

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Proposed Evaporation Pit for State Well #12X-12
Proposed Implementation Date:	Fall/Winter 2012
Proponent:	MCR LLC, PO Box 716, Shelby, MT 59474-Lessee & Operator
Location:	Section 12, T37N, R4E State #12X-12-SW4NW4, 2310' FNL and 660' FWL
County:	Liberty
Trust:	Common Schools

I. TYPE AND PURPOSE OF ACTION

MCR LLC-lessee and operator has requested permission to construct an evaporation pit on state land. State well #12X-12 was recompleted in 2011 into the Bow Island Formation (top of the Rierdon) to a total depth of 3,252'. The well is located on land that is classified as grazing. The evaporation pit will be 15' X 10' X 4' deep and hold an estimated volume of 100 BBL. This will provide containment if there was a problem with the 100 BBL oil tank adjacent to the well. If the evaporation pit is abandoned, any liquid will be removed and the pit will be backfilled, recontoured, and the topsoil redistributed over the area. The site will then be returned to native rangeland. The well site is being accessed by using an existing 2 track road from the Flat Coulee Road.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

MCR LLC-Lessee and Operator
DNRC-Surface and Mineral Owner
Montana Board of Oil and Gas Conservation

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

Montana Board of Oil and Gas Conservation permit form 23 has been submitted for approval for this well. MCR LLC has the State of Montana Oil and Gas lease #OG-6423-61A associated with this state land. DNRC is not aware of any other agencies with jurisdiction or other permits needed to complete this project.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Deny MCR LLC-Lessee and Operator permission to construct an evaporation pit.

Alternative B (the Proposed action) – Grant MCR LLC-Lessee and Operator permission to construct an evaporation pit using the Conrad Unit Office's recommendations to minimize adverse environmental impacts.

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.

Soils at the proposed evaporation pit site are silty to clayey in texture. Topography is rolling and suitable for construction of the evaporation pit. The top 12 inches of soil will be removed from the evaporation pit site and stock piled for reclamation purposes. Access to the well site will be from Flat Coulee Road, using an existing two track road. The evaporation pit will require a small amount of dirt work and leveling. No road improvements will occur. The proposed action may cause localized areas of soil erosion and compaction from the manipulation of vehicles and equipment on the surface. The proposed action will temporarily disturb a small portion of the landscape. No long-term negative impacts on the soil resources are expected. The rangeland areas will be reseeded per the seeding recommendations included in item #7.

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.

There are numerous documented and/or recorded water rights associated with the proposed project area. The produced water is 8750 mg/l of TDS which is less the 10,000 mg/l of TDS, so a pit liner is not required. The proponent will be required to fence the evaporation pit to prevent wildlife and livestock from entering the pit. These actions will mitigate any potential damage to surface and ground water.

Other water quality and/or quantity issues will not be impacted by the proposed action.

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.

Dirt work associated with the building of the evaporation pit will generate a small amount of airborne dust. This activity will minimally affect air quality for a very limited amount of time. No cumulative effects to air quality are anticipated.

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.

A 10' X 15' area consisting of 0.003 acres of classified grazing land will be impacted by the removal of topsoil and the construction of the evaporation pit. The proponent will be responsible for noxious weeds that may arise from implementing this proposed action. The site will be returned to grazing land following site reclamation. The proposed action will impact a small portion of the landscape. The grazing land will be reclaimed and reseeded with the following species: western wheatgrass 35%, slender wheatgrass 35%, blue bunch wheatgrass 15%, green needle grass, 10%, and Lewis blue flax 5%. The seeding rate will be 7 lbs/acre if drilled and 14 lbs/acre if broadcast seeded.

A review of Natural Heritage data through the NRIS was conducted for T37N, R4E. There was one species of concern and zero potential species of concern noted on the NRIS survey: Flowering Plants-Long-sheath Waterweed. The proposed project area has been previously disturbed in construction of the well pad and does not contain this species in the proposed project area.

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.

