

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

ENVIRONMENTAL ASSESSMENT

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of action:** WATER RIGHT PERMIT APPLICATION NO.
40S-P109529
2. **Applicant/Contact name and address:**
DEAN HARMON
HC 58 BOX 9
BAINVILLE MT 59212
3. **Water source name:** MISSOURI RIVER
4. **Narrative Summary of the proposed project and action to be taken:** THIS PERMIT APPLICATION IS TO COVER A PORTION OF A RESERVED WATER RIGHT THAT MAY REVERT TO THE CONSERVATION DISTRICT. THIS APPLICATION IS TO USE 4,788 GPM AND NO ACRE-FEET. THE POINT OF DIVERSION WILL BE TRANSITORY ALONG THE MISSOURI RIVER WITHIN SECTIONS 2,3, AND 4, T26N, R58E AND SECTION 35, T27N, R58E. THE PLACES OF USE ARE 180 ACRES IN SECTION 3, 305 ACRES IN SECTION 4, AND 15 ACRES IN SECTION 5, ALL WITHIN T26N, R58E; AND 64 ACRES IN SECTION 33, 410 ACRES IN SECTION 34, ALL WITHIN T27N, R58E. THERE IS A TOTAL OF 974 ACRES. OUT OF THIS TOTAL 114 ACRES IS NEW IRRIGATION AND THE BALANCE IS SUPPLEMENTAL. THE DNRC SHALL ISSUE A WATER USE PERMIT IF AN APPLICANT PROVES THE CRITERIA IN 85-2-311, MCA ARE MET.

THIS ENVIRONMENTAL ASSESSMENT IS EXACTLY THE SAME AS WRITTEN FOR 40S-G(R)109529 BECAUSE THEY ARE FOR THE SAME PROJECT.

6. **Agencies consulted during preparation of the environmental assessment:**
MONTANA NATURAL HERITAGE PROGRAM
STATE HISTORIC PRESERVATION OFFICE
MONTANA FISH, WILDLIFE & PARKS – GLASGOW
LOWER MISSOURI RIVER BASIN FINAL ENVIRONMENTAL IMPACT STATEMENT

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?

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

Erosion:

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

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

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?

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

Air:

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

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

Water:

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

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

Floodplain:

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

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

Wildlife Habitat/Migration:

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

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

Endangered Species:

Adverse effects on any unique or endangered species?

A REPORT RECEIVED FROM THE MONTANA NATURAL HERITAGE PROGRAM INDICATES THERE ARE THREE SPECIES OF CONCERN WITHIN THE GENERAL AREA OF THE PROJECT. THE LEAST TERN AND THE PALLID STURGEON ARE LISTED AS ENDANGERED AND THE PIPING PLOVER AS THREATENED. HABITAT FOR THESE SPECIES EXTENDS OVER MULTIPLE TOWNSHIPS. IN ORDER TO DETERMINE IF THIS PROJECT WOULD IMPACT ANY OF THESE SPECIES, THE MONTANA DEPT. OF FISH, WILDLIFE & PARKS WAS CONTACTED. THEY WERE UNABLE TO RESPOND AT THIS TIME.

HUMAN ENVIRONMENT

Existing Land Use:

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

OF THE 974 TOTAL ACRES, 860 ARE FOR SUPPLEMENTAL IRRIGATION. THERE IS NO CHANGE IN LAND USE FOR THESE ACRES. 114 ACRES ARE NEW IRRIGATION. THE PRODUCTIVITY AND PROFITABILITY OF THESE ACRES WOULD INCREASE.

Historical Significance:

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

ACCORDING TO THE MONTANA STATE HISTORIC PRESERVATION OFFICE, THERE ARE NO PREVIOUSLY RECORDED SITES IN THE PROJECT AREA. AS THE PROJECT IS LOCATED ON PRIVATE PROPERTY, NO RECONNAISSANCE SURVEY IS REQUIRED.

Populace:

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

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

Transportation:

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

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

Safety:

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

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

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?

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

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?

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

Aesthetics:

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

ADDRESSED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LOWER MISSOURI RIVER BASIN RESERVATIONS DATED AUGUST 11,1994.

Other:

NO

2. **Secondary and cumulative impacts:** NONE

3. **Reasonable alternatives to the proposed action, including the no action alternative:** NO SIGNIFICANT IMPACTS HAVE BEEN IDENTIFIED. IF THIS PERMIT WERE NOT ISSUED, MR. HARMON WOULD NOT HAVE A BACK-UP RIGHT FOR THE PORTION OF RESERVED WATER THAT MAY REVERT TO THE CONSERVATION DISTRICT.

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: KIMBERLY A. OVERCAST
TITLE: WATER RESOURCES SPECIALIST
DATE: [Automatic date code removed]