

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: Beaver Creek Cattle Company, 7205 Church Rd, Shepherd, MT 59079
2. Type of action: Application to Change an Existing Irrigation Water Right 43Q 30117761
3. Water source name: Unnamed Tributary (UT) to Razor Creek
4. Location affected by project: S2 Section 31, T3N, R28E, Yellowstone County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The Applicant proposes to change the points of diversion, place of use and place of storage. The Applicant proposes to discontinue use of the point of diversion in GL 8 and add a point of diversion in GL 10. The Applicant proposes to add 3.67 AC of sprinkler irrigation outside the historical footprint of the Statement of Claim. The Applicant proposes to add a 2.4 AF capacity pond from which water will be pumped for sprinkler irrigation and add the purpose of fishery to the pond. The fishery purpose would be year around. The Applicant proposes to retire 9.24 AC of historically irrigated land (including the surface area of the pond) and retain 43.51 AC of flood irrigation. Including the addition of 3.67 AC of irrigation outside the historical footprint, total irrigated acres would be 47.18. 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 Natural Resources and Conservation
Montana Department of Fish Wildlife and Parks
Montana Department of Environmental Quality
Montana Natural Heritage Program
Montana Sage Grouse Habitat Conservation Program
United States Fish and Wildlife Service
United States Natural Resources Conservation Service

Part II. Environmental Review

1. **Environmental Impact Checklist:**

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity – The UT is primarily waste water and return flow from upslope irrigation. The source is not identified by Montana Department of Fish Wildlife and Parks as chronically or periodically dewatered. The proposed use reduces the quantity of water diverted and consumed and would possibly increase water quantity.

Determination: Possible positive impact

Water quality – The water source is not identified by The Montana Department of Environmental Quality as impaired or threatened. The proposed change from flood irrigation to higher efficiency sprinklers on some land has the potential to reduce agricultural runoff and improve water quality.

Determination: Possible positive impact

Groundwater – Higher efficiency sprinkler irrigation has some potential to reduce infiltration from irrigated land and reduce groundwater quantity. Groundwater quantity may be increased by leakage from the proposed pond. No effect on groundwater quality is recognized as a result of the proposed project.

Determination: No significant impact

DIVERSION WORKS – The diversion and appropriation works are in place and have been for several years. No change to current diversions and conveyance are proposed.

Determination: No impact

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species – According to the Montana Natural Heritage Program, there are eight animal species of concern and no plant species of concern in T3N, R28E, Yellowstone County. The animal species listed are the Black-tailed Prairie Dog, Hoary Bat, Golden Eagle, great Blue Heron, Greater Sage Grouse, Spiny Softshell, Snapping Turtle and Sauger. No change to habitat is proposed and no construction is anticipated. The creation of a pond may provide benefit to bird populations. A letter from Carolyn Sime, Program Manager for the Montana Sage Grouse Habitat Conservation Program, dated May 21, 2018, states that the proposed activities are consistent with the Montana Sage Grouse Conservation Strategy.

Determination: Possible positive impact

Wetlands – The National Wetland Inventory from the United States Fish and Wildlife Service shows small freshwater ponds and freshwater emergent wetlands associated with the ponds and with local streams. No alteration of any mapped wetland is anticipated in this project.

Determination: No impact

Ponds – The addition of a year-around open water pond would provide a positive habitat enhancement for wildlife and waterfowl.

Determination: Possible positive impact

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE – Soil maps from the United States Natural Resources Conservation Service show that the soils are clay to silt loam with generally low slopes. The dominant soils are Hysham and Halverson Soils that are non-saline to slightly saline and well drained and McRae-Hysham loams that are also non-saline to slightly saline and well drained. The project maintains flood irrigation on most acres and adds some sprinkler irrigation and a pond. None of these activities has the potential to create soil instability or saline seep.

Determination: No impact

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS – Current and proposed vegetative cover is agricultural primarily grazing land. No changes to vegetative cover are proposed and no construction is anticipated. It will be the responsibility of the landowner to monitor and prevent noxious weeds.

Determination: No significant impact

AIR QUALITY – Addition of a pond and some sprinkler irrigation to an existing irrigation system has no potential to negatively impact air quality.

Determination: No impact

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

Determination: Not applicable

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY – No other impacts on environmental resources of land, water and energy not already addressed are recognized.

Determination: No impact

HUMAN ENVIRONMENT

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

Determination: No impact

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES – The proposed project area does not provide access to recreational and wilderness activities and the proposed project will not affect the quality of such activities.

Determination: No impact

HUMAN HEALTH - Addition of a pond and some sprinkler irrigation to an existing irrigation system has no potential to negatively impact 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 significant impact
- (b) Local and state tax base and tax revenues? No significant impact
- (c) Existing land uses? No significant impact
- (d) Quantity and distribution of employment? No significant impact
- (e) Distribution and density of population and housing? No significant impact
- (f) Demands for government services? No significant impact
- (g) Industrial and commercial activity? No significant impact
- (h) Utilities? No significant impact
- (i) Transportation? No significant impact
- (j) Safety? No significant impact
- (k) Other appropriate social and economic circumstances? No significant impact

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

Secondary Impacts: No secondary impacts from the proposed project are recognized.

Cumulative Impacts: No cumulative impacts from the proposed project 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 only reasonable alternative to the proposed action is a no-action alternative. The no-action alternative does not prevent any significant environmental impacts and would prevent the Applicant from improving irrigation efficiency and creating a fish pond with additional wildlife and waterfowl benefits.

PART III. Conclusion

1. ***Preferred Alternative:*** Issue a change authorization if an applicant proves the criteria in 85-2-402 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: An Environmental Assessment is the appropriate level of analysis of this project because no significant negative environmental impacts were recognized and several potentially positive environmental impacts were noted.

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

Name: Mark Elison

Title: Deputy Regional Manager

Date: 8/3/2018