CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Malesich Ranch LUL Stock Water Development - 2020
Proposed Implementation Date:	2020
Proponent:	Lessee – Malesich Ranch
Location:	T7S R6W Section 16
County:	Madison

I. TYPE AND PURPOSE OF ACTION

This environmental assessment is an addition to a previously completed and approved improvement request for stock water developments by the Lessee, Malesich Ranch. Two out of three of the projects have been completed but the third, Upper Crittendon Creek Spring Development, required changes to the construction plan that has resulted in the proponent submitting a land use license (LUL) application. The change is the result of having to place the stock tank on private land instead of on the state due to the proximity of the state/private boundary and creek. Taking water from State Trust Lands to other ownership requires a land use license and $200.00 per year fee.

Malesich Ranch had previously submitted a request to construct stock water developments on Montana Trust Land located in 7 sections in 2017. Some of these developments were reconstructions of existing developments and some would be new construction. The sites are located approximately 10 to 14 miles East – Northeast of Dillon.

Projects previously approved through improvement request include:

T6S R6W Sections 30 & 31 – Improvements to sections 30 & 31 included 6,000 feet of buried pipeline in primarily previously farmed ground. Two new stock tanks were placed, one located in the SESW of Section 30 and the second in the SESW of Section 31.

T6S R7W Section 36 – Improvements included replacement of an older tank and the addition of a second tank to two existing stock tanks located in the NESE, and SESW.

T7S R6W Section 6 – Improvements included 5,575' of buried pipeline and two new stock tanks located in the center of Section 6.

Holden Spring: T7S R7W Sections 23 & 24 – This request included re-developing an existing spring headbox, adding one new stock tank to the SENW of Section 24, and adding 125' of new pipeline and 2 new stock tanks to the NENE of Section 23.

The altered construction plan and subsequent land use license request affects the following tract:

Upper Crittenden Creek Spring Development: T7S R6W Section 16 – ~~Improvement request~~ Land use license request includes a new spring development to include a headbox, approximately 1,000-1,200' of pipe, and a stock tank. Location of the project is the N½NWNW of Section 16 while the stock tank will be located on adjacent private land in the SE corner of Section 8 or SW corner of Section 9.

The pipeline would be buried using a dozer and ripper to minimize ground disturbance. The proposed project is part of an NRCS cost share project funded for 2017 – 2020.

A map of the proposed project is attached to this document.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:
Provide a brief chronology of the scoping and ongoing involvement for this project.

Dean Waltee, Wildlife Biologist for the Montana Department of Fish, Wildlife, & Parks – Sheridan,
Patrick Rennie, Archaeologist for the Montana Department of Natural Resources and Conservation.
Montana Natural Heritage Program
Natural Resources & Conservation Service, Dillon Field Office
Montana Sage-grouse Advisory Committee

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

No other agencies jurisdiction or need of additional permits were identified during scoping for this project.

3. ALTERNATIVES CONSIDERED:

A) No Action Alternative – The proposed project will not be approved for construction/reconstruction
B) Action Alternative – The stock water development project is approved as proposed and a land use license granted to the proponent.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:
Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

NRCS Soil Survey of Madison County Area, Montana contained the following information on the sites' soil type and characteristics:

Soil No. 50 – Hanson Channery Loam, 8-45% slopes, Capability Class VIe, low wind erosion - high water erosion potential.
Soil No. 62 – Kalsted Sandy Loam, 2-8% Slopes, Capability Class IVe, moderate water hazard, high wind hazard.
Soil No. 64 – Kalsted Gravelly Sandy Loam, 15-35% Slopes, Capability Class IVe, moderate wind but high water erosion potential.
Soil No. 93 – Oro Fino-Poin Complex 4-15% Slopes, Capability Class VIe, Moderate wind and water erosion potential.
Soil No. 119 – Sebud-Hapgood-Rock Outcrop Complex 25-60% Slopes, Capability Class VIIe, Moderate wind but high water erosion potential.
Soil No. 147 – Varney Clay Loam – 2-8% Slopes, Capability Class IIIe, Moderate wind and water erosion potential.

If approved, construction of the project would last for less than 1 week in 2020. While most of the above listed soil types located on the proposed site have either high wind &/or water erosion potential, vegetative cover will not be completely removed from the sites. The use of rippers to bury pipelines results in very little soil disturbance. If the project is approved, vegetative communities will not be significantly altered and soils will not be excessively exposed to erosive forces while project construction is in progress. The site will be monitored by the lessee for weeds and erosion, if erosion is noted, the site may require seeding. In the event reseeding is necessary, Dillon Unit staff will prepare a seed mix to be applied to the affected area.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:
Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

No significant water sources are located in the vicinity of the proposed project.

