

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:

Double T Bison Ranch, LLC  
PO Box 253  
Babb, MT 59411

2. Type of action: Application to Change a Water Right No. 40T 153634-00

3. Water source name: Unnamed Tributary of Boundary Creek

4. Location affected by project: NESW Section 2; SWNWNW, NWSWNE, NESESW Section 11; NWSWNE Section 14 37N 14W Glacier County.

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

The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met. The Applicant proposes to add five stock tanks to irrigation rights that have incidental stock use. A pipeline to carry the stock water from the company canal to the tanks will also be constructed. Stock water is a recognized beneficial use of water in Montana.

6. Agencies consulted during preparation of the Environmental Assessment:

Natural Heritage Program, Natural Resources Conservation Service Soils Data Website, Department of Environmental Quality, National Wetlands Inventory Website, and the Natural Resources Information System, the Department of Fish, Wildlife, & Parks

**Part II. Environmental Review**

**Environmental Impact Checklist:**

**PHYSICAL ENVIRONMENT**

**WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - The proposed change has not been assessed by MFWS and is not a concern.

*Determination:* No impact to water quantity is expected.

**Water quality** - The Department of Environmental Quality (DEQ) does not list Boundary Creek as an impaired waterway.

*Determination:* No significant impact.

**Groundwater** - The project does not involve groundwater.

*Determination:* Assessment is not applicable.

### **DIVERSION WORKS**

The proposed pump diversion works was designed to minimize disturbances to the diversion in NESW Section 2, SWNWNW, NWSWNE Section 3, T37N, R14W where pooling water is common. The Applicant proposes to change the means of diversion from livestock direct from source to a pump and pipeline that will supply water to five stock tanks. Use of stock tanks will reduce the impacts of cattle on the source in this location.

*Determination:* No significant impact

### **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

#### **Endangered and threatened species**

Below is a list of animal species of concern found in 37N 14W. There were no plant species of concern identified. The project is not located in Sage Grouse habitat. All species found in the area of interest are listed as G4 and G5. The following definitions are taken from the Montana Natural Heritage Program (MNHP). The G4 category defines a species as “Apparently secure, though it may be quite rare in parts of its range, and/or suspected to be declining.” The G5 category defines a species as “Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.” The Grizzly Bear, Fisher, Wolverine, Black Tern, Common Loon, Spoonhead Sculpin, Trout-perch, and Bull Trout should not be impacted by the project. Threats associated with these species are global climate crisis increasing temperature for air and water, invasive species, and accidental harvesting. All the species listed have management plans associated with their conservation. The management plan for these species consists of reintroduction, habitat rehabilitation, human interaction maintenance, and research. The Westslope Cutthroat Trout and Harlequin Duck are species that may be affected by this project because of ongoing grazing and disturbance in water levels. According to the MNHP website,

“Cutthroat trout have declined due to sedimentation and warming water temperatures in streams due to poor grazing practices, logging, mining, agriculture, residential development. Logging of mature forests likely has a detrimental impact to breeding habitat, not only influencing the availability of nest sites, but also impacting stream sedimentation, temperature, flow, and food availability. This species is also sensitive to human disturbance”

The area of interest has been historically and currently grazed. If any of these species are spotted, the ranch operators should use best management practices such as: conservation tillage, grazing management, and erosion and sediment control (adding riparian barriers along waterways). The management for the Westslope Cutthroat Trout consists of fishing restrictions, adding riparian barriers along waterways, and removal of invasive species. Management for the Harlequin Duck consists of keeping areas free of human disturbances and decreasing pollution in waterways.

