

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

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

Note: Instructions to DNRC staff for preparing this EA can be found at:  
[http://www.dnrc.state.mt.us/eis\\_ea.html](http://www.dnrc.state.mt.us/eis_ea.html)

**Part I. Proposed Action Description**

1. *Applicant/Contact name and address:* Headwaters Ranch Limited Partnership  
7000 Sweetwater Rd  
P.O. Box 408  
Dillon, MT 59725-0408
2. *Type of action:* Application to Change a Water Right No. 41B-30008359
3. *Water source name:* Groundwater (Eagle Spring)
4. *Location affected by project:* SWSWSW, Section 33, T7S, R7W, Beaverhead County
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*  
This change application is to add one stock tank to an existing developed spring to increase the ability to rotate cattle between pastures. The additional place of use is located in the SENESE of section 29, T7S, R7W, Beaverhead County. There will be no increase in the flow rate or volume from past use. The project has been completed.
6. *Agencies consulted during preparation of the Environmental Assessment:*  
(include agencies with overlapping jurisdiction)

National Wetlands Inventory – Website  
Montana Natural Heritage Program  
Montana Historic Preservation Office

## **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:* This change application will be utilizing groundwater from a spring at a rate of 20 gpm. It is very unlikely that it will 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 from a spring at a rate of 20 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:* This application is to add one stock tank to an existing developed spring. The spring has been in use since 1911. There will be no increase in the flow rate or volume over past use.

**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 water from the spring is collected using 220 feet of perforated pipe connected to a spring box. The water then flows through 2480 feet of 4 inch pipe to a distribution box where valves control the flow of water to two landowners. The water is then delivered to the stock tanks through a 1¼ inch pipeline. As this project is utilizing groundwater, 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 is one species of special concern, the Ferruginous Hawk, within the project area. The Ferruginous Hawk is not listed under the Endangered Species Act but is designated as Special Status by the Bureau of Land Management. It is unlikely that the addition of a stock tank will have any adverse impact to the Ferruginous Hawk.

**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 the National Wetlands Inventory web site, no known wetlands exist within 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 so there should be no impact to the stability or moisture content of the soil. There was some ground disturbance during the construction of the pipeline but it is not considered significant. The surrounding soils are not prone to saline seep.

**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 currently grazing land and the addition of the stock tank will not create any change in the vegetation from previous use. There was some ground disturbance when the pipeline is constructed. Any disturbed land should have been re-seeded when construction was complete. 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:* This project will have no impact on 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 (SHPO), there are no previously recorded cultural sites or previous cultural resource inventories within the area. Based on the ground disturbance required for this project SHPO recommends that a cultural resource inventory be conducted. As this project has been completed and is located on private

property, no reconnaissance survey is required and any cultural resource inventory would be at the discretion of the property owner.

**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 any 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 locally adopted environmental plans or goals in this 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:* The additional stock tanks will have no impact on recreational or wilderness activities.

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

*Determination:* The additional stock tanks will have no impact on human health.

**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:** No secondary or cumulative impacts have been identified.

Secondary Impacts

Cumulative Impacts

**3. Describe any mitigation/stipulation measures:** None

**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:** Under the no action alternative, the applicant would not have the benefit of being able to manage cattle in a rotational system with a reliable year round water source.

**PART III. Conclusion**

**1. Preferred Alternative:** The preferred alternative is the project as proposed. Other alternatives for stock water, such as reservoirs, would create more environmental impact and not provide a reliable year round water source.

**2. Comments and Responses:**

**3. Finding:**

*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:* No significant impacts have been identified, therefore an EIS is not required.

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

Name: Denise Biggar

Title: Water Resources Specialist

Date: July 7, 2004