6. AIR QUALITY:
What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

The proposed project would not alter the air quality of the area.

7. VEGETATION COVER, QUANTITY AND QUALITY:
What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

No significant changes to vegetative communities would occur as a result of this proposed project.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:
Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

No significant cumulative effects to wildlife would result from this proposed project. Area wildlife would tend to benefit from the improved availability and distribution of upland water sources when the water is turned on.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:
Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

The Montana Natural Heritage Program (MNHP) Natural Resource Information Service (NRIS) was contacted regarding species of concern within and around the project area. Two species of concern were identified in the report and are listed below.

1) **Westslope Cutthroat Trout** (Oncorhynchus clarkii lewisi) – Westslope cutthroat trout are currently listed as sensitive by both the US Forest Service, Bureau of Land Management, and the State of Montana. The proposed project would place buried water pipelines and stock water tanks on upland sites in dry rangeland conditions outside of waterways resulting in reduced livestock use of trout habitat.

2) **Greater Sage-grouse** (Centrocercus urophasianus) – Greater sage grouse are listed as sensitive by the US Forest Service, BLM and the State of Montana. The project area has been classified as general sage grouse habitat. The proponent submitted the project to MSGOT for review and received an authorization letter for the proposal.

According to NRIS, sage grouse use has been recorded in the general vicinity of the proposed project. The site is comprised mainly of native grasses including needle-and-thread grass, Sandberg bluegrass, and June grass. Sparse patches of sagebrush can be found in draws within the project area, but much of the flat upland was farmed in the past and is currently seeded to Russian wildrye and some crested wheatgrass. If the project is approved, stock tanks will be fitted with wildlife escape ramps to allow sage grouse and other wildlife species using the tanks a means of climbing out if they fall into the tank.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:
Identify and determine effects to historical, archaeological or paleontological resources.

Patrick Rennie, DNRC Archaeologist, was contacted regarding cultural resource listings for the tract. Patrick conducted a survey of the affected acreage in November, 2019. His assessment follows:

A Class III cultural and paleontological resources inventory was conducted of the area of potential effect (APE). Despite a detailed examination, no cultural or fossil resources were identified in the APE. No additional archaeological or paleontological investigative work is recommended. The proposed project will have No Effect to Antiquities as defined under the Montana State Antiquities Act (Historic Properties under the National Historic Preservation Act). A formal report of findings is forthcoming and will be available through the DNRC and the Montana State Historic Preservation Officer.

11. AESTHETICS:
Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

The project would not alter the aesthetics of the area.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:
Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

The project would not negatively affect the areas environmental resources.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:
List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

No other studies, plans, or projects were reported to DNRC Dillon Unit from other agencies during the scoping process.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:
Identify any health and safety risks posed by the project.

No health or safety risks would result from this proposed project.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

The project would improve the quality of water available to livestock and give a year round water source for use of the tract to include fall or winter season. The project would also improve livestock management and riparian area utilization would be reduced by implementation of the proposed project.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:
Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed project would not have cumulative effects on the employment market.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:
Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

No tax revenue would be created or eliminated as a result of the approval of this project.

18. DEMAND FOR GOVERNMENT SERVICES:
Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services.

No additional government services would be required as a result of this proposed project.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:
List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

No other environmental plans or goals were reported during the scoping for this document.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:
Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The proposed project will not alter recreational activities on the tract.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:
Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

The proposed project will not alter populations or housing.

22. SOCIAL STRUCTURES AND MORES:
Identify potential disruption of native or traditional lifestyles or communities.

The proposed project would not disrupt local communities.

23. CULTURAL UNIQUENESS AND DIVERSITY:
How would the action affect any unique quality of the area?

The proposed project would not affect the unique qualities of the area.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:
Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

There would be a $200.00 per year fee for the land use license to the Common Schools Trust as a result of this proposed project. Potential benefits of the project, if completed, would be improved livestock water availability and quality.

Trust Land Grants on affected tracts are Common Schools.

