CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	LUL #3070990, Existing Irrigation Ditch, (Richard's Ditch)
Proposed Implementation Date:	Summer 2011
Proponent:	Loren Sasser, PO Box 520, Choteau, MT 59422
Location:	SW4, E2, Section 16, T23N, R5W
County:	Teton
Trust:	Common Schools

I. TYPE AND PURPOSE OF ACTION

Loren Sasser has applied for a Land Use License for the purposed of conveying irrigation and livestock water across state land via an irrigation ditch and also ditch access for monitoring and maintenance purposes. The irrigation ditch was installed in approximately 1901 and was not properly authorized by the DNRC. The ditch crosses approximately 4,420' or 0.84 miles of state land classified as grazing. The objective of LUL #3070990 is to authorize the use of the existing irrigation ditch, (Richard's Ditch). No damages or changes to the existing environment will occur because the ditch has already been installed. This ditch is fed by a head gate diversion located on the SE4NE4SW4, Section 16, T23N, R5W that was authorized under an improvement request form. The head gate diversion provides water to a state owned water right and to others for private water rights.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:
Provide a brief chronology of the scoping and ongoing involvement for this project.

Loren Sasser-Proponent, Surface Lessee, Lease #7322 & #3591
DNRC-Surface Owner

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

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 Loren Sasser permission to utilize the existing irrigation ditch.

Alternative B (the Proposed action) – Grant Loren Sasser permission to utilize the existing irrigation ditch.

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.

The proposed action will require no new construction. Minimal maintenance will occur on an annual basis, but all disturbed areas will be reclaimed. Existing roads will be used for ditch access and maintenance.

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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.

There are numerous water rights associated with this tract, see the below table.

Water Right Number	Owner	Flow Rate
410113600	State of Montana Board of Land Commissioners	204.00 GPM
41016712800	Robert Stephens Jr.	14.14 CFS
4101904900	Loren Sasser	7.80 CFS
4101904900	Nancy Sasser	7.80 CFS
41030017448	FWP	18.00 CFS

The proposed action will not have any other affects on the quality, quantity, or distribution of water resources in the area as LUL #3070990 authorizes the use of an existing irrigation ditch.

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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.

The proposed action will not impact the air quality.

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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.

The irrigation ditch is currently in place and fully functioning. Minimal amounts of annual maintenance will occur, but all disturbed areas will be reclaimed and reseeded with native vegetation.

A review of Natural Heritage data through the NRIS was conducted and there were no plant species of concern noted or potential species of concern noted on the NRIS survey.

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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.

The area is not considered critical wildlife habitat. However, this tract provides habitat for a variety of big game species (mule deer, whitetail deer, pronghorn antelope), predators (coyote, fox, 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.

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 T23N, R5W. There were five species of concern and three potential species of concern noted on the NRIS survey: Birds—Golden Eagle, Clark's Grebe, Ferruginous Hawk, Bobolink, and Swainson's hawk. Fish-Brook Stickleback and Brassy Minnow. Mammals-Gray Wolf. This particular tract of native rangeland does not contain many, if any of these species. However, since the irrigation ditch is existing, no direct, indirect, or cumulative effects are expected to the species of concern due to the proposed action.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:
Identify and determine effects to historical, archaeological or paleontological resources.

As the irrigation ditch is currently in place and no new construction will occur, no historical, archaeological, or paleontological resources will be impacted.

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.

As the irrigation ditch is currently in place, the aesthetic character of the land will not be altered.

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.

There are no other projects or plans being considered on the tract listed on this EA.

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.*

14. HUMAN HEALTH AND SAFETY:
Identify any health and safety risks posed by the project.

The proposed project 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 existing irrigation ditch is vital to Loren Sasser's ranching operation. It is used both for livestock water and irrigation purposes.

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.

This project will not create any new jobs as the irrigation ditch has been previously completed.

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 not affect the tax base or tax revenues.

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 excessive stress placed on the existing infrastructure of the area as the irrigation ditch has been previously completed.

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 Federal, 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 proposed project area is accessible by a two-track trail through deeded land and generally has low recreational value. The tract is legally accessible via Deep Creek 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.

This project will benefit the school trust in terms of a $25.00 fee generated from the LUL application. The annual fee for LUL #3070990 will be $150.00 per year for the ten year term of the license for a total of $1500.00. Cumulative impacts are not expected as the area is only used for grazing and the existing irrigation ditch will not affect long term viability of grazing on the tract.

