

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

Revised 11-00

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:* Schwenke Ranch Trust  
HC 63 Box 5  
Zortman, MT 59546  
  
Square Butte Grazing Association  
PO Box 793  
Lewistown, MT 59457
2. *Type of action:* Application for Beneficial Water Use Permit
3. *Water source name:* Groundwater (developed spring)
4. *Location affected by action:* NENWSE, Section 32, T25N, R24E, Phillips County
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*

Two water rights (certificates) were issued in 2002 for domestic use and a stock watering pipeline. One of these water rights was issued in the name of Schwenke Ranch Trust and the other was in the name of Square Butte Grazing Association. These two certificates share the same point of diversion and it was understood that they involved two separate pipelines because of the difference in the flow rates. While preparing a map for change applications received in 2005 it appeared there was actually only a single pipeline serving both certificates. The single pipeline was confirmed by a telephone call to the applicant.

The applicant was told that since both certificates used the same pipeline, and the combined appropriation exceeded 10 AF, the wrong form was filed back in November, 2001. The applicant understood and on January 12, 2006 the applicant submitted a completed permit application to cover the use of both of the original certificates. This permit application is to replace the two certificates issued in February, 2002 and to add stock tanks to increase the ability to rotate cattle between pastures.

The point of diversion is in the NENWSE of Section 32, T25N, R24E, Phillips County. There are 37 places of use located in T23N-R23E, 24N-R23E, and T24N-R24E, all in Phillips County. The majority of the project has been completed. Eight more stock tanks will be added to the pipeline and are included in this permit application.

The DNRC shall issue a water use permit if the applicant proves the criteria in 85-2-311, MCA are met.

6. *Agencies consulted during preparation of the Environmental Assessment:  
(include agencies with overlapping jurisdiction)*

National Wetlands Inventory - Website

## **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.*

*Determination:* This permit application will be utilizing groundwater at a rate of 30 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 permit application will be utilizing groundwater at a rate of 30 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 replace two existing water rights and to add eight stock tanks to the existing pipeline. The developed spring has been in use since 2001. There will be no increase in the flow rate or volume over past use.

There are no perennial streams located near the developed spring or within the place of use. It is very unlikely that this pipeline would have any impact on surface water flows.

**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 spring was developed by placing a 4 inch perforated pipe into the ground and covering it with gravel. This pipe connects to the 2 inch mainline which distributes the water to two houses and the stock tanks. 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:* A developed spring supplies an existing pipeline and several existing stock tanks. This application is to replace two existing water rights and to add eight stock tanks to the existing pipeline. It is unlikely that the additional stock tanks would impact any species of special concern or create any barrier to the movement of wildlife. The main pipeline is buried 6 feet deep. Rotational grazing 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.

***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 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 so there should be no impact to the stability or moisture content of the soil. There will be some ground disturbance during the construction of the water line to add 8 more stock tanks 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 currently grazing land and the addition of the stock tank will not create any change in the vegetation from previous use. There will be some ground disturbance when the pipeline was constructed for the eight additional tanks. Any disturbed land should be re-seeded when construction is complete. It is also 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:* The majority of the project has been completed. As this project is located on private property, no reconnaissance survey is required and any cultural resource inventory would be conducted 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 on other environmental resources were 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:* There are no known 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 addition the 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 the 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.
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:** This permit application is to replace the two water rights issued in 2002 and to add stock tanks to increase the ability to rotate cattle between pastures. The primary purpose of this application is to correct the wrong forms filed in 2001 and to add eight stock tanks to an existing pipeline.

Under the no action alternative, the water rights filed originally would not be corrected to the correct form filed and the applicant would not have the benefit of being able to manage cattle in a rotational system.

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

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

*Name:* Denise Biggar

*Title:* Water Resources Specialist

*Date:* March 21, 2006