

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Revised 10-00

Note: Instructions to DNRC staff for preparing this EA can be found at:
http://www.dnrc.state.mt.us/eis_ea.html

Part I. Proposed Action Description

1. **Applicant/Contact name and address:** LEWIS I. LER
P.O. BOX 665
TERRY, MT 59349
2. **Type of action:** WATER RIGHT CHANGE APPLICATION NO. 42M-G(C)033537-00
3. **Water source name:** GROUNDWATER
4. **Location affected by action:** NENENE, SECTION 1, T14N, R51E, DAWSON COUNTY
5. **Narrative summary of the proposed project and action to be taken:** THIS CHANGE IS TO ADD SEVEN STOCK TANKS TO AN EXISTING STOCK WELL TO PROVIDE BETTER UTILIZATION OF THE CATTLE PASTURES. THE UNDERLYING WATER RIGHT IS FOR 5 GPM UP TO 2.52 ACRE-FEET PER YEAR FOR STOCK. THERE WILL BE NO INCREASE IN THE FLOW RATE, VOLUME OR NUMBER OF STOCK WITH THIS CHANGE.

THE LOCATION OF THE WELL IS IN THE NENENE, SECTION 1, T14N, R51E. THE LOCATION OF THE TANKS ARE IN THE FOLLOWING DESCRIPTIONS. THE SWSWSW, SECTION 31, T15N, R52E; NWNWNW AND SWSWSW, SECTION 6, T14N, R52E; NWNWNW, SECTION 7, T14N, R52E; NENENE, NWNENE, AND NWSESE, SECTION 1, T14N, R51E. THE TANKS ARE CONNECTED BY A 1 ½ INCH PIPELINE APPROXIMATELY 1 ½ MILES LONG. CURB TURNOUTS ARE LOCATED AT EACH TANK. THIS PROJECT HAS BEEN COMPLETED.

THE DNRC SHALL ISSUE AN AUTHORIZATION TO CHANGE IF THE APPLICANT PROVES THE CRITERIA IN 85-2-402 ARE MET.

6. **Agencies consulted during preparation of the Environmental Assessment:**
MONTANA NATURAL HERITAGE PROGRAM
MONTANA STATE HISTORIC PRESERVATION OFFICE
NATURAL RESOURCES AND CONSERVATION SERVICE-GLASGOW OFFICE

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

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: THIS CHANGE APPLICATION WILL BE UTILIZING GROUNDWATER AT A RATE OF 5 GPM. IT IS VERY UNLIKELY THAT IT WOULD HAVE ANY IMPACT ON SURFACE WATER FLOWS.

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: THIS CHANGE APPLICATION WILL BE UTILIZING GROUNDWATER AT A RATE OF 5 GPM. THE PROJECT WILL HAVE NO IMPACT ON ANY LISTED (WATER QUALITY IMPAIRED OR THREATENED) STREAMS.

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: THE STOCK WELL HAS BEEN IN USE SINCE 1981. THIS APPLICATION IS ONLY TO CHANGE THE LOCATION OF WHERE THAT WATER IS USED.

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: THE CONSTRUCTION OF THE WELL WAS COMPLETED IN 1981 BY A LICENSED WELL DRILLER. A 1 ½ INCH PIPELINE APPROXIMATELY 1 ½ MILES LONG WILL DELIVER THE WATER TO THE 7 STOCK TANKS. AS THIS PROJECT IS UTILIZING GROUND WATER, THERE WILL BE NO CHANNEL IMPACTS, FLOW MODIFICATIONS, BARRIERS OR IMPACTS TO RIPARIAN AREAS.

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: ACCORDING TO THE MONTANA NATURAL HERITAGE PROGRAM, THERE ARE NO THREATENED OR ENDANGERED SPECIES, OR SPECIES OF SPECIAL CONCERN, WITHIN THE PROJECT AREA.

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 KNOWN WETLANDS EXIST IN THE PROJECT AREA.

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

Determination: NOT APPLICABLE - THIS CHANGE APPLICATION WILL BE USING GROUNDWATER.

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: THE WATER FLOW TO THE STOCK TANKS WILL BE CONTROLLED WITH TURNOUTS SO THERE SHOULD BE NO IMPACT TO THE STABILITY OR MOISTURE CONTENT OF THE SOIL. THERE WAS SOME SOIL DISTURBANCE DURING THE CONSTRUCTION OF THE WATER LINE BUT IT IS NOT CONSIDERED SIGNIFICANT.