Species of Concern											
10 Species											
Filtered by the following criteria:											
Township # 037N014W (based on mapped Species Occurrences)											
MAMMALS (MAMMALIA)											3 SPECIES
TOWNSHIP = 037N014W (based on mapped Species Occurrences)											
SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT	
<i>Gulo gulo</i> Wolverine	Mustelidae Weasels	G4	S3	P	Proposed on Forests (BD, BRT, CG, HLC, KOOT, LOLO)	SENSITIVE	SGCN3	0%	27%	Boreal Forest and Alpine Habitats	
Species Occurrences verified in these Counties: Beaverhead, Broadwater, Carbon, Cascade, Deer Lodge, Flathead, Gallatin, Glacier, Granite, Jefferson, Judith Basin, Lake, Lewis and Clark, Lincoln, Madison, Meagher, Mineral, Missoula, Park, Pondera, Powell, Ravalli, Sanders, Silver Bow, Stillwater, Sweet Grass, Teton, Wheatland											
<i>Pekania pennanti</i> Fisher	Mustelidae Weasels	G5	S3		Sensitive - Known on Forests (BD, BRT, HLC, KOOT, LOLO)	SENSITIVE	SGCN3	1%	31%	Mixed conifer forests	
Species Occurrences verified in these Counties: Beaverhead, Deer Lodge, Flathead, Glacier, Granite, Lake, Lewis and Clark, Lincoln, Mineral, Missoula, Pondera, Powell, Ravalli, Sanders, Teton											
<i>Ursus arctos</i> Grizzly Bear	Ursidae Bears	G4	S2S3	PS; LT; XN	Threatened on Forests (BD, CG, HLC, KOOT, LOLO)	THREATENED	SGCN2-3	1%	22%	Conifer forest	
Species Occurrences verified in these Counties: Beaverhead, Carbon, Cascade, Chouteau, Deer Lodge, Flathead, Gallatin, Glacier, Granite, Jefferson, Lake, Lewis and Clark, Liberty, Lincoln, Madison, Mineral, Missoula, Park, Pondera, Powell, Ravalli, Sanders, Silver Bow, Stillwater, Sweet Grass, Teton, Toole											
BIRDS (AVES)											3 SPECIES
TOWNSHIP = 037N014W (based on mapped Species Occurrences)											
SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT	
<i>Chidonias niger</i> Black Tern	Laridae Gulls / Terns	G4G5	S3B	MBTA; BCC11		SENSITIVE	SGCN3	7%	100%	Wetlands	
Species Occurrences verified in these Counties: Blaine, Carter, Cascade, Chouteau, Daniels, Flathead, Glacier, Golden Valley, Lake, Madison, Missoula, Phillips, Pondera, Powell, Roosevelt, Sanders, Sheridan, Teton, Yellowstone											
<i>Gavia immer</i> Common Loon	Gaviidae Loons	G5	S3B	MBTA	Sensitive - Known on Forests (KOOT, LOLO)		SGCN3	1%	14%	Mountain lakes w/ emergent veg	
Species Occurrences verified in these Counties: Flathead, Glacier, Lake, Lewis and Clark, Lincoln, Missoula, Powell, Sanders, Teton											
<i>Histrionicus histrionicus</i> Harlequin Duck	Anatidae Swans / Geese / Ducks	G4	S2B	MBTA	Sensitive - Known on Forests (BD, CG, HLC, KOOT, LOLO)		SGCN2	4%	40%	Mountain streams	
Species Occurrences verified in these Counties: Carbon, Flathead, Glacier, Granite, Lewis and Clark, Lincoln, Mineral, Missoula, Park, Pondera, Powell, Sanders, Sweet Grass, Teton											
State Rank Reason: The Harlequin Duck has an extremely limited breeding range in Montana.											
FISH (ACTINOPTERYGII)											4 SPECIES
TOWNSHIP = 037N014W (based on mapped Species Occurrences)											
SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT	
<i>Cottus ricei</i> Spoonhead Sculpin	Cottidae Sculpins	G5	S3				SGCN3	1%	1%	Mountain streams, rivers, lakes	
Species Occurrences verified in these Counties: Glacier											
State Rank Reason: The spoonhead sculpin is presently listed as a species of special concern (SOC) in MT due to its limited distribution (S3), vulnerable-meaning they are at risk for potential declines in population, range or habitat even though they are abundant in some areas (MNH 2004). This species is similarly listed as an SOC in four of the other 14 states or provinces where it presently occurs. It is thought to be extirpated in New York, Illinois and Pennsylvania (Nature Serve 2014).											
<i>Oncorhynchus clarkii lewisii</i> Westslope Cutthroat Trout	Salmonidae Trout	G5T4	S2		Sensitive - Known on Forests (BD, BRT, CG, HLC, KOOT, LOLO)	SENSITIVE	SGCN2		34%	Mountain streams, rivers, lakes	
Species Occurrences verified in these Counties: Beaverhead, Broadwater, Cascade, Chouteau, Deer Lodge, Fergus, Flathead, Gallatin, Glacier, Granite, Jefferson, Judith Basin, Lake, Lewis and Clark, Lincoln, Madison, Meagher, Mineral, Missoula, Park, Pondera, Powell, Ravalli, Sanders, Silver Bow, Teton, Wheatland											
State Rank Reason: The Westslope Cutthroat trout is currently ranked "S2" in Montana because it is at risk due to very limited and/or potentially declining population numbers, range and/or habitat, making it vulnerable to extirpation in the state.											
<i>Percopsis omiscomeycus</i> Trout-perch	Percopsidae Trout-perch	G5	S2				SGCN2, SGIN	1%	1%	Deep lakes, mountain streams	
Species Occurrences verified in these Counties: Glacier											
State Rank Reason: The Trout-Perch is currently listed as an "S2" species of concern in Montana because they are potentially at risk of extirpation in the state, because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas. Limited distribution may be due to the lack of sampling in certain habitats or areas where they may be present.											
<i>Salvelinus confluentus</i> Bull Trout	Salmonidae Trout	G5	S2	LT; CH	Threatened, Critical Habitat on Forests (BD, BRT, HLC, KOOT, LOLO)	THREATENED	SGCN2	5%	18%	Mountain streams, rivers, lakes	
Species Occurrences verified in these Counties: Deer Lodge, Flathead, Glacier, Granite, Lake, Lewis and Clark, Lincoln, Mineral, Missoula, Powell, Ravalli, Sanders											

