

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

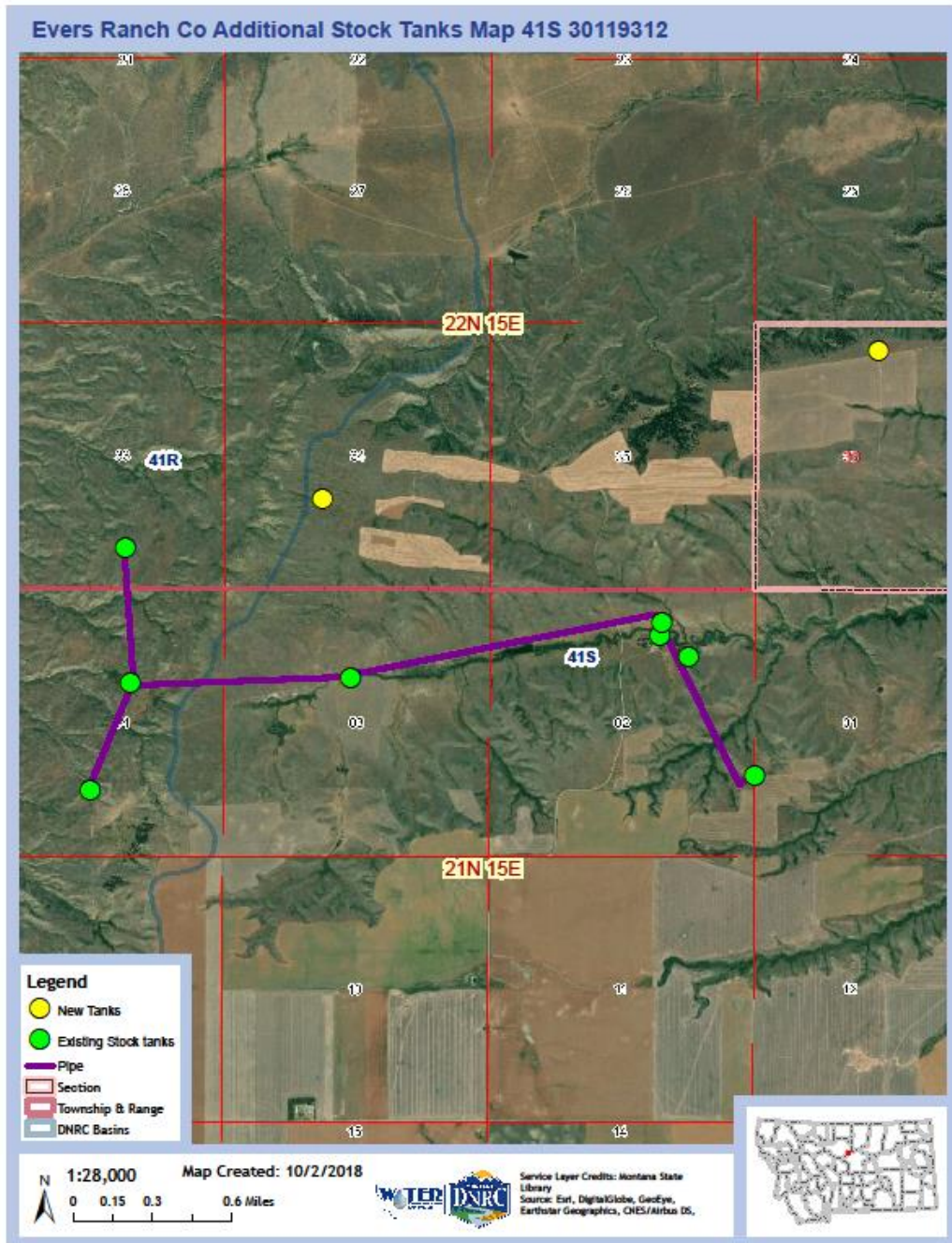
1. Applicant/Contact name and address: Evers Ranch Company
205 Avenue D
Billings MT 59101
2. Type of action: Application to Change an Existing Water Right No. 41S 30119312
3. Water source name: Groundwater
4. Location affected by project: SWNESW Section 34, Township 22N, Range 15E, Fergus County and the NENENW Section 36, Township 22N, Range 15E, Fergus County

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant is proposing to add two new stock tanks to an existing stock watering system for better pasture management. The two new proposed places of use are in the SWNESW Section 34, Township 22N, Range 15E, Fergus County and the NENENW Section 36, Township 22N, Range 15E, Fergus County. A previous change was authorized in 2017 which allowed the Applicant to add seven additional stock tanks to this watering system.

