

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: **USDA FOREST SERVICE  
PO BOX 7669  
Missoula, MT 59807-7699**
2. Type of action: **CHANGE APPLICATION 30027218 76F  
(76F 52008)**
3. Water source name: **Snowbank Creek**
4. Location affected by project: **NENW Sec. 9, TWP 15N RGE 8W, LEWIS AND  
CLARK COUNTY**
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:  
**This change application is for the relocation of a water right for an on-stream reservoir in the headwaters of the Blackfoot River to an off-stream reservoir in the headwaters of Copper Creek (headwaters of the Blackfoot River). This application would involve a change in the point of diversion, place of use, period of use, period of diversion, and purpose.**

**Water would be conveyed to Snowbank Lake via the upper ditch and diverted by means of an existing headgate on Snowbank creek. The proposed place of use would be for Snowbank Lake located in the NENW of Sec. 9, TWP 15N RGE 8W, Lewis and Clark County. Water will be diverted from Snowbank creek from June 1-September 15 for fish and wildlife and recreation purposes. The applicant proposes to fill the reservoir once in June (85 AF of water) and maintain lake levels with diversions of 1.8 or 2.0 cfs to account for seepage loss rates. Snowbank Lake has been historically filled from the proposed source.**

**The DNRC shall issue an authorization to change the applicant if the criteria in 85-2-402, MCA are met.**

6. Agencies consulted during preparation of the Environmental Assessment:  
(Include agencies with overlapping jurisdiction)

**NRCS - Beaverhead County  
MT Natural Heritage Program - Species of Concern, T/E  
MT Dept. of Environmental Quality - 2006 Montana Water Quality Integrated  
Report**

MT Dept. of Fish, Wildlife and Parks - Montana Fisheries Information System  
The Montana Noxious Weed Survey and Mapping System  
Ttemi- Consultant, Bill Bucher

**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 significant impact.*

**The proposed source has not been classified by DFWP (Landers fork of the Blackfoot River). River mile 104.6 (Poorman’s Creek to Landers Fork) to 111.9 of the Blackfoot River is rated as chronically dewatered. Water diverted into Snowbank Lake should not worsen the already dewatered condition due to the purpose being non-consumptive**

**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 significant impact.*

**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 significant impact.*

**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: No significant impact.*

**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 significant impact.*

The MT Natural Heritage Program identified the Olive-sided Flycatcher, *Contopus cooperi*, Brewer's Sparrow, *Spizella breweri*, Bull Trout, *Salvelinus confluentus*, Westslope Cutthroat Trout *Oncorhynchus clarkii lewisi*, An Agapetus Caddisfly, *Agapetus montanus*, Fringed Bog Moss, *Sphagnum fimbriatum*, Entireleaf Nitrogen Moss, *Tetraplodon mnioides*, English Sundew, *Drosera anglica*, Linear-leaved Sundew, *Drosera linearis*. Divide Bladderpod, *Lesquerella klausii*, Pale Sedge, *Carex livida*, Water Bulrush, *Scirpus subterminalis*, Grizzly Bear, *Ursus arctos*, and the Canada Lynx, *Lynx Canadensis*.

Olive-sided Flycatchers prefer openings with dead standing trees; these areas are naturally found near water, burns, and blowdowns. This species prefers palustrine and terrestrial habitats and forest and woodland habitats for breeding. This species nests along the edge of lakes, rivers, and beaver meadows and in open forest sites that have been cleared or burned. This species migrates through most of the western U.S. and Middle America. Losses of habitat due to suburban sprawl and habitat destruction along migratory routes and wintering grounds are possible causes for population decline.

Brewer's Sparrow's can be abundant in sagebrush, desert, and shrubland/chaparral habitat and will breed in high densities. This species prefers habitat with tall sagebrush shrubs for nesting and song perches; and low percentage grass cover to facilitating foraging on the ground. Loss of breeding habitat and sagebrush fragmentation are a concern for this species linked to population declines.

Bull Trout migrate from between spawning habitat and non-spawning habitat and migrate upstream to spawning areas in the fall. They prefer riverine (Big river, creek, or medium river), and lacustrine habitats. This species of fish occurs in the bottom of deep pools in cold rivers and large tributary streams, often in moderate to fast currents with temperatures of 45-50 degrees F; also cold water lakes and reservoirs. The degree of threat (B) includes hybridization with other species of introduced/non-native trout species, habitat loss or fragmentation, climate change (loss of cooler water temperatures/habitat) and drought, overharvest and illegal harvest.

