

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Santana Ranch Stockwater Development on Matador Lease
Proposed Implementation Date:	Completed in Fall, 2014 Without Department Approval
Proponent:	Santana Ranch, Bob Dixon - owner
Location:	T13S R6W Sections 28 & 30
County:	Beaverhead

I. TYPE AND PURPOSE OF ACTION

This project was originally requested for approval by Santana Ranch in 2013. Upon initial evaluation, it was found that Santana Ranch was not the lessee and that Matador Cattle Company actually held the lease. The two ranches have a private agreement to utilize the others pastures where county roads or topography isolate certain areas from the owner/lessees other lands. Santana Ranch was informed that as it was not the lessee, Kyle Hardin, Matador Ranch Manager, would need to be approached and Matador would have to file for the improvement.

In 2015, Bob Dixon, owner of Santana Ranch, contacted Dillon Unit to discuss another water development project in the Wolverine Creek area. Mr. Dixon was asked the status of the Matador lease improvement discussions with Matador Ranch, to which he replied that both spring developments had been completed during the fall of 2014. Mr. Dixon was informed that this was not an authorized improvement and that Kyle Hardin and the Department Office in Helena would be consulted regarding proper course.

September 10, 2015 Patrick Rennie, DNRC Archaeologist, Kevin Chappell, Ag & Grazing Management Bureau Chief, Tim Egan, Dillon Unit Manager, and Chuck Maddox, Dillon Unit Land Use Specialist, visited the two unauthorized spring development sites. Patrick found one obsidian projectile point at the Western spring site but no other sign of cultural resources were noted. While on-site it was noted that there were no wildlife escape ramps in the stock tanks. The West tank located in Sec. 30 had 6 dead birds, including unidentifiable songbirds and Hungarian partridge, and several varmints from mice to chipmunks in it.

Kyle Hardin, Bob Dixon, and Louis Velasquez met with Chuck Maddox in the Dillon Unit Office on October 2, 2015 and submitted an improvement request form. There was discussion on the proper future course of action regarding annual pasturing agreements or co-leasing options. In further discussion with Kevin Chappell, another option was disclosed regarding long term sublease agreements being allowed with no detrimental effect on the lease if less than 34% of acres were to be utilized by the sublessee.

Kevin Chappell was also consulted regarding water right issues. DNRC will file the water right and hold claim to the water development.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED: *Provide a brief chronology of the scoping and ongoing involvement for this project.*

Montana Natural Heritage Program
Patrick Rennie, DNRC Archaeologist
Kevin Chappell, DNRC Ag & Grazing Management Bureau Chief

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

N/A

3. ALTERNATIVES CONSIDERED:

Alternative A – No action alternative. The completed project would not be approved.

Alternative B – Approve the completed project as a reimbursable improvement.

Alternative C – Do not approve the project as a reimbursable improvement. The spring developments would be allowed to remain but modifications and fencing will be required by the DNRC to retrofit to a more wildlife and environmentally friendly design.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

Soils will not be impacted more than has already occurred as construction was completed in the fall of 2014. There are no compactable or unstable soils but there are fragile soils present in the form of two small (less than 0.5 acres) wet meadow sites in and around the spring sources which are not presently fenced. Due to the close proximity of the new stock tank locations to the spring sites, jack-leg fencing should be required to protect the sites from trampling by increased use of livestock.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

No important surface water resources are located in the proposed project area.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

None

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The project included minimal temporary ground disturbance with equipment. To protect vegetation around the source of the spring, a jack-leg fence should be constructed. The fence will prevent excessive trampling of the spring sites to maintain water availability for wetland species.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

There are no significant surface water resources present in the project area. The area is used extensively by elk, deer, and antelope. Many species of wildlife currently use the stock tanks. Elk, deer, antelope, moose, and numerous bird species use the area as calving/fawning/nesting ground in the Spring, and continue to reside in the area through much of the year. Direct impacts to all wildlife by the proposed project included operation of machinery and increased human presence to construct the improvements. Timing of the project was early fall

which avoided calving/fawning/nesting season. Wildlife will continue to have access to upland water sources as a result of this project. The current condition of the improvements will need to be altered and/or enhanced due to small mammals and birds becoming trapped in the tanks and drowning as well as a lack of fencing around spring sources will lead to unnecessary degradation. The two stock tanks will require escape ramps to be fitted so that entrapments will be reduced. Fencing of the spring sources will improve vegetative condition and provide a wet meadow for sage-grouse and other wildlife species. Jack-leg fencing should be used with at least two wildlife crossings included. With these mitigation measures in place, no cumulative effects to wildlife would occur as a result of this project being allowed to remain in-place.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

The Montana Natural Heritage Program was contacted regarding species of concern within and around the project area. Six Species of concern were identified in the report and are listed below.

Ferruginous Hawk (*Buteo regalis*) – Ferruginous hawks have been sighted in the vicinity of the proposed project area. It is a BLM sensitive species. Ferruginous hawks have been documented using the general area around the project as nesting and hunting habitat. The state of Montana lists the bird as an S3B species meaning it is at risk because of limited and potentially declining numbers, extent, or habitat even though it may be abundant in some areas. The low surface impacts resulting from the project would not significantly alter vegetative composition or nesting habitat for the hawks. The primary vegetation on-site is mountain big sagebrush and native grass species which would not be impacted further as construction has already been completed. The project will not cause direct, indirect, or cumulative effects to this species.

