

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: Kent Ditch Company c/o Andy Butts PO Box 417, Reed Point, MT 59069
2. Type of action: Application to Change an Irrigation Water Right
3. Water source name: Yellowstone River
4. Location affected by project: Section 33 T1S R17E, Sweet Grass County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The Applicant proposes to change the place of use to add 133.05 acres in section 33 T1S R17E. The additional acres would be irrigated by Kent Ditch water comingled with groundwater from a pending permit request from land owner Mark Hathaway. The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.
6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)
Montana Department of Fish, Wildlife and Parks
Montana Department of Environmental Quality
Montana Department of Natural Resources and Conservation
Montana Natural Heritage Program
United States Fish and Wildlife Service
United States Department of Agriculture, Natural Resources Conservation Service

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity – The Yellowstone River is not listed as a chronically dewatered stream by the Montana Department of Fish, Wildlife and Parks but is considered periodically dewatered. No additional water would be diverted from the river under this proposed change and the change would not make the situation worse.

Determination: No Impact.

Water quality – Return flow from irrigated lands has the potential to add fertilizer and soil nutrients to adjacent surface water sources. The Yellowstone River in Sweet Grass County is listed by the Montana Department of Environmental Quality in 2014, as fully supporting contact recreation, aquatic life and agriculture and lists no uses as threatened.

Determination: No Significant Impact.

Groundwater – Addition of irrigated acres to the Kent Ditch place of use will no impact groundwater. The proposed transition from flood irrigation to sprinklers under the pending permit application would increase the efficiency of the irrigation and decrease the potential for degradation due to return flows. Drawdown produced by the wells proposed to irrigate the new acres will not impact adjacent groundwater users and recovery times are short due to proximity to the Yellowstone River.

Determination: No Significant Impact.

DIVERSION WORKS – The diversion works and conveyance system are in place and have been used continuously for decades. No change to the diversion or conveyance works are proposed.

Determination: No Impact.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species – According to the Montana Natural Heritage Program updated on 6/23/2015, there are 12 animal species of concern in the area of the project, one species of special status (Bald Eagle) and no plant species of concern. Species of concern include the Black-tailed Prairie Dog, the Hoary Bat, 9 species of birds and the Yellowstone Cutthroat Trout. No construction or change in diversion or conveyance is proposed. No trees will be removed as a result of this project; no disruption to the stream channel or riparian areas is contemplated. All acres within the project have been used for agriculture and no loss of habitat is expected.

Determination: No Impact.

Wetlands – The area to be added to the Kent Ditch place of use contains no wetlands according to the United States Fish and Wildlife Service National Wetlands Survey. No impact to wetland resources is expected.

Determination: No Significant Impact.

Ponds – No ponds are planned as part of this project.

Determination: No Impact.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE – According to the United States National Resources Conservation Service Web Soil Survey, the dominant soils in the project area is Roy Gravelly clay loam, a well-drained to moderately drained, low salinity soil. The new acres would be irrigated by sprinklers. No evidence of saline seep is currently present. Slopes are uniformly low though the area and no instability is likely.

Determination: No Significant Impact.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS – Vegetative cover in the project area at present is entirely agriculture. Flood irrigated hay and pasture land are the existing vegetative cover. The limited construction scope of the project is unlikely to spread or establish noxious weeds. Monitoring and control of noxious weeds is the responsibility of the land owner.

Determination: No Significant Impact.

AIR QUALITY – Addition of irrigated land will not impact air quality. There may be dust created during harvest but no increase in the dust production.

Determination: No Impact.

HISTORICAL AND ARCHEOLOGICAL SITES – The project is not located on State or Federal land.

Determination: Not Applicable.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY – No additional demands on environmental resources not addressed above are recognized.

Determination: No Significant Impact.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS – There are no known locally adopted environmental plans or goals.

Determination: No Impact.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES – The proposed project is located adjacent to Interstate 90. No wilderness or recreational access crosses the project area and no wilderness or recreational sites are nearby.

Determination: No Impact.

HUMAN HEALTH – Addition of irrigated acres on private agricultural property has no potential to adversely affect human health.

Determination: No Impact.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes ___ No X If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: Not Applicable.

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No Impact.
- (b) Local and state tax base and tax revenues? No Impact.
- (c) Existing land uses? No Impact.
- (d) Quantity and distribution of employment? No Impact.
- (e) Distribution and density of population and housing? No Impact.
- (f) Demands for government services? No Impact.
- (g) Industrial and commercial activity? No Impact.
- (h) Utilities? No Impact.
- (i) Transportation? No Impact.
- (j) Safety? No Impact.
- (k) Other appropriate social and economic circumstances? No Impact.

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts: No secondary impacts are recognized resulting from irrigation of existing agricultural land.

Cumulative Impacts: There are no recent or pending applications in the area of the project, except a pending permit by Mark Hathaway that is part of this project, and no specific cumulative impacts are recognized.

3. *Describe any mitigation/stipulation measures:* None

4. **Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:** The reasonable alternatives in this case are the proposed project and the no-action alternative. The no-action alternative prevents the land owner from increasing the efficiency of his operation adding new irrigated acres and increasing his revenue. The proposed project has no significant negative impacts.

PART III. Conclusion

1. **Preferred Alternative:** issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

2. **Comments and Responses:** None

3. **Finding:**
Yes___ No_X___ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: No significant environmental impacts resulting from irrigation of existing agricultural lands were recognized. An Environmental Assessment is the appropriate level of analysis and an EIS is not required.

Name of person(s) responsible for preparation of EA:

Name: Mark Elison

Title: Hydrologist

Date: 1/11/2016