Westslope cutthroat trout migrate between upstream/spawning and lake /non-spawning and prefer riverine (creek and medium river) and lacustrine habitats. This species of fish occur in small mountain streams, main rivers, and large natural lakes. The degree of threat (B) includes hybridization, loss/degradation of habitat from logging, road construction, mining and grazing. This species is sensitive to pollution and high turbidity/stream siltation. Dams, irrigation diversions, and other migratory barriers have degraded critical habitat and increased the already drastic levels of species fragmentation.

An Agapetus Caddisfly prefers freshwater habitats including streams, seeps, rivers, lakes, marshes, and temporary pools.

Fringed Bog Moss can be threatened by land-use conversion, habitat fragmentation, forest management practices, and sedimentation.

**Entire-leaf Nitrogen Moss** occurs on old dung, animal remains, bones, and owl pellets. The occurrence of this species is can be a rarity due to the unusual substratum requirements.

**English Sundew** occurs in fragile bog and fen habitats in remote areas. Threats to this species are the loss of peatland habitat through drainage or peat mining; logging and trampling also damages populations.

**Slenderleaf Sundew/Linear-leaved Sundew** occurs in seasonally moist or constantly wet habitats with acidic soils and high levels of sunlight. They commonly are found in bogs, fens, swamps, marshes, and moist streambanks. Threats to this species are the draining of bogs for agriculture and peat harvesting.

**Divide or Klaus' Bladderpod** occurs on open shale slopes and gravelly areas at moderate to fairly high elevations in the mountains. The species may be threatened by off-road vehicle use, road construction, and noxious weed invasion.

**Livid Sedge or Pale Sedge** occurs in peatlands and fens and are prevalent in wetland areas. Threats to this species include the draining of peatlands for peat harvest, impacts to groundwater, and climate change.

**Water Bulrush** occurs in quiet, shallow water of ponds, lakes, and marshes and typically grows in water 0.5-1 m deep. This species is impacted by low level threats from draining wetlands and bogs, and removal of beavers.

**Grizzly bear** are widespread and occurs in riverine, palustrine and terrestrial habitats. Global populations are declining in most areas due to habitat loss, fragmentation and increased hunting pressure.

**Canada Lynx** generally occurs in boreal and montane regions dominated by coniferous or mixed forest with thick undergrowth; may also enter open forest, rocky areas, and tundra to forage for abundant prey.

The reservoir has been historically used for the proposed purposes and it is unlikely that the proposed project would impact these widespread species.

**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 significant impact.**

The change is for a water right to a reservoir that is currently in existence.

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

**Determination: No significant impact.**

This change is for a water right to a reservoir that is currently in existence.

**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 significant impact.*

**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 significant impact.*

**The Montana Noxious Weed Survey and Mapping System identified Spotted Knapweed in the project vicinity. Since this change application is for the relocation of the water right and the proposed means of diversion and place of use are already complete, there would be minimal disturbance to soils. The landowner is responsible for controlling any establishment of noxious weed as a result of disturbance.**

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

*Determination: No significant impact.*

**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 significant impact.*

**The State Historic Preservation Office was not contacted about this proposed project. The land has been historically used for fish and wildlife and recreation purposes and would have already disturbed any historic sites. Since the property is located on federal land, the decision to conduct a cultural inventory would be at the discretion of the land manager.**

**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 significant impact.*

**The proposed project should not cause any additional impacts on land water or energy resources.**

## 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 significant impact.**

**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 significant impact.**

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

Determination: **No significant impact.**

**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 impact.**

**OTHER HUMAN ENVIRONMENTAL ISSUES** - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

**1. 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: **No impacts were identified.**

Cumulative Impacts: **No impacts were identified.**

3. *Describe any mitigation/stipulation measures:* **None**

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:*

**Under the no action alternative, the project would continue to be used as it is today. There do not appear to be alternatives.**

### **PART III. Conclusion**

1. *Preferred Alternative:* **Issue the authorization for the proposed project.**

2. *Comments and Responses:* **There have been no comments or 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:* **An EA is the appropriate level of analysis for this action. There are no significant impacts identified, therefore an EIS is not required.**

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

Name: **Lindsay Arthur**

Title: **Water Resource Specialist**

Date: **05/23//2007**