Greater Sage-grouse (*Centrocercus urophasianus*) – Greater sage-grouse use has been recorded in the project area. The site is comprised mainly of mountain big sagebrush, grasses including bluebunch wheatgrass, Idaho fescue, Columbia needlegrass, Kentucky bluegrass, Junegrass, lupine, and various other forbs in the uplands while the spring areas consist of beaked sedge, basin wildrye, tufted hairgrass, Columbia needlegrass, wiregrass, Kentucky bluegrass, timothy, willow, and some forbs. The project is intended to improve livestock water availability and livestock distribution in the upland area. Upland areas will see more use which could be a detriment to sage-grouse. Mitigation measures include proper rotational grazing management of cattle from mid-summer through fall to avoid nesting and early brood rearing season and fencing off of spring sources and wet meadows to provide a feeding site for juvenile and adult birds. The spring source will be jack-leg fenced to improve vegetative cover and reduce trampling of the site. Sage-grouse use may increase with the improved vegetative condition of the fenced off wet meadow. With these measures taken, the cumulative effects of the proposed project would be minimal to non-existent.

Little Brown Myotis – (*Myotis lucifugus*) Little brown myotis are considered a species of concern. The species is a year round resident in Montana and are found over a variety of habitats across a large elevational gradient. The bats usually forage over water, eating mostly insects. The bats can live up to 30 years. Roosting habitat in the form of trees is not available near the project site for this bat species. The closest sighting to the project is one mile away. The three proposed alternatives will not have any direct, indirect or long term cumulative impacts on little brown myotis habitat.

Pygmy Rabbit (*Brachylagus idahoensis*) Pygmy Rabbits were observed in the project area in 1996. The species is listed as a S3 species by the state of Montana meaning it's at potential risk because of limited and potentially declining numbers, extent, or habitat even though it may be abundant in some areas. The upland rangeland is dominated by mountain big sagebrush and native grasses. The proposed project will not change current rotational grazing use of the area and will not affect the pygmy rabbit population. No direct, indirect or cumulative effects would be anticipated from any of the proposed alternatives.

Wolverine (*Gulo gulo*) Wolverines have relatively continuous habitat within the Gravelly, Greenhorn and Snowcrest mountain ranges. This project falls outside the wolverine range by several miles. The BLM and US Forest Service list the wolverine as a sensitive species. Wolverines may pass through the state sections when moving between mountain ranges, however, the state sections do not provide the necessary habitat for

sustained use by wolverines at this location. Because of this, this project would not cause direct, indirect, or cumulative effects on this species and the area of this proposal is not considered prime habitat for wolverines.

White-stemmed Globemallow (*Sphaeralcea munroana*) – White-stemmed globemallow is currently listed by the State of Montana as a species potentially at risk. The proposed project will not permanently alter the existing vegetative community type. The project would not have cumulative effects on globemallow habitat or species distribution in the area.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

Patrick Rennie visited the site on September 10, 2015. No significant archaeological sites were found during the inspection.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

The project is not located on a prominent feature and will not have cumulative effects to aesthetics.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No additional effects to environmental resources will occur as a result of this project.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

During scoping, no other studies or projects were identified within 3 miles of the project area.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

No health or safety risks would result from this proposed project.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

The project would improve quality and quantity of water while improving water availability to livestock. The project would improve livestock management and impact to riparian areas would be reduced by implementation of mitigation measures to fence the spring sites.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The project will not create or eliminate permanent jobs in the area.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

No tax revenue would be created or eliminated as a result of the approval of this project.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services.

No additional government services would be required as a result of this proposed project.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

No other environmental plans or goals were reported during the scoping for this document.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The proposed project will not alter recreational activities on the tract.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

The proposed project will not affect populations or housing.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

The proposed project would not disrupt local communities.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

The proposed project would not affect unique qualities of the area.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

As previously stated, this project has been completed. The project has no net effect on return to the Common Schools Trust. Upland water developments that provide off-site water sources are viewed as environmentally beneficial to both the uplands range sites and to the spring site where the surface water originates as long as the source is protected from overuse by grazing and trampling. This project should be allowed to remain on-site as long as the previously mentioned mitigation measures are completed which include a jack-leg fence enclosure around the spring source with two wildlife crossing points built in and wildlife escape ramps placed in both tanks to reduce or eliminate small mammals and birds getting trapped and drowning in the tanks.

EA Checklist Prepared By:	Name: Charles Maddox	Date: 2/19/2016
	Title: Land Use Specialist	

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative C – Do not approve the project as a reimbursable improvement. The spring developments would be allowed to remain but modifications and fencing will be required by the DNRC to retrofit to a more wildlife and environmentally friendly design.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

DNRC’s September, 2015 inspection of the 2 spring developments found that neither of the stock tanks had escape ramps installed and neither of the springs had been fenced. Mitigation measures for this new development include the installation of one escape ramp in each of the stock tanks and construction of a wildlife friendly jack leg fence around the springs to keep livestock from trampling the springs and ruining the infrastructure (spring box and pipeline).

The new stock tanks will help move the livestock out of the riparian areas and move them into the uplands. No long term or cumulative effects are anticipated from these installations.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS
 More Detailed EA
 No Further Analysis

EA Checklist Approved By:	Name: Timothy Egan
	Title: Dillon Unit Manager
Signature: /S/ Timothy Egan	
Date: 2/19/2016	