

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:* David and Lynette Donahey
1351 Sheep Mountain Rd.
Capitol, MT 59319
2. *Type of action:* Application to Change a Water Right Additional Stock Tanks
3. *Water source name:* Groundwater

Location affected by project:

- | | | |
|------------|-------------|---------------------------|
| 1) NESWNE | Section 14, | T4S, R61E, |
| 2) SWSENW | Section 14, | T4S, R61E, |
| 3) S2S2 | Section 14, | T4S, R61E, |
| 4) NESENE | Section 22, | T4S, R61E, |
| 5) NWSWNE | Section 23, | T4S, R61E, |
| 6) NWSSENW | Section 23, | T4S, R61E, |
| 7) SWSENW | Section 23, | T4S, R61E, |
| 8) NESWNW | Section 23, | T4S, R61E, |
| 9) SESWNW | Section 23, | T4S, R61E, |
| 10)NWNESW | Section 23, | T4S, R61E, Carter County. |

4. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
David and Lynette Donahey are requesting a change authorization to change the location of 5 existing stock tanks and add 5 new stock tanks to an exiting stock watering pipeline system. The pipeline and tanks were added in 2012, this application is to bring an existing system into compliance with Montana water law. The DNRC shall issue an authorization for change if an applicant proves the criteria in 85-2-402 MCA are met.
5. *Agencies consulted during preparation of the Environmental Assessment:*
(include agencies with overlapping jurisdiction)

Montana Department of Fish Wildlife & Parks (MFWP)
Montana Department of Environmental Quality (MDEQ)
Montana Bureau of Mines and Geology
United States Fish and Wildlife Service
United States Natural Resource and Conservation Service

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: No significant impact

Groundwater is not on the DFWP list of chronically dewatered streams. There will be no increase in use from this proposed change; this use should not affect any dewatered streams.

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: No significant impact

This well will be used for watering livestock; there will be no increase in diversion or consumption from this proposed project. There will be no impact to surface water flows.

Groundwater - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

Determination: No Impact

This well will be used for watering livestock; there will be no increase in diversion or consumption from this proposed project. There will be no impact to surface water flows.

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

Determination: No Significant Impact.

The well is already in place and in use. The additional 10 stock tanks will not affect channels, flows, barriers, riparian areas, dams or well construction.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."

Determination: No Impact

The Natural Heritage Program identified the Greater Sage-Grouse, as a species of concern within the project area. The State of Montana, Office of the Governor has issued Executive Order No. 12-2015 creating the Montana Sage Grouse Oversight Team and the Montana Sage Grouse Habitat Conservation Program. Because the proposed stock tanks do not fall within designated sage grouse habitat, the Applicant was not required to consult with the Sage Grouse Habitat Conservation Program. The place of use is already active farmed, there should be little or no change in affects to Sage Grouse due to the addition of stock tanks.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: No Impact

The project area is not within a wetland, so there should be no significant impacts to wetlands from this proposed use.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: No impact

There are no ponds associated with this water right application.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

Determination: No Impact

The project area is comprised mainly of Archin loam. This project is to add 10 stock tanks to an existing stock watering system. There is very low likelihood of soil degradation, alteration of stability or moisture content, or saline seep due to this proposed change in place of use of water.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.

Determination: No Impact

The project area is an existing livestock pasture; the applicant is expected to prevent the establishment or spread of noxious weeds on their property.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: No Impact

There should be no deterioration of air quality due to increased air pollutants from this proposed project.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

Determination: NA-project not located on State or Federal Lands.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: No Impact

There should be no significant impacts on other environmental resources of land, energy, and water from this proposed use.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: No Impact

This proposed use is not inconsistent with locally adopted environmental plans and goals for Carter County.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: No Impact

The project is located on private land; this project should have no new impact on recreational or wilderness activities.

HUMAN HEALTH - Assess whether the proposed project impacts on human health.

Determination: No significant Impact

The project would have no impact on public health.

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: No significant impact.

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 None identified.

Cumulative Impacts There are no other pending applications on this source of water. There should be no significant cumulative impacts.

3. Describe any mitigation/stipulation measures: There are no mitigation or stipulation

measures required.

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 proposed activity is reasonable, and is within accepted practices for stock water use. The no action alternative would mean that the applicant could not add stock tanks and would continue watering cattle from the existing stock tanks.

PART III. Conclusion

1. ***Preferred Alternative*** To authorize the beneficial water use permit.
2. ***Comments and Responses***
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 were identified. No EIS required.

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

Name: Christine Schweigert
Title: Water Resources Specialist
Date: October 5, 2018