

## CHECKLIST ENVIRONMENTAL ASSESSMENT

**Project Name:** Magnus Services, LLC

**Proposed**

**Implementation Date:** July 17, 2025 – January 17, 2026

**Proponent:** Magnus Services, LLC

**Location:** Township 24N, Range 58E, Section 16 : Though the State of Montana Land  
In the ditch along HWY 16.

**County:** Richland County, Montana

**Trust:** Common Schools

**Introduction:** In June of 2025, the Minerals Management Bureau (MMB) of the Forestry and Trust Lands Division (FTLD) of the Montana Department of Natural Resources and Conservation (DNRC), completed a programmatic environmental analysis for lay flat hose land use licenses. 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/Final-Programmatic-EA-Layflat-Hose-LUL-2.pdf>

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

On July 16, 2025 DNRC received an application from the Proponent, **Magnus Services, LLC**, to lay a temporary layflat hose for the purpose of transferring freshwater across State of Montana Land tracts. The water would be utilized for the fracturing of a Bakken formation oil well. This analysis does not evaluate the impacts or usage of the water nor the fracturing of the well itself. The analysis evaluates the impacts of placing and removing the hose, the hose on the landscape, and the transferring of the water. The Proponent has applied for an effective duration date of **July 17, 2025 until January 17, 2026**. The hose would be expected to be placed near the beginning of the duration and removed near the end of the duration.

### **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 DNRC Headquarters Minerals Management Office received the initial application. The DNRC Eastern Land Office (ELO) was notified of the application. The DNRC ELO or the proponent will contact the surface lessee prior to the project commencement.

### 3. ALTERNATIVES CONSIDERED:

**No Action Alternative:** The lay flat land use license application would be denied

**Action Alternative:** The lay flat land use license application would be approved with standard stipulations along with any special stipulations identified resulting from this analysis.

### 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.*

#### Species Occurrences



##### ? Definition of Species Occurrences

- + B - Loggerhead Shrike (*Lanius ludovicianus*) SOC
- + B - Whooping Crane (*Grus americana*) SOC
- + O - Bat Roost (Non-Cave) (Bat Roost (Non-Cave)) IAH

The placement of layflat hose within the project area is not expected to have significant impacts on the species of concern listed above. Several trucks and light machinery with several employees of the proponent would be in the project area for approximately a day to place the hose and a day to remove the hose. For a majority of the duration of the proposed license, the hose will lay in the same spot within the tract. The hose will also be placed near the busiest highway in the area. This area has already been altered by human activities and offers very little quality habitat for the species of concern listed. Overall the impacts to the species of concern listed above, are expected to be short-term and negligible.

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

- No – This project is not located within designated Greater Sage Grouse General, Core or Connectivity Habitat.

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

- No – This project area is not within one-half mile of an active Bald or Golden Eagle Nest.

### 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.*

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

- Yes – This project area is currently leased for grazing; the proponent or ELO shall contact the grazing lessee prior to commencing project activities. If there are any

damages realized by the grazing lessee from the proposed action, the proponent must compensate the lessee for those damages in accordance with administrative rule.

<b>Checklist EA</b>	<b>Name:</b> Kelly Bertellotti	<b>Date:</b> 7/16/2025
<b>Prepared By:</b>	<b>Title:</b> Minerals Resource Specialist	

## V. FINDING

### 25. ALTERNATIVE SELECTED:

#### Action Alternative:

After a thorough review of this checklist environmental assessment, the corresponding programmatic review, the project file, and Montana's laws and rules; I have decided to select the action alternative and the DNRC will issue a Land Use License for the ability to lay flat hose in the proposed area from July 17<sup>th</sup>, 2025, until January 17<sup>th</sup>, 2025. This decision is consistent with the mission and best management practice of State of Montana School Trust Lands, and the future income generating capacity of the land will not be impacted by this decision.


**No Action Alternative:** The proponent's application would be denied and the proponent would not be allowed to place and utilize the layflat hose for the time period requested in the application.

### 26. SIGNIFICANCE OF POTENTIAL IMPACTS:

I have concluded that through the implementation of the stipulations listed below that the impacts of the proposed action are non-significant, being either negligible or minor and short-term in nature.

- The permittee shall only conduct operations under dry or frozen conditions. Operations are not allowed under wet or muddy conditions.
- Lay flat hose may not be placed in or through a fresh water source or wetlands
- The permittee shall inspect and wash any equipment being utilized in operations prior to commencing work. This shall mitigate the risk of fire and the spread of noxious and invasive weeds.

- The permittee shall be responsible for the elimination of noxious and invasive weeds that are introduced or exacerbated resulting from licensed activities.
- The permittee shall keep a fire extinguisher readily available during operations. A fire start caused by licensed operations is the sole responsibility of the permittee.
- The Department may postpone operations if they are deemed as a fire risk.
- If any previously unidentified historical, archeological or paleontological resources are encountered during licensed activities the licensee shall avoid the site and report it to the nearest DNRC unit office.

<b>Checklist EA</b>	<b>Name: Scott Aye</b>
<b>Approved By:</b>	<b>Title: Land Program Manager</b>
<b>Signature:</b> 	<b>Date:</b> 7-29-25