

CHECKLIST ENVIRONMENTAL ASSESSMENT

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| Project Name: | Borman Pump Site Upgrade (LUL #6184) |
| Proposed Implementation Date: | Spring 2010 |
| Proponent: | Frank Borman, P.O. Box 64, Bighorn, MT 59010, Phone: 406-690-8083 |
| Location: | SENE Section 3-T4N-R34E, SWNESE Section 34-T5N-R34E Navigable River – Common School Trust |
| County: | Treasure |

I. TYPE AND PURPOSE OF ACTION

The Proponent has applied to the DNRC for a Land Use License to upgrade two existing pump sites (pads) to protect pumps from high water and floating debris and to stabilize pump site erosion. The pads are on private property above the low water mark. They are protected by an existing steel retaining wall, that would remain in place and sets within the low water marks of the Bighorn River. The work would be accomplished by increasing the elevation of the pads, utilizing concrete blocks for a pad surface, and building a triangular structure (approximately 15' x 16' x 13') upstream of the pads to deflect river water. This structure would have steel walls with native pit run material for fill and is located within the low water mark of the Bighorn River. Project activities would occur during low water flow.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

The Montana Natural Heritage Program was consulted.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

Treasure County Conservation District (310 permit), U.S. Army Corps of Engineers (Section 404 permit), Department of Environmental Quality (318 Authorization), and the Treasure County Floodplain Administrator. The Treasure County Weed Board administers the State weed laws in Treasure County.

3. ALTERNATIVES CONSIDERED:

Action Alternative: A Land Use License would be granted for the purpose of upgrading two existing pump sites to protect pumps from high water and floating debris in Section 3-T4N-R34E and in Section 34-T5N-R34E.

No Action Alternative: No Action – A Land Use License would not be granted.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES* potentially impacted are listed on the form, followed by common issues that would be considered.
- Explain **POTENTIAL IMPACTS AND MITIGATIONS** following each resource heading.
- Enter "NONE" if no impacts are identified or the resource is not present.

4. **GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:**

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

The proposed project would be located within the riverbed below the low water marks of the Bighorn River. An excavator would perform the proposed work from the top of the river bank on private land and only the excavator bucket would be within the low water mark of the river. Pit run material would be utilized from nearby private property. All necessary permits would be secured (310 permit, Floodplain permit, 404 permit, and 318 authorization). All activities would occur during low water flow, minimal impacts are anticipated.

5. **WATER QUALITY, QUANTITY AND DISTRIBUTION:**

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

The proposed project would be located within the riverbed below the low water marks of the Bighorn River. An excavator would perform the proposed work from the top of the river bank on private land and only the excavator bucket would be within the low water mark of the river. Due to project being completed in prompt fashion during low water flow, approximately 182 square-feet of river bed area being affected (two 91 square-foot water deflectors), and all necessary permits would be secured (310 permit, Floodplain permit, 404 permit, and 318 authorization). Minimal impacts are expected.

6. **AIR QUALITY:**

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

None.

7. **VEGETATION COVER, QUANTITY AND QUALITY:**

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The proposed project is located within the riverbed of the Bighorn River where there is no vegetative cover. An excavator would perform the proposed work from the top of the river bank on private land and only the excavator bucket would be within the river banks. Project activities would be completed promptly during low water conditions and all necessary permits would be secured (310 permit, Floodplain permit, 404 permit, and 318 authorization). Minimal impacts are expected.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

A variety of fish, big game, small mammals, raptors, and birds use this area. The proposed project's installation activities could disrupt wildlife movement and patterns. Due to the short duration of the proposed activities during low water flow, and minimal area of impact below the low water mark, minimal impacts are expected.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

A proposed project area search of the Montana Natural Heritage Program database identified three vertebrate animals that are listed as sensitive, a species of concern, threatened species, or endangered species: bald eagle, sauger, and spiny softshell.

Bald eagles probably occupy the proposed project area and the closest known nest is approximately 2 miles to the northwest. Project activities would occur during the mating and nesting season but due to the distance to the Yellowstone River and the nearest nest, minimal area of disturbance, and the short duration of the proposed project activities, minimal impacts are expected.

Sauger are known to inhabit the Yellowstone River, located approximately 2 miles to the north of the proposed project area. Due to the distance to the Yellowstone River, minimal area of disturbance, and the short duration of the proposed project activities, minimal impacts are expected.

Spiny softshell turtles are known to exist in the Yellowstone River, located approximately 2 miles to the north of the proposed project area. Due to the distance to the Yellowstone River, proposed project activities being outside of the May nesting season, minimal area of disturbance, and the short duration of the proposed project activities, minimal impacts are expected.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

The proposed project is located within the low water marks of the Bighorn River. No significant impacts are anticipated.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

Due to the distance from the proposed project area to the nearest residences in a remote and sparsely populated area, and the short duration of proposed project, minimal impacts are anticipated.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

None.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

None.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

None.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

None.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

None.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

None.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services.

None.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

None.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

Access opportunities would remain the same as before the proposed project, no impacts are expected.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

None.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

None.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

None.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The proposed action has provided \$25 via a Land Use License application fee and would provide a one-time \$150 rental fee.

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| EA Checklist Prepared By: | Name: Richard A. Moore | Date: March 3, 2010 |
| | Title: Southern Land Office Area Manager | |

V. FINDING

25. ALTERNATIVE SELECTED:

After review, I have selected the proposed Action Alternative, to grant a Land Use License for the purpose of upgrading two existing pump sites to protect the pumps from high water and floating debris and to stabilize pump site erosion by placing a water deflector at each site along the bank of the navigable Bighorn River. I believe this alternative can be implemented in a manner that is consistent with the long-term sustainable natural resource management of the area.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

I conclude all identified potential impacts will be avoided or mitigated by the securing the appropriate permits, short project duration, timing, and no significant impacts will occur as a result of implementing the selected alternative.

Mitigation measures:

1. All work shall be completed in an expeditious manner during low water conditions to avoid unnecessary impacts to the river.

2. All activities performed in the river and immediate vicinity will be conducted in a manner to reduce turbidity along with minimizing disturbances to the riverbed and riverbank.

3. All necessary permits (310 permit, Floodplain permit, 404 permit, and 318 authorization) shall be secured before any activities begin.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS

More Detailed EA

No Further Analysis

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| EA Checklist Approved By: | Name: Jeff Bollman |
| | Title: SLO Area Planner |
| Signature: /s/ Jeff Bollman | Date: 3/3/10 |