Figure 1: Animal Species of Concern Located in T37N, R14W, Glacier County.

**Determination:** Impact to Westslope Cutthroat Trout and Harlequin Duck is expected.

**Wetlands** – The project does not involve wetlands.

**Determination:** Assessment is not applicable.

**Ponds** - The project does not involve ponds.

**Determination:** Assessment is not applicable.

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE**

The Natural Resources Conservation Service (NRCS) Web Soil Survey was utilized to assess the project area’s soils. The soil map below depicts the general project area and the table provides soil unit information. The stock tanks will not cause salinity issues or decrease soil stability.

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AB	Adel-Babb complex, hilly	36.1	2.0%
Bb	Babb cobbly loam, gently rolling	73.4	4.1%
BC	Babb cobbly loam, hilly	803.1	44.8%
Ft	Fifer loam, hilly	14.0	0.8%
Gd	Gapo clay loam, drained	36.3	2.0%
Le	Leavitt complex, undulating	496.1	27.7%
LF	Leavitt complex, hilly	38.9	2.2%
Ro	Rhoades complex	192.8	10.8%
WF	Wet land	101.2	5.6%
<b>Totals for Area of Interest</b>		<b>1,791.9</b>	<b>100.0%</b>

Figure 2: Web Soil Survey of Soil Types in Sections 2, 11, and 14 T37N, R13W, Glacier County.



Figure 3: Map of Web Soil Survey Soil Types in Sections 2, 11, and 14 T37N, R13W, Glacier County.

*Determination:* No significant impact.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - Any impacts to existing vegetation will be within the range of current disturbances due to current land use practices. Noxious weeds are not expected to be established or spread due to the proposed project.

*Determination:* No significant impact

**AIR QUALITY** - The project does not involve air quality.

*Determination:* Assessment is not applicable.

**HISTORICAL AND ARCHEOLOGICAL SITES** - The project does not involve historical and archeological sites.

*Determination:* Assessment is not applicable.

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** – There are no other environmental issues that need to be addressed.

*Determination:* No additional environmental impacts were identified.

<h2 style="text-align: center;">HUMAN ENVIRONMENT</h2>
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**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - No local environmental plans and goals were identified.

*Determination:* No impact to local environmental plans and goals is expected.

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - No recreational or wilderness activities were identified.

*Determination:* No impact to recreational and wilderness activities is expected.

**HUMAN HEALTH** - No human health issues were identified.

*Determination:* No impact to human health is expected.

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

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

*Determination:* No impact to private property rights.

**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 were identified.

Cumulative Impacts No cumulative impacts were identified.

**3. *Describe any mitigation/stipulation measures:*** No mitigation or stipulation measures exist at this moment

***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:***

No action alternative: The Applicant would not be able to develop the project as proposed.

**4.**

**PART III. Conclusion**

1. **Preferred Alternative** Proposed action.

2. **Comments and Responses** None to date.

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 EA is the appropriate level of assessment for the proposed action because no impacts have been identified in the EA.

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

*Name:* Megan Blauwkamp

*Title:* Water Resources Specialist

*Date:* 11/21/2019