

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Oneok Temporary Road Use LUL
Proposed Implementation Date:	2019
Proponent:	Oneok Elk Creek Pipeline
Location:	T18N-R60E-Sec 16, T17N-R60E-Sec 8, T17N-R60E-Sec 16, T12N-R59E-Sec 36, T10N-R58E-Sec 12, T10N-R58E-Sec 36, T3N-R60E-Sec 10, T1S-R60E-Sec 16, T2S-R60E-Sec 16, T4S-R61E-Sec 36, T6S-R62E-Sec 16, T9S-R60E-Sec 16
County:	Wibaux County, Fallon County, Carter County

I. TYPE AND PURPOSE OF ACTION

Oneok Elk Creek Pipeline LLC (Henceforth referred to as proponent) has requested a temporary road use land use license from the DNRC Eastern Land Office. This license would be for access to various tracts of land within the route of the proposed Elk Creek Pipeline. The proposed Land Use License is for the utilization of existing roads and trails located on the list of tracts shown. No new road construction would be required based on the issuance of this license. The proposed license would be for use of existing roads and trails across 12 parcels of State Trust Land. The total length of requested road use is 1711.84 rods (5.35 miles). Common Schools K-12 Education is the trust beneficiary for all parcels involved.

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 proponent has filed an application DS-401 for a land use license to utilize existing roads and trails on the specific tracts of State Trust Land mentioned above.

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

None

3. ALTERNATIVES CONSIDERED:

Alternative A: Allow temporary use of existing roads trails requested through issuance of a land use license
Alternative B: No Action

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.

Alternative A: Very little disturbance should occur to the soils in this area as the road use requested is already being used for that purpose by surface lessees and licensees. Soils in the area are a multitude of differing soil types. But all roads requested for temporary use have been in existence for a long period of time. The proponent would be required to mitigate any erosion caused by use of the existing roads.

Alternative B: No Impact

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: No impact expected

Alternative B: No Impact

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: Minimal amounts of fugitive dust from increased vehicle traffic may be expected. Requested road use is temporary in nature and once the related construction project is completed use of these roads should return to pre-project levels.

Alternative B: No Impact

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: Vegetative impacts should be minimal as no direct disturbance is expected due to use of the existing roads.

Alternative B: No Impact

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: There may be very minimal effects on any animal habitats within the boundaries of the project construction. Wildlife that inhabit the project area include antelope, deer, elk, coyotes, rodents, reptiles, migratory and prairie birds. Wildlife may be temporarily disturbed due to increased traffic during site construction. The road is currently in use by the surface lessees and license holders. Wildlife use should return to normal once the project is complete.

Alternative B: No Impact

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 Program Database has noted 14 species of concern noted within the general road use area. Impacts to these species if present should be minimal and temporary in nature.

Birds

Burrowing Owl (*Athene cunicularia*)

Greater Sage-Grouse (*Centrocercus urophasianus*)

Brewer's Sparrow (*Spizella breweri*)

Golden Eagle (*Aquila chrysaetos*)
Great Blue Heron (*Ardea herodias*)
Pinyon Jay (*Gymnorhinus cyanocephalus*)
Peregrine Falcon (*Falco peregrinus*),
Evening Grosbeak (*Coccothraustes vespertinus*)
Clark's Nutcracker (*Nucifraga Columbiana*)
Long-billed Curlew (*Numenius americanus*)
Red-headed Woodpecker (*Melanerpes erythrocephalus*)
Loggerhead Shrike (*Lanius ludovicianus*)

Mammals

Black-tailed Prairie Dog (*Cynomys ludovicianus*),
Little Brown Myotis (*Myotis lucifugus*),

While some of these species may be present in the general project area no significant impacts to them are expected. The road use requested is for existing and historically used roads and trails.

Some of the temporary road use requested is within general and or core Greater Sage Grouse habitat. The Montana Sage Grouse Habitat Conservation Program has issued a consultation letter on the project (Project #2822). The proponent will implement this consultation into their project plan of development, regarding the use of these roads and comply with standards set forth in EO-12-2015 and EO-21-2015.

Alternative B: No Impact

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

Alternative A: Upon inspection of the DNRC Eastern Land Office, no cultural, historical or paleontological sites were noted within the scope of the project. A search of the TLMS database shows that no cultural historical or paleontological sites have been noted or recorded. No impact to these sites is expected as no new construction would be taking place. The road routes on the state parcels were previously inspected for cultural and paleontologic resources in 2011, 2012 and 2015 as part of the Bakken and Cedar Creek Co2 pipeline studies. No cultural or paleontologic resources were identified. No additional archaeological investigative work is recommended. Issuance of Land Use Licenses for use of these existing roads by Oneok will result in No Effect to state owned Heritage Properties.

Alternative B: No Impact

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: Noise levels may be slightly increased this increase would be temporary and return to normal levels once the proposed project is completed. None of the requested areas of temporary road use are located in densely populated areas.

Alternative B: No Impact

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: No Significant Impact

Alternative B: No Impact

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.

Alternative A: No Impact

Alternative B: No Impact

<p style="text-align: center;">IV. IMPACTS ON THE HUMAN POPULATION</p>

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| <ul style="list-style-type: none">• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i>• <i>Enter "NONE" if no impacts are identified or the resource is not present.</i> |
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14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

Alternative A: No significant impact expected.

Alternative B: No Impact

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

Alternative A: A positive effect to industrial and commercial activities could be expected. Impact to agricultural activities should be neutral.

Alternative B: No Impact

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: The project associated with this proposed land use license has the potential to create jobs with further development possibilities. The overall increase to employment is unknown at this time.

Alternative B: No Impact

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 has the potential to increase local and state tax revenues. The amount of which is unknown at this time.

Alternative B: No Impact

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 in these areas may experience a slight to moderate increase. The need for increased government services for the proposed project is not expected.

Alternative B: No Impact

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: No Impact expected

Alternative B: No 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.

Alternative A: No Significant Impact

Alternative B: No Impact

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: The proposed project estimates an increase of 150 temporary workforce personnel. This should have minimal impact to the population and housing resources in these counties.

Alternative B: No Impact

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

Alternative A: No Significant Impact

Alternative B: No Impact

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

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: Temporary road use would require the issuance of a 3 Year Land Use License. The estimated value of the proposed Land Use License is \$17,118.40 (\$10.00 per rod). All revenue from the issuance of Land Use Licenses is placed in the distributable income account for the respective trusts associated with each parcel

Alternative B: No Impact

EA Checklist Prepared By:	Name: Scott Aye	Date: 11-23-2018
	Title: Land Program Manager	

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative A

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The granting of the requested land use license upon state owned trust lands for the proposed temporary road use should not result in nor cause significant environmental impacts. The predicted environmental impacts have been identified and mitigation measures addressed in the EA checklist. 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

EA Checklist Approved By:	Name: Chris Pileski	
	Title: ELO Area Manager	
Signature:		Date: 11/25/18