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 LAND IS PASTURE AND THE ADDITION OF THE STOCK TANKS WILL NOT CREATE ANY CHANGE IN THE VEGETATION FROM PREVIOUS USE. WITH THE ADDITION OF THE TANKS, THE NATIVE VEGETATION MAY ACTUALLY BENEFIT AS THE CATTLE CAN BE ROTATED BETWEEN THE PASTURES. ROTATIONAL SYSTEMS TYPICALLY BENEFIT THE PASTURE ECOSYSTEM BECAUSE THEY PROMOTE THE GROWTH AND DEVELOPMENT OF NATIVE GRASSES AND DISCOURAGE THE INTRODUCTION OF INVADER SPECIES, SUCH AS NOXIOUS WEEDS.

THE GROUND WAS DISTURBED WHEN THE TRENCH FOR THE PIPELINE WAS DUG AND THIS DISTURBED AREA MAY ENCOURAGE THE SPREAD OF ANY NOXIOUS WEEDS IF THEY WERE PRESENT WITHIN THE PROJECT AREA. IT IS THE

RESPONSIBILITY OF THE PROPERTY OWNER TO CONTROL NOXIOUS WEEDS ON THEIR PROPERTY.

ACCORDING TO THE MONTANA NATURAL HERITAGE PROGRAM, THERE ARE NO THREATENED OR ENDANGERED SPECIES, OR SPECIES OF SPECIAL CONCERN, WITHIN THE PROJECT AREA.

Air quality

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

Determination: THE ADDITION OF STOCK TANKS WILL HAVE NO IMPACT ON THE AIR QUALITY.

Historical and archeological sites

Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.

Determination: ACCORDING TO THE MONTANA STATE HISTORIC PRESERVATION OFFICE, THERE ARE NO PREVIOUSLY RECORDED CULTURAL PROPERTIES WITHIN THE PROJECT AREA. THIS MAY BE DUE TO THE LACK OF CULTURAL SURVEYS CONDUCTED IN THE AREA AND SHPO HAS RECOMMENDED THAT A CULTURAL RESOURCE INVENTORY BE CONDUCTED. BECAUSE THE PROJECT IS LOCATED ON PRIVATE LAND, THE DECISION TO CARRY OUT A CULTURAL SURVEY WOULD BE AT THE DISCRETION OF THE LANDOWNER.

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 ADDITIONAL IMPACTS ON OTHER ENVIRONMENTAL RESOURCES WERE IDENTIFIED.

HUMAN ENVIRONMENT

Locally adopted environmental plans and goals

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

Determination: THERE ARE NO KNOWN ENVIRONMENTAL PLANS OR GOALS IN THIS AREA. THE ADDITION OF STOCK TANKS WILL PROVIDE FOR BETTER

UTILIZATION OF THE EXISTING PASTURE LAND. PASTURE ROTATION IS PROMOTED BY LOCAL, STATE, AND FEDERAL CONSERVATION AGENCIES.

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: THE ADDITION OF THESE STOCK TANKS WILL HAVE NO IMPACT ON RECREATIONAL OR WILDERNESS ACTIVITIES.

Human health

Assess whether the proposed project impacts on human health.

Determination: THE ADDITION OF THESE STOCK TANKS WILL HAVE NO IMPACT ON HUMAN HEALTH.

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. THE EXISTING LAND USE IS PASTURE. THIS CHANGE WILL ALLOW FOR BETTER UTILIZATION OF THE PASTURE BY PROVIDING WATER FOR THE CATTLE IN SEVERAL LOCATIONS.
- (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:** NO SECONDARY OR CUMMULATIVE IMPACTS HAVE BEEN IDENTIFIED.
3. **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:** UNDER THE NO ACTION ALTERNATIVE, THE APPLICANT WOULD NOT HAVE THE BENEFIT OF BEING ABLE TO MANAGE HIS CATTLE IN A ROTATIONAL SYSTEM. ROTATIONAL SYSTEMS TYPICALLY HAVE BEEN FOUND TO BE POSITIVE BECAUSE THEY PROMOTE THE GROWTH AND DEVELOPMENT OF NATIVE GRASSES AND DISCOURAGE THE INTRODUCTION OF INVADER SPECIES.

PART III. Conclusion

Based on the significance criteria evaluated in this EA, is an EIS required? NO

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: AN EA IS ADEQUATE FOR THIS ACTION BECAUSE THERE WILL BE NO SIGNIFICANT IMPACTS; THEREFORE AN EIS IS NOT REQUIRED.

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

Name: DENISE BIGGAR

Title: WATER RESOURCES SPECIALIST

Date: OCTOBER 16, 2000