

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: **Wilbert Zahn**  
**2896 Wilder Trail**  
**Roy, MT 59471**
2. Type of action: **Application to Change a Water Right No. 40C-30158120**
3. Water source name: **Groundwater**
4. Location affected by project: **Point of Diversion - Government Lot 6, NWNWSW Section 6, Township 19N, Range 24E; Place of Use - NWSENE Section 1, Township 19N, Range 23E**
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:  
**The proposed change is to add a new pipeline and stock tank to Statement of Claim 40C 30137879 in order to move water to a dry field where cattle needing water will be rotated through. One stock tank and approximately 1,600 feet of pipeline will be added. The Point of Diversion is located in Govt Lot 6, NWSW, Sec 6, Twp 19N, Rge 24E in Fergus County and the additional stock tank location is located in NWSENE, Sec 1, Twn 19N, Rge 23E in Fergus County. The stock watering system operates at 35 Gallons Per Minute and has a float/shut off valve. The DNRC shall issue a water use 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 Bureau of Mines and Geology -- Online  
Montana Natural Heritage Program -- Online  
USDA Web Soil Survey -- Online  
USFWS Environmental Online System -- Online  
Montana Department of Environmental Quality -- online

## **Part II. Environmental Review**

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

<b>PHYSICAL ENVIRONMENT</b>
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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.

N/A – This appropriation is an existing well that is not increasing or changing in use.

*Determination: No significant impact.*

**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.

N/A – This appropriation is an existing well that is not increasing or changing the use.

*Determination: No significant impact.*

#### **Groundwater source, see below.**

**Groundwater** - Assess if the proposed project impacts groundwater quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

No impacts identified. The existing statement of claim (40C-30158120) was issued for use of water by 418 animal units from the period of January 1 to December 31. There will be no change in the period of diversion or number of animal units being watered under this change.

*Determination: No significant impact.*

**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.

The means of diversion has already been completed under the existing statement of claim (40C-30158120). The water is conveyed through a surface pipeline to the additional stock tank.

*Determination: No significant impact.*

## **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."

The Montana Natural Heritage Program identified the following as Species of Concern, both plants and animals, in the proposed area of this project:

- Animals
  - Greater Sage-Grouse (*Centrocercus urophasianus*)
  - Loggerhead Shrike (*Lanius ludovicianus*)
  - Brewer's Sparrow (*Spizella breweri*)
  - Burrowing Owl (*Athene cunicularia*)
- Plants
  - Scribner's Ragwort, *Senecio integerrimus* var. *scribneri*

However, the installation of roughly 1,600 feet of pipeline and a second stock tank in the proposed project area are not expected to adversely affect any of these Species of Concern.

**Determination: No significant impact.**

***Wetlands*** - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

There are no wetlands inside the area of the proposed project.

**Determination: No significant impact.**

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

There are no ponds inside the area of the proposed project.

**Determination: No significant impact.**

**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.

No impacts identified. Because this water project is for stock water tanks in pasture land, it will not influence soil quality stability, or moisture content.

**Determination: No significant impact.**

**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.

No vegetation was listed as endangered or threatened by the USFWS for the project area. The control of noxious weeds is the responsibility of the property owner.

**Determination: 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.

There are no pumps being used in this project and there will be no effect on air quality

**Determination: No significant impact.**

**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.

NA - Project not located on State or Federal Lands.

**Determination: No significant impact.**

**Demands on environmental resources of land, water, and energy** - Assess any other impacts on environmental resources of land, water and energy not already addressed.

There do not appear to be any other potential impacts on environmental resources, be they land, water, or energy.

**Determination: No significant impact.**

## HUMAN ENVIRONMENT

**Locally adopted environmental plans and goals** - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

There are no known local environmental plans or goals in this area.

**Determination: No significant impact.**

**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.

This project will have no significant impact on recreational or wilderness activities as it is on private property.

**Determination: No significant impact.**

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

This project will have no significant impact on human health

**Determination: No significant 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: There are no additional government regulatory impacts on private property rights associated with this 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 **There are no secondary impacts identified.**

Cumulative Impacts **There are no cumulative impacts identified.**

3. *Describe any mitigation/stipulation measures:*

**No mitigation or stipulation measures are required for this proposed project.**

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:*

**There are no alternative actions required for this proposed project.**

**PART III. Conclusion**

1. *Preferred Alternative:* **Issue an authorization for the proposed project.**

2. *Comments and Responses:* **There are no comments or responses associated with this proposed project.**

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 analysis for this action. There are no significant impacts identified, therefore an EIS is not required.**

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

Name: Anthony Joyce

Title: Hydrologist I, Lewistown Regional Office

Date: Sept 29, 2022