EA Checklist Prepared By:	**Name:** Chuck Maddox	**Date:** 3/24/2020
	Title: Land Use Specialist	

V. FINDING

25. ALTERNATIVE SELECTED:

Action Alternative – The stock water development project is approved as proposed and a land use license granted to the proponent.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

No long term or cumulative effects to environmental resources are anticipated from this proposal.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

[ ] EIS [ ] More Detailed EA [X] No Further Analysis

EA Checklist Approved By:	**Name:** Timothy Egan	
	Title: Dillon Unit Manager	
Signature: /S/ Timothy Egan		**Date**: March 25, 2020

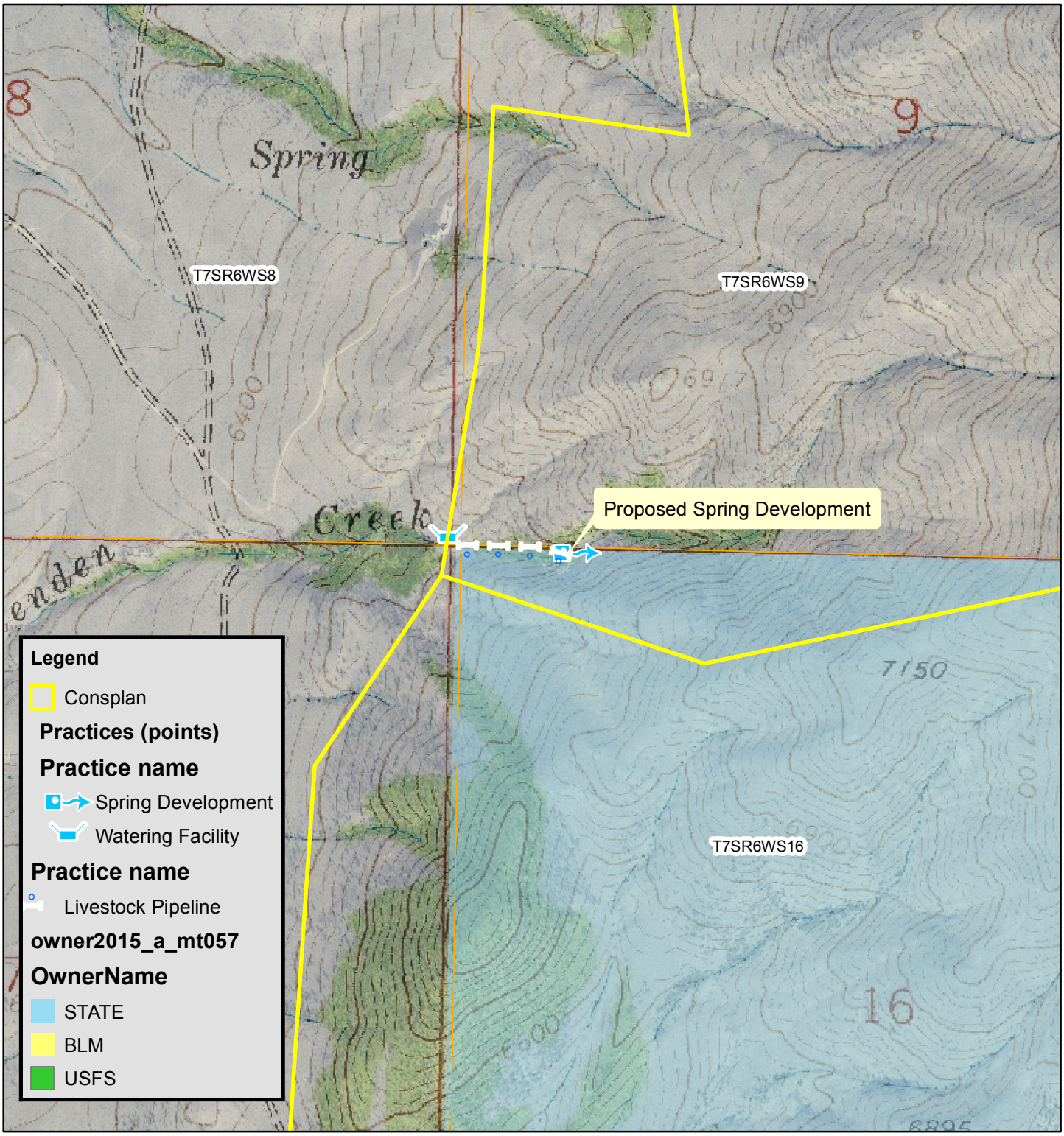
Upper Crittenden Crk Spring

Customer(s): MALESICH RANCH CO

Assisted By: LINDSAY SCHMITT

Field Office: DILLON FIELD OFFICE
Agency: USDA-NRCS

Legal Description: T 7SR6W NW1/4 NW1/4 Section 16



Prepared with assistance from USDA-Natural Resources Conservation Service

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