The area is not considered critical wildlife habitat. However, this tract provides habitat for a variety of big game species (mule deer, whitetail deer, and pronghorn antelope), predators (coyote, fox, and badger), upland game birds (sharp tail grouse, Hungarian partridge), other non-game mammals, raptors and various songbirds. The proposal does not include any land use change which would yield changes to the wildlife habitat. The proposed action will not impact wildlife forage, cover, or traveling corridors. Nor will this action change the juxtaposition of wildlife forage, water, or hiding and thermal cover. Wildlife usage is expected to return to "normal" (pre-action usage) following the drilling operations. The proposed action will not have long-term negative effects on existing wildlife species and/or wildlife habitat.

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.

There are no threatened or endangered species, sensitive habitat types, or other species of special concern associated with the proposed project area. At this time, no known unique, endangered, fragile or limited environmental resources have been identified within the proposed project area.

A review of Natural Heritage data through the NRIS was conducted for T37N, R4E. There were five species of concern and one potential species of concern noted on the NRIS survey: Birds—Sprague's Pipit, Chestnut-collared Longspur, Long-billed Curlew, McCown's Longspur, Sharp-tailed Grouse, and Swainson's hawk. This particular tract of native rangeland does not contain many, if any of these species. If any are present, they will be dispersed into the surrounding permanent cover and return to the project area once it is completed.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

A cultural resource inventory was completed by the Conrad Unit Office on November 27, 2012. The area has been previously disturbed in construction of the well pad. No cultural resources were found within the project area, so it is assumed that cultural resources will not be impacted by this proposed project.

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.

The proposed action will occur in a remote area and will not cause a large change in the aesthetic character of the land. The main industries in this area are agricultural, grazing, and oil and gas production. A producing well has already been developed, so the lands aesthetic character will not be changed. Daytime noise levels may slightly increase during the time of the project, but noise levels will return to "normal" (pre-action conditions) after the project is completed. No other changes to the aesthetics character of the land area are expected.

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.

The demand on environmental resources such as land, water, air, or energy will not be affected by the proposed action. The proposed action will not consume resources that are limited in the area. There are no other projects in the area that will affect the proposed project.

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.

The proposed well is located in the Whitlash Oil field. There are no other projects or plans being considered on the tract listed on this EA.

IV. IMPACTS ON THE HUMAN POPULATION
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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.

The proposed well will not change human safety in the area.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

The intent of the proponent's action is to locate and remove oil for commercial sale. Activities associated with the proposed action will minimally affect the surface use of the land (grazing). A minimal amount of acreage will be taken out of production for the construction of the evaporation pit. All actual damages to the surface have been mitigated between the surface lessee and the proponent. The project will not add to or deter from other industrial, commercial, or agricultural activities in the area.

No direct or cumulative impacts are anticipated as a result of the proposal.

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.

The proposed action will not create any new jobs as the project will be completed by the proponent's existing staff.

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.

The proposed action will add to the tax revenue.

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

There will be no increases in traffic, no changes in traffic patterns, and no need for additional fire protection, or police services.

There will be no direct or cumulative effects on government services.

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.

The proposed action is in compliance with State and County laws. No other management plans are in effect for the area.

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.

This tract of state land is rural and generally has low recreational value. The tract is legally accessible and the proposed action is not expected to impact general recreational and wilderness activities on this state tract.

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

The proposal does not include any changes to housing or developments.

No direct or cumulative effects to population or housing are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

The proposed action will not impact the cultural uniqueness or diversity of the area.

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.

The proponent has interest in the State of Montana Oil and Gas Lease #OG-6423-61A that is associated with this state tract. This lease entitles them to reasonable development of oil and gas wells on this tract after DNRC approval. The Common School trust will be compensated for all oil removed from a producing well.

	Name: Tony Nickol	Date: December 4, 2012
	Title: Land Use Specialist, Conrad Unit, Central Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative B (the Proposed action) – Grant MCR LLC-Lessee and Operator permission to construct the evaporation pit using the Conrad Unit Office’s recommendations to minimize adverse environmental impacts.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The proposed evaporation pit is need to product the 12X-12 well. The pit will be used to dispose of produced waters from the 12X-12 well (about one barrel of water per day). All Montana Board of Oil and Gas and DEQ rules and regulations will be followed and all necessary permits have been obtained. Small-scale impacts to the surface are expected during construction. These impacts are small scale and temporary in nature. No archaeological sites were observed within the project area. Actual surface damages have been settled with our surface lessee. Following construction, all disturbed areas will be recontoured and reseeded to the seed mixture outlined in this EA.

