

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. Applicants/Contact name and address: **Jackie Urick & Janna LeMond
PO Box 241
Stanford, MT 59479-0241**
2. Type of action: **Application to Change an Existing Water Right No. 41S 30144007**
3. Water source name: **Groundwater**
4. Location affected by project: **The project is located in Sec 1, Twp 17N Rge 12E and Sec 35, Twp 18, Rge 12E, all in Judith Basin County.**
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

Proposed change is to add three stock tanks to an existing system (Ground Water Certificate 41S 116259). The point of diversion is a well with a flow rate of 20 gallons per minute (GPM). It is located in the SWSWSE of Sec 1, Twp 17N, Rge 12E of Judith Basin County. The pump diverts water through a pipeline that conveys water to the stock tanks. A total of four stock tanks will be included in the system; they will be located in Sec 1, Twp 17N Rge 12E and Sec 35, Twp 18, Rge 12E, all in Judith Basin County. The Department proposes to grant an authorization to add the stock tanks. The action is intended to facilitate better pasture/grazing management within the landowner's property.

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)

**Dept. of Environmental Quality Website – Clean Water Act Information Center
MT. National Heritage Program Website - Species of Concern
USDI Fish & Wildlife Service Website - Endangered and Threatened Species
USDA Natural Resources Conservation Service – Web Soil Survey
USDI Fish & Wildlife Service – Wetlands Online Mapper**

Part II. Environmental Review

1. Environmental Impact Checklist:

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| PHYSICAL ENVIRONMENT |
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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. There is a low likelihood that this project will have a significant impact on water quantity; demands on the hydrologic system are not expected to change because there should be no increase in the amount of water withdrawn from the aquifer.

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 tanks to an existing stock watering system from a well. Ground Water Certificate 41S 116259 is a water right involving a well piped to stock tanks. The source has not been listed as a water quality impaired or threatened stream by DEQ. There is a low likelihood that the new tanks will have a significant impact on water quality, the tanks will be equipped with float/shut off valves so they do not overflow.

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 Ground Water Certificate will be 20 GPM and the number of animal units served will not be expanded.

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 Applicants are adding stock tanks to an existing system. The source of water is a well that conveys 20 GPM in a pipeline approximately 1.5 mile long. The stock tanks have a float valve system installed and water diversion will stop when the tanks are full. The

system is 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 National Heritage Program lists four Species of Concern and one plant Species of Concern (Platte Cinquefoil) within Township 17 North, Range 12 East. The common names for the species include the Sprague's Pipit, Chestnut-collared Longspur, Baird's Sparrow, and Long-billed Curlew. The Montana National Heritage Program only lists one plant Species of Concern (Platte Cinquefoil) within Township 18 North, Range 12 East. All construction associated with this change proceeding is complete and the place of use has been previously disturbed by grazing practices; no impacts to any of these species are expected.

The USDI Fish & Wildlife Service Website also lists the Canada Lynx and Grizzly Bear as threatened. It lists the Wolverine as proposed species and the Whitebark Pine as a candidate species. Although these species are identified in Judith Basin County because one may reasonably expect them to live there, these species are generally found in wilderness areas and are not typically found in the area of the project. Additionally, it is unlikely that the proposed action of adding stock tanks will displace the species.

The proposed project is not located in general sage grouse habitat therefore the Applicants do not have to consult with the Sage Grouse Habitat Conservation Program or obtain a letter regarding the consultation.

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 mostly Freshwater Emergent wetlands and also some Riverine wetlands throughout the Applicants' pastures. Topographic maps identify a series of intermittent braided streams in the area (Wolf Creek and Meadow Creek). The proposed placements of the stock tanks are not located within an identified wetland. Some of the pipelines however pass through the wetlands and braided streams which likely created some short-term disturbances when they were installed. 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.**

The predominant soil type is Straw clay loam, gravelly substratum. The Sodium Adsorption Ratio is nonsaline to very slightly saline and the available water storage is low for the soil components in the area of interest.

Potential impacts associated with the construction activities could have created a minor short-term impact on the soils from pipeline and tank installation, but disturbances from construction are complete and there will be no further impacts than what has already occurred. 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 adding stock water tanks to an existing system, and the project has already been completed.

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.**

Construction associated to this project was completed prior to this application. Any impacts to existing cover will have already occurred. Normal weed management can be used to control noxious weeds potentially invading disturbed areas due to construction activities; therefore, no spread of noxious weeds should be associated with this application. It is the responsibility of the property owner to control 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 Significant Impact.**

No impacts to air quality or adverse effects to vegetation are expected as a result of this proposal; the pump uses an electric motor.

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 additional impacts are anticipated.

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

Determination: **No Significant Impact.**

No locally adopted environmental plans or goals have been identified. The proposed action is consistent with livestock practices in the area.

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 Significant Impact.**

No impacts to wilderness or recreation are anticipated from adding stock tanks to private property.

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

Determination: **No Significant Impact.**

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 known impacts.**

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? **None**
- (b) Local and state tax base and tax revenues? **None**
- (c) Existing land uses? **No significant impact from the additional stock tanks. The additional stock tanks should help the Applicants utilize grazing pastures more efficiently and promote better grazing and stock management.**
- (d) Quantity and distribution of employment? **None**
- (e) Distribution and density of population and housing? **None**
- (f) Demands for government services? **None**
- (g) Industrial and commercial activity? **None**
- (h) Utilities? **None**
- (i) Transportation? **None**
- (j) Safety? **None**
- (k) Other appropriate social and economic circumstances? **None**

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:*

No mitigation or stipulation measures have been identified by the Applicants.

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:*

No action alternative: Deny the application. This alternative would result in not authorizing the Applicants to add new stock tanks to their well.

PART III. Conclusion

1. Preferred Alternative

The preferred alternative is the proposed alternative.

2 Comments and Responses

None Received.

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:

None of the identified impacts for any of the alternatives are significant as defined in ARM 36.2.524.

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

Name: Melissa Norris

Title: Water Resources Specialist – Lewistown Regional Office

Date: 05/06/2020