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:* Sanders Revocable Family Trust
503A HWY 10 E
Big Timber, MT 59011

2. *Type of action:* Application for Beneficial Water Use Permit

3. *Water source name:* groundwater

4. *Location affected by project:* Sec. 34 and Government Lot 9 (SESW) Sec. 27, T1N, R15E, Sweet Grass County

5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:* The Applicants are requesting a beneficial water use permit in order to divert up to 1,227.9 acre-feet per year from groundwater in the N2 and N2N2NESW Sec. 34, T1N, R15E, Sweet Grass County to use for irrigation of up to 443 acres and stock water for up to 450 AU in Sec. 34 and Government Lot 9 (SESW) Sec. 27, Sweet Grass County. The DNRC shall issue a water use permit if an 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)*

Montana Natural Heritage Program	Endangered-Threatened Species
Montana Department of Fish Wildlife & Parks (MFWP)	Dewatered Stream Information
Montana Department of Environmental Quality (MDEQ)	TMDL Information

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: No impact

Groundwater is not on the DFWP list of chronically or periodically dewatered streams.

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: minor impact

The evaporation of groundwater from this pit will potentially reduce seepage to the Yellowstone River and Upper Deer Creek.

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: Minor Impact

The proposed use will deplete groundwater in the immediate area of the pit and will capture tributary groundwater to the Yellowstone River and Upper Deer Creek. The use of the water for irrigation will result in some recharge to the affected aquifer. Water has been found to be physically and legally available for appropriation on all affect sources.

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: Minor Impact.

The proposed diversion will consist of an existing 24.3 AF groundwater pit. Water will be diverted from the pit using up to 5 pumps to deliver it to stock tanks and to irrigation infrastructure. There will be no impact to channels, flow, barriers, riparian areas dams, or well construction. The project area is already actively farmed, there will be no new disturbances as a result of the proposed project.

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: No Impact

The Natural Heritage Program identified the following species of concern, special status species, potential species of concern, or important animal habitat within the project area: Grizzly Bear,

Great Blue Heron, Hoary Bat, Rocky Mountain Cutthroat Trout, Bald Eagle, and Non-cave Bat Roost. This area is already actively farmed. There should be no new impacts to endangered or threatened species due to this proposed use of water.

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: Minor Impact

The pit has been in place since at least 1955 and the area is already actively farmed. There should be no significant impacts to wetlands from this proposed use.

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

Determination: No impact

The pit has been in existence since at least 1955. No new pits are proposed. The area is actively farmed. There should not be any new impacts to wildlife, waterfowl, or fisheries due to this project.

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: No Impact

The soils in this area are primarily Soapcreek clay loam, Overfelt clay loam, and Klayent clay loam which range from nonsaline to moderately saline. This area has been actively farmed for decades. There should be no changes to soil quality, soil stability or moisture content due to the proposed use of groundwater on this existing irrigated farmland.

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: No Impact

The landowner is expected to prevent the establishment or spread of 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: No Impact

There should be no deterioration of air quality due to increased air pollutants from this proposed project.

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.*

Determination: NA-project not located on State or Federal Lands.

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 Impact

There should be no significant impacts on other environmental resources of land, energy, and water from this proposed use.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: No Impact

This proposed use is not inconsistent with locally adopted environmental plans and goals for Sweet Grass County.

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: No Impact

This project should have no new impact on recreational or wilderness activities.

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

Determination: No Impact

There should be no significant impact on human health from this proposed use.

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: No significant impact.

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 None identified.

Cumulative Impacts There are no other pending applications on this source of water.

3. ***Describe any mitigation/stipulation measures:*** There are no mitigation or stipulation measures required.

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:*** The proposed activity is reasonable, and is within accepted practices for irrigation. The no action alternative would mean that the applicant could not use groundwater pit for irrigation and they would need to continue to use water from the Dry Creek Canal Company for irrigation.

PART III. Conclusion

1. ***Preferred Alternative*** To authorize the beneficial water use permit.

2. ***Comments and Responses***

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: No significant environmental impacts were identified. No EIS required.

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

Name: Christine Schweigert
Title: Hydrologist
Date: September 4, 2024