

MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
WATER RESOURCES DIVISION
WATER RIGHTS BUREAU

ENVIRONMENTAL ASSESSMENT

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of action:** APPLICATION TO CHANGE A WATER RIGHT NO.
76G-V(W)028740-00
2. **Applicant/Contact name and address:**
MICHAEL G. AND JOSEPH P. MCGILLIS
P.O. BOX 696
DEER LODGE, MT 59722

MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS
1420 EAST SIXTH AVE.
HELENA, MT 59620
3. **Water source name:** ROCK CREEK, TRIBUTARY OF CLARK FORK RIVER
4. **Location affected by action:** FROM A POINT IN NWSWSE SECTION 26, T9N R10W, POWELL COUNTY (NEW POINT OF DIVERSION FOR IRRIGATION) TO A POINT IN SESENW SECTION 23 T9N R10W, POWELL COUNTY (CONFLUENCE OF ROCK CREEK AND THE CLARK FORK RIVER).
5. **Narrative summary of the proposed project and action to be taken:** THE DNRC SHALL ISSUE AN AUTHORIZATION TO CHANGE IF THE APPLICANT PROVES THE CRITERIA IN 85-2-402, MCA ARE MET. THIS APPLICATION IS TO USE 3.83 CFS UP TO 709.24 ACRE- FEET PER YEAR FOR IRRIGATION AND 27.22 CFS UP TO 6831.76 ACRE- FEET PER YEAR FOR INSTREAM FLOWS. THIS AUTHORIZATION WOULD CHANGE THE PURPOSE OF A PORTION OF THE UNDERLYING WATER RIGHTS TO INSTREAM FLOWS TO BENEFIT FISHERIES AS A MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS LEASE.
6. **Agencies consulted during preparation of the environmental assessment:** MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS (MDFWP) ENVIRONMENTAL ASSESSMENT OF SEPTEMBER 20, 1999.

PART II. ENVIRONMENTAL REVIEW

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

Soils/Geologic Features:

Degradation of soil quality or alteration of soil stability, moisture content, geologic substructure, unique geologic features, archeological sites?

YES. SEE MDFWP ENVIRONMENTAL ASSESSMENT FOR DETAILS.

Erosion:

Alteration of erosion or siltation patterns which modify stream beds or lake shores?

YES. SEE MDFWP ENVIRONMENTAL ASSESSMENT FOR DETAILS.

Vegetation/Noxious weeds:

Change in or adverse affect on diversity and production of local plant species including any unique or endangered species (including trees, shrubs, grass, and aquatic plants)? Establishment or spread of noxious weeds?

NO

Air:

Deterioration of air quality, or adverse effects on vegetation due to increased air pollutants.

NO

Water:

Alteration of surface water or groundwater quality including but not limited to temperature, dissolved oxygen or turbidity or quantity or distribution?

YES. SEE MDFWP ENVIRONMENTAL ASSESSMENT FOR DETAILS.

Floodplain:

Changes in drainage patterns, course or magnitude of flood flows, or exposure of people/property to hazards (flood)?

NO

Wildlife Habitat/Migration:

Deterioration of critical fish or wildlife habitat? Creation of a barrier to the migration or movement of fish or wildlife?

NO

Endangered Species:

Adverse effects on any unique or endangered species?

NO

HUMAN ENVIRONMENT

Existing Land Use:

Alteration of or interference with the productivity or profitability of the existing land use of an area?

NO

Historical Significance:

Destruction or alteration of a natural area of scientific or educational value or prehistoric or paleontological importance?

NO

Populace:

Alteration of the location, distribution, density, or growth rate of the human population of an area? Alteration of social structure of community?

NO

Transportation:

Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?

NO

Safety:

Creation of any health hazard or affect on existing emergency response or evacuation plans?

NO

Public Services:

Have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? Have an effect upon local or state tax base?

NO

Utilities:

Creates need for new or altered facilities for any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?

NO

Aesthetics:

Alteration of any scenic vista or recreation opportunity or creation of an aesthetically offensive site to the public?

NO

Other:

NO

2. **Secondary and cumulative impacts:** IMPROVEMENT OF ROCK CREEK FISHERIES HABITAT.

3. **Reasonable alternatives to the proposed action, including the no action alternative:** ASIDE FROM SHORT-TERM DISRUPTION OF THE AREA, NO NEGATIVE IMPACTS HAVE BEEN IDENTIFIED. THE CHANGE IN IRRIGATION METHOD WOULD RESULT IN WATER CONSERVATION, LEAVING MORE WATER AVAILABLE TO BE LEFT INSTREAM FOR FISHERIES WITHOUT NEGATIVE IMPACT TO MCGILLIS RANCH IRRIGATION.

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. THERE WILL BE NO SIGNIFICANT IMPACTS, THEREFORE, NO EIS IS REQUIRED.

PREPARED BY:

NAME: ANN GLUBCZYNSKI
TITLE: WATER RESOURCES SPECIALIST
DATE: [Automatic date code removed]