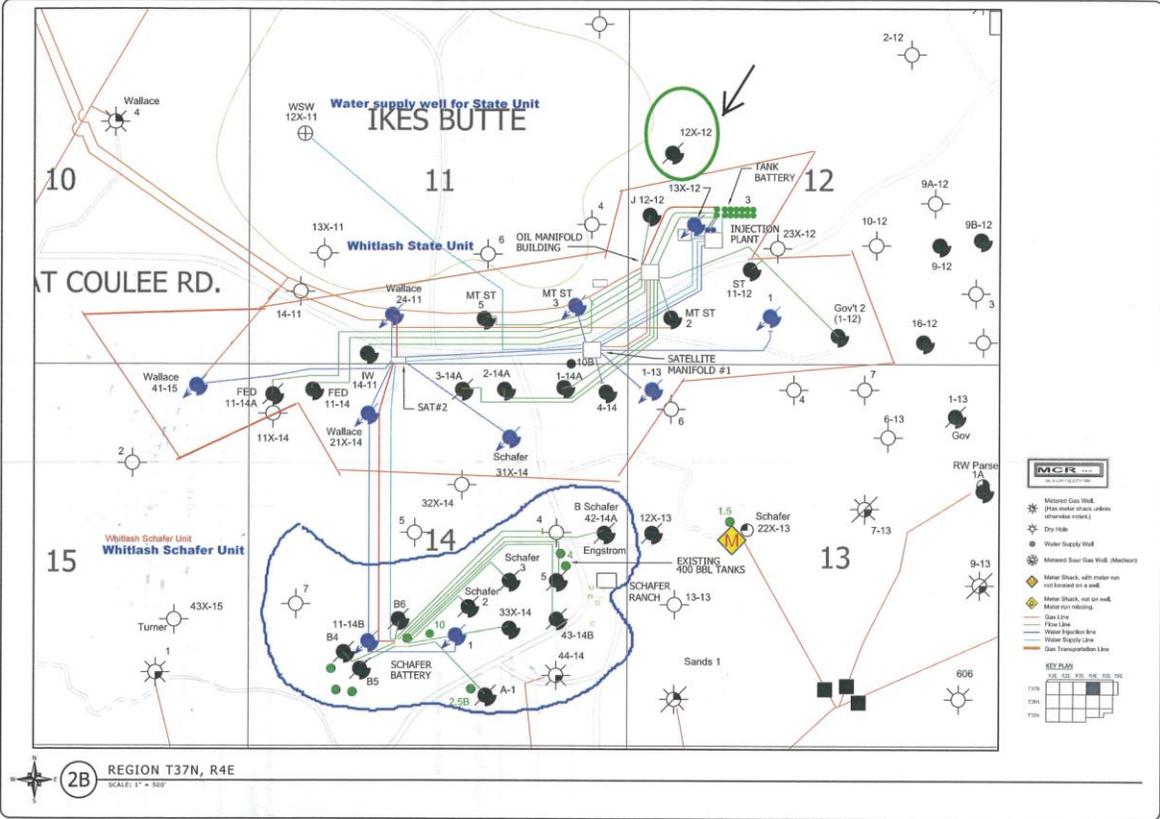
27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS

More Detailed EA

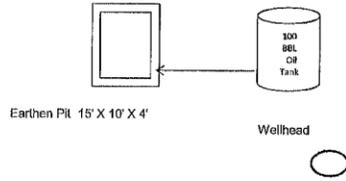
No Further Analysis

EA Checklist Approved By:	Name: Erik Eneboe
	Title: Conrad Unit Manager, CLO, DNRC
Signature: 	Date: Dec. 31, 2012



STATE 12X-12
EMERGENCY PIT DIAGRAM
SW NW SECTION 12-T37N-R4E
Liberty County, MT

NORTH ↑



PIT DIMENSIONS
15' X 10' X 4'
ESTIMATED VOLUME

