state tax base and revenues is unknown at this time.

Alternative B- No impact.

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**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*

Alternative A- Traffic levels could increase substantially during the construction phase of this project. Additional police and fire protection as well as county road maintenance may be required. This increase should only be short term and temporary during the construction and reclamation phases of the project.

Alternative B- No Impact

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**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.*

Alternative A- There is no noted adopted environmental plans or goals within the boundary of the easement requested.

Alternative B- No Impact

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**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.*

Alternative A- This proposed project and easement request should have only a minimal effect on access to recreational and wilderness activities. These opportunities may be disrupted during construction phase of the project. These phases will be short term in nature and should have no lasting effect on recreational activities.

Alternative B- No Impact

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**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.*

Alternative A- There is potential for a temporary increase in population as well as housing demand as a result of this proposed project. This work force may require moderate amounts of temporary housing. This workforce

would be localized in this area of Montana and North Dakota, and the amount of temporary housing required in this area is unknown.

Alternative B- No Impact

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**22. SOCIAL STRUCTURES AND MORES:**

*Identify potential disruption of native or traditional lifestyles or communities.*

Alternative A- This project has the potential to have a minimal and temporary disruption of native or traditional lifestyles. This disruption should cease and return to pre-project levels once the construction and reclamation phases are completed.

Alternative B- No Impact

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**23. CULTURAL UNIQUENESS AND DIVERSITY:**

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

Alternative A- No Significant Impact

Alternative B- No Impact

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**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.*

Alternative A- This project would require the purchase of a 25-foot-wide 30-year term right of way easement across 345.62 rods of state trust land. The price offered by the proponent is \$350.00 per rod. The total value of the 30-year term easement across state trust land would be \$120,967.00.

The project would also require the issuance of a Land Use License to cover road access and temporary workspace outside of the right of way easement. The value of the temporary land use license would be \$9,074.00. The values established for the Land Use License are based on the proponent offer of \$25.00 per rod.

Alternative B- Additional revenue to the trust through the sale of a right of way easement or Land Use License would not be realized.

<b>EA Checklist Prepared By:</b>	<b>Name:</b> Aaron Kneeland	<b>Date:</b> 3-28-2024
	<b>Title:</b> Land Use Specialist	

**V. FINDING**

**25. ALTERNATIVE SELECTED:**

Alternative A

**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

The granting of the requested right of way easement and land use license across state owned trust lands for the proposed ONEOK Rockies Pipeline project should not result in nor cause significant environmental impacts. The predicted environmental impacts have been identified and mitigation measures addressed in the environmental assessment checklist. The predicted impacts will be adequately mitigated through the construction and reclamation plans. The proposed action satisfies the trusts fiduciary mandate and ensures the long-term productivity of the land. An environmental assessment checklist is the appropriate level of analysis for the proposed action.

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

EIS

More Detailed EA

No Further Analysis

<b>EA Checklist Approved By:</b>	<b>Name:</b> Scott Aye
	<b>Title:</b> Land Program Manager
<b>Signature:</b>	<b>Date:</b>