EA Checklist Prepared By:	**Name:**	Tony Nickol	**Date:**	August 15, 2011
	Title:	Land Use Specialist, Conrad Unit, Central Land Office		

V. FINDINGS

25. ALTERNATIVE SELECTED:

Alternative B (the Proposed action) – Grant Loren Sasser a land use license (LUL) to convey irrigation and stock water across state land.

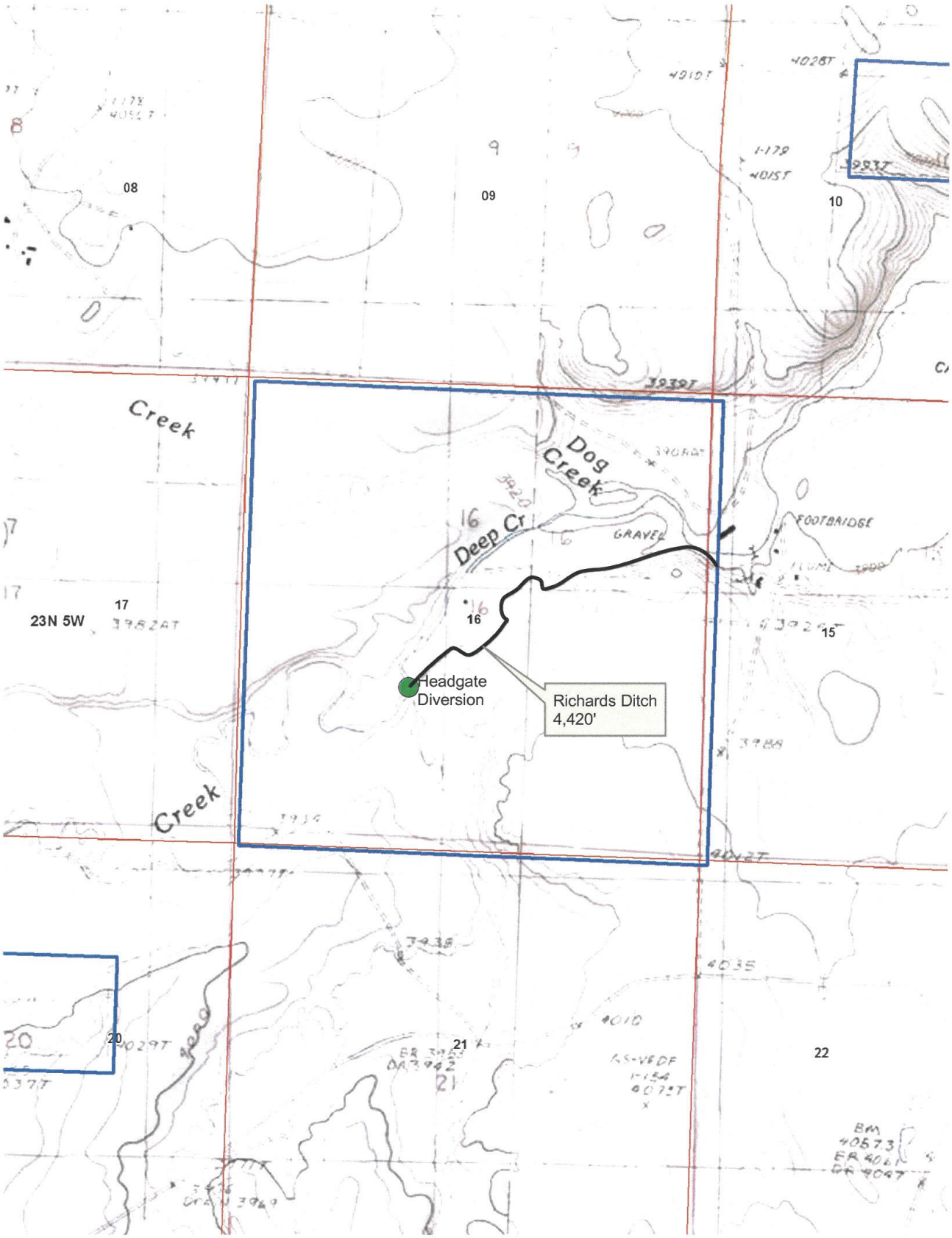
26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The ditch is in place and currently functional. No new construction is planned. Issuing the LUL will bring this ditch into DNRC compliance with current rules and regulations. No negative environmental impacts are expected.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

[ ] EIS	[ ] More Detailed EA	[X] No Further Analysis

EA Checklist Approved By:	**Name:** Erik Eneboe **Title:** Conrad Unit Manger, CLO, DNRC	
Signature:		**Date**: August 30, 2011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