

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: Sunlight Ranch Company, PO Box 30825, Salt Lake City, UT 84130 & Montana State Board of Land Commissioners, PO Box 201601, Helena, MT 59620
2. Type of action: Application to Change a Water Right Additional Stock Tanks 43P 30119189
3. Water source name: Groundwater
4. Location affected by project: Sections 29, 30, 31 & 32, T1N, R37E, Sections 25 & 26, T1N, R36E, Sections 5 & 6, T1S, R37E, Big Horn County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The Applicant proposes to add seven stock tanks to an existing stock watering system to improve grazing efficiency. 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
Montana Sage Grouse Habitat Conservation Program
United States Natural Resources Conservation Service

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity – The source of water proposed for change is groundwater. The water has been in use for stock watering for many years. No change to water quantity is foreseen. The Montana

Department of Fish Wildlife and Parks does not rate groundwater as periodically or chronically dewatered.

Determination: No significant impact

Water quality – The stock watering system is 100% consumptive and no water returns to any source. Pumping groundwater for stock use has little potential to alter water quality either of the groundwater or adjacent surface water. The Montana Department of Environmental Quality does not list groundwater in this area as impaired.

Determination: No significant impact

Groundwater – The proposed project uses 18 GPM flow rate from three wells and has used those wells for many years. The continued use of groundwater to supply stock water has no increased potential to affect groundwater quantity or quality. Potential depletions to surface water sources have already occurred over the period of use of these wells and no additional impact would occur due to the proposed project.

Determination: No significant impact

DIVERSION WORKS – The wells to be used are in existence at present. The proposed tanks and pipelines will be buried and therefore will create no barriers. The entire project area is for providing stock water and is far from surface water sources and associated riparian areas. No flow modifications, dams or channel impacts will occur. Temporary disruption will occur when the tanks and pipelines are installed.

Determination: No significant impact

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species – According to the Montana Natural Heritage Program there are seven animal species of concern in T1N, R37E, including the Hoary Bat, the Little Brown Myotis, the Northern Goshawk, the Chestnut-collared Longspur, the Greater Sage Grouse, the Brewer's Sparrow and the Snapping Turtle. There is a single plant species of concern, the Tall Dropseed. The addition of stock tanks to a stock water system does not change available habitat and by spacing out stock more evenly across the available range, may decrease impact on habitat from the stock. The proposed project has little to no potential to adversely impact habitat or create barriers to migration or movement. Montana Sage Grouse Habitat Conservation Program Manager, Carolyn Sime has determined that the project is consistent with the Montana Sage Grouse Conservation Strategy.

Determination: No significant impact

Wetlands – There are no wetlands in the project area and none are proposed.

Determination: No impact

Ponds – There are no ponds in the project area and none are proposed.

Determination: No impact

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE – Use of existing wells to supply water to stock tanks has no potential to alter soil quality, moisture content or stability. The primary soil in the area is Thedalund-Wibaux stony loam. The project area is hilly and not well suited to crops.

Determination: No impact

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS – Vegetative cover at present is primarily shrub juniper and range grass. The proposed project does not plan any changes to current vegetative cover. The installation of the tanks and pipeline could introduce or spread noxious weeds. It will be the responsibility of the land owner to control noxious weeds.

Determination: No significant impact

AIR QUALITY – The addition of stock tanks to an existing stock watering system has no potential to impact air quality.

Determination: No impact

HISTORICAL AND ARCHEOLOGICAL SITES – Most of the project is not on State or Federal land, however one section within the project area is State Land. A Class I (literature review) level review was conducted by the DNRC staff archaeologist for the area of potential effect (APE). This entailed inspection of project maps, DNRC's sites/site leads database, land use records, General Land Office Survey Plats, and control cards. The Class I search revealed that no cultural or paleontological resources have been identified in the APE. No additional archaeological investigative work will be conducted in response to this proposed development. However, if previously unknown cultural or paleontological materials are identified during project related activities, all work will cease until a professional assessment of such resources can be made.

Determination: No significant impact

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY – No other impacts on natural resources of land, water or energy not discussed 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: Not Applicable

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES – There are no recreational or wilderness activities within the proposed project area and no access to such activities.

Determination: No impact

HUMAN HEALTH - The addition of stock tanks to an existing stock watering system has no potential to 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 project is the no-action alternative. The no-action alternative does not provide any substantial environmental benefits over the proposed project and prevents the Applicant from increasing grazing efficiency.

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 because no significant impacts related to the proposed project were recognized.

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

Name: Mark Elison
Title: Deputy Regional Manager
Date: 9/12/2018