EA Form R 1/2001

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*: Shooting Star Ranch LLP
10 Shooting Star Trail
Gardiner, MT 59030

2. *Type of action*: Application For Beneficial Water Use Permit # 