

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Note: Instructions to DNRC staff for preparing this EA can be found at:
http://www.dnrc.state.mt.us/eis_ea.html

Part I. Proposed Action Description

1. *Applicant/Contact name and address:*
Jeff Trom
1865 Stone Creek Road
Bozeman, Mt 59715
2. *Type of action:* Application for beneficial water use permit # 30017079-41H
3. *Water source name:* Unnamed Tributary to Stone Creek
4. *Location affected by project:* NWNWNE Sec. 10 T1S, R7E, Gallatin, CO.
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
The applicant has created an in stream pond and has applied for a permit. The DNRC permit will allow him to apply for a FWP stocking permit. This application, if approved, will be associated to 30015385-41H, a groundwater certificate for a well that provides the initial fill of the pond and makes up for evaporation. If issued the permit would be conditioned to divert only when Holter Dam is spilling over 7100 cfs during high spring flow. The project area is located in the Upper Missouri Basin Closure Area.

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 State Historical Preservation
Office, Montana Department of Fish Wildlife & Parks, Montana Natural Heritage
Gallatin County Planning Office, Montana Department of Environmental Quality.

Part II. Environmental Review

1. Environmental Impact Checklist:

<h2>PHYSICAL ENVIRONMENT</h2>

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 Impacts Identified

The project is located on an ephemeral stream. The applicant is requesting a diversion for high spring flow.

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: No Impacts Identified

The applicant's pond is likely to trap sediment that would have traveled downstream.

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: No Impacts Identified

This project isn't for groundwater.

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 pond was built on stream. An Agri-Drain device is located under the pond to allow for controlled release of water. The location of the diversion works is located in the NWNWNE, SEC. 10, T1S, R7E, Gallatin, CO.

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 Impacts Identified.

No species of concern have been identified in this area.

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: No Impacts Identified

No wetlands have been identified in this area

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

Determination: A 1.74 acre-foot pond for the purpose of fish and wildlife has been built on-stream. The applicant intends on applying for a stocking permit.

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 Impacts Identified

No saline seeps have been identified in the area of study.

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 Impacts identified.

A pond will cover an area of existing rock/vegetation.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: No impacts identified

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: No Impact identified.

The pond has been built.

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 impacts identified.

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 impacts identified

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 impacts identified

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

Determination: No Impacts Identified.

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:

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 Impacts Identified

(b) Local and state tax base and tax revenues? No Impacts Identified

- (c) Existing land uses? No Impacts Identified
- (d) Quantity and distribution of employment? No Impacts Identified
- (e) Distribution and density of population and housing? No Impacts Identified
- (f) Demands for government services? No Impacts Identified
- (g) Industrial and commercial activity? No Impacts Identified
- (h) Utilities? No Impacts Identified
- (i) Transportation? No Impacts Identified
- (j) Safety? No Impacts Identified
- (k) Other appropriate social and economic circumstances? No Impacts Identified

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts There have been no secondary impacts on the physical environment and human population identified at this time.

Cumulative Impacts There have been no cumulative impacts on the physical environment and human population identified at this time.

3. *Describe any mitigation/stipulation measures:* No mitigation or stipulation measures have been identified or discussed at this time

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:*

PART III. Conclusion

1. *Preferred Alternative:* No preferred alternative at this time

2. *Comments and Responses:* *None received at this time*

3. *Finding:*

Yes___ No___ *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:

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

Name: Porter Dassenko

Title: Water Resources Specialist

Date: 2/15/2006