

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: Schwenke Ranch Trust  
Square Butte Grazing Assn  
2210 Power Plant Rd  
Zortman, MT 59546
2. Type of action: Application to Change an Existing Water Right No. 40EJ 30103436
3. Water source name: Groundwater
4. Location affected by project: NENWSE Section 32, T25N, R24E, Phillips County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant is adding seven stock tanks via a pipeline to an existing domestic and stock Permit for better pasture management and more efficient grazing. Water is diverted by means of a developed spring and conveyed to the stock tanks via a 1.5 inch PVC pipeline buried 6 feet below ground surface. The stock tanks will be used by 670 animal units from January 1-December 31 at a flow rate of 30 GPM and 11.37 acre-feet (AF) per year. The additional stock tanks will be located at the following locations.

SWSWSE	1	23N	22E	Phillips
SEWNW	10	23N	22E	Phillips
SESWNW	13	23N	22E	Phillips
NESWNW	17	23N	23E	Phillips
NESESE	11	23N	22E	Phillips
NENESE	11	23N	22E	Phillips
SWSENW	8	23N	23E	Phillips

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:  
Montana Natural Resource Information System (NRIS)  
Montana Natural Heritage Program  
National Wetlands Inventory

## **Part II. Environmental Review**

### **1. Environmental Impact Checklist:**

<h2><b>PHYSICAL ENVIRONMENT</b></h2>
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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:* N/A-The source is groundwater.

**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:* N/A-The source is groundwater.

**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 impacts identified. The existing Permit was issued for year-round use for two households and of 670 animal units. There will be no change in the domestic use or number of animal units being watered under this water right.

**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 impacts identified. The project will be using an existing developed spring.

### **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:* Based on a report from the Montana Natural Heritage Program, there are two Species of Special Concern within the area where this project is located. The Greater Sage-Grouse and the Greater Short-horned Lizard are classified as Sensitive by the US Fish & Wildlife Service and the Bureau of Land Management. The area where the new tanks are located have been used for grazing cattle for many years and will not have a significant impact on these two species.

**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:* According to National Wetlands Inventory there are no identified wetlands in the area of this project.

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

*Determination:* No impacts identified. This water project does not involve any ponds and has already been completed.

**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 impacts identified. This water project is for stock water tanks in pastureland and will not influence soil quality, stability, or moisture content.

**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:* The purpose of adding stock tanks is to promote better pasture conditions through rotational grazing. It is the landowner's responsibility to manage noxious weeds and vegetative cover in their pastures. No significant impact.

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

*Determination:* No impacts identified. There should be no impact to air quality from this development.

**HISTORICAL AND ARCHEOLOGICAL SITES** - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.

*Determination:* NA- 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 impacts identified.

<b>HUMAN ENVIRONMENT</b>
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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 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:* There are no additional government regulatory impacts on private property rights associated with this change application.

**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 identified

Cumulative Impacts No cumulative impacts identified

**3. Describe any mitigation/stipulation measures: N/A**

**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 Applicant's purpose for adding the stock tanks is for better pasture management and more efficient grazing. Under the no action alternative the goals of maintaining pastures by rotational grazing could not be attained. The means of diversion and conveyance system have already been completed.

**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: Denise Biggar

Title: Regional Manager

Date: November 18, 2015