6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Montana Natural Heritage Program
National Wetlands Inventory
USDA NRCS Web Soil Survey



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.

The source of supply for this application is groundwater; therefore, it has not been identified as a chronically or periodically dewatered stream by DFWP.

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 change is to add two stock tanks to an existing Statement of Claim 41S 132042-00 for groundwater from a well (Morris Well).

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 Significant Impact.

This project is not anticipated to use any more groundwater than has been used historically. The flow rate for the Statement of Claim will be 8 GPM and will service the same number of animal units, 400.

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 Applicant is adding stock tanks to an existing system. The source of water is a well that conveys approximately 8 GPM in a pipeline. The stock tanks have a float valve system installed and water diversion will stop when the tanks are full. The diversion works are already in place; therefore, no impacts that haven't already occurred are anticipated. Channel impacts, impacts to flow modifications, barriers, riparian areas, dams, or well construction are not anticipated.

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 Significant Impact.

The Montana Natural Heritage Program identified a list of 14 animal species of concern within the township and range that the project is in. Of this list, none of the animals are listed as "threatened" or "endangered" by the US Fish & Wildlife Service. One plant species of concern

was identified by the Montana Natural Heritage Program to potentially be in the project area. This project area has already been used as a grazing pasture for cattle; this project is just to provide additional water sources to the pasture. It is not anticipated that any of the species of concern will be impacted by the proposed project.

Townsend's Big-eared Bat	Black-tailed Prairie Dog	Hoary Bat	Little Brown Myotis	Golden Eagle
Great Blue Heron	Burrowing owl	Greater Sage-Grouse	Spiny Softshell	Blue Sucker
Sturgeon Chub	Paddlefish	Sauger	Pallid Sturgeon	Square-stem Monkeyflower

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 Significant Impact.

The National Wetlands Inventory website shows Freshwater Emergent Type Wetlands through a limited portion of the Applicant's claimed places of use. No significant impacts to wetlands are expected from this change application. The wetlands may benefit from the cattle watering away from any riparian areas.

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

Determination: No Significant Impact.

This project does not involve a pond. No impact to wildlife, waterfowl, or fisheries is anticipated.

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 Significant Impact.

Potential disturbance associated with the construction activities could create a minor impact on the soils within the place of use. It is not anticipated that any significant impacts to geology, soil quality, stability and moisture would result from the proposed action because this project is simply to add stock water tanks to an existing system.

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 Significant Impact.

This project is located on land owned by the Applicant. It will be their responsibility to manage noxious weeds and vegetative cover in their pastures.

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

Determination: No Significant Impact.

There will be no impact to air quality associated with authorization of the proposed change.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: N/A – 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 Significant Impact.

No other potential impacts have been identified.

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 known environmental plans or goals will be impacted by this project.

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 access or recreational activities will be impacted by this project.

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

Determination: No impacts to human health have been identified.

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 regulatory impacts are known.

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

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

Secondary Impacts : No secondary impacts have been identified.

Cumulative Impacts: No cumulative impacts have been identified.

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 alternative to the proposed action would be the no action alternative. The no action alternative would not authorize the Applicant to add two new stock tanks to their well.

PART III. Conclusion

1. *Preferred Alternative*

Issue a change authorization if the Applicant proves the criteria in 85-2-402, MCA, are met.

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 impacts to the proposed project have been identified.

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

Name: Nathaniel T. Ward

Title: Program Specialist-New Appropriations

Date: October 10, 2018