

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

Applicant/Contact name and address: **BRIAN & SHERYL MORAST
1202 CABIN CREEK ROAD
FALLON MT, 59326**

1. *Type of action:* **APPLICATION FOR BENEFICIAL WATER USE PERMIT
NO. 42M-30045440**
2. *Water source name:* **GROUNDWATER**
3. *Location affected by project:* **SW¹/₄ NE¹/₄ SE¹/₄ of Sec. 21, T12N, R55E, IN PRAIRIE
COUNTY.**
4. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
**This project is for 10 gallons per minute (GPM) up to 2.89 acre-feet (AF) of
groundwater for 170 head of cattle within the South Pine controlled groundwater
area in Prairie County, MT. The period of diversion is from January 1st to
December 31st inclusive each year. The South Pine controlled groundwater area
is located in Eastern Montana near the towns of Terry and Fallon.**

**The DNRC will issue a provisional water use permit if all criteria for issuance
under §§ 85-2-311, MCA are met.**

5. *Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)*
Montana Natural Heritage Program
Montana Historic Preservation Office
Montana Department of Fish Wildlife & Parks (MFWP)
Montana Department of Environmental Quality (MDEQ)

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.

This application will utilize groundwater at a rate of 10 gpm. This well is 960 feet deep and has been in use for one year with no objections from neighbors at this point.

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.

The well was drilled by a professional well driller that appears to have complied with Montana Board of Well Contractors as well as local guidelines. There are no water quality issues expected from the use of this well.

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.

This well is located near Hay Creek which is a tributary of Coral Creek near Terry Montana. The well is 960 feet deep and is not expected to be linked to these surface waters.

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.

The groundwater well was completed on 7/12/2007 by Higgins Drilling Company. A submersible 1 horse power pump will be used to divert water from the well. The well is 960 feet deep and has a 6-inch PVC schedule 40 casing to 168 feet, a 4-inch PVC schedule 40 casing from 145 to 670-feet and a 2-inch steel casing from 645 to 960-feet. Water will be conveyed directly to two stock tanks on the applicant's property. The project will be utilizing groundwater; therefore, there are no known significant impacts to channels, barriers, dams, riparian areas or modifications in flow.

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: The Montana Natural Heritage Program did not identify any species of concern within this proposed project 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 significant impact.
No wetlands claimed in the project area.

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

Determination: No significant impact.
No ponds claimed in the project area.

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.
There will be minimal soil disturbance during construction of this proposed project and there will be little likelihood for spread or establishment of noxious weeds. 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.
No deterioration of air quality or adverse effects on vegetation due to increased air pollutants from this project are expected.

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 of Montana Historic Preservation Office (SHPO), did not identify any historic or archeological sites of record in the proposed project area. This proposed use of water is not expected to have any significant impact on historical or archeological sites in the area.

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.

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 significant impact.**

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

ACCESS IMPACTS 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.**

There should be no significant impacts on recreational or wilderness activities from this proposed use.

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

Determination: **No significant 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: **No significant impact.**

Cumulative Impacts: **No significant impact.**

3. *Describe any mitigation/stipulation measures:* **The applicant has stated they have complete control over the water flow from the well. The mitigation plan established by the applicant states; if a senior water right experiences an adverse effect to his water right and this applicant's well is at fault the applicant has the ability to reduce diversion to meet the senior water user's needs.**

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 alternatives to drilling a well in this area for the purposes of obtaining stock water are: build an above ground storage tank and have water trucked in or file a permit for surface water from a source on the applicant's property assuming they are perennial streams and not over-appropriated. Trucking water in would be very costly and impractical. Likewise, filing a surface water permit would cost the applicant an additional \$400 and may not be grantable.**

The "no action" alternative would mean the applicant would not have water available for stock use and would not be able to raise his cattle and continue to live on his property.

PART III. Conclusion

1. *Preferred Alternative:* **The preferred alternative would be to allow use of the well with the condition that there will be no adverse impacts to any senior water rights.**

2. *Comments and Responses:* **None to report.**

3. *Finding:*
Yes___ No_ **X** *Based on the significance criteria evaluated in this EA, is an EIS required?* **No EIS is 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, therefore no EIS is required.**

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

Name: **Mark V Corrao**
Title: **Water Resources Specialist**
Date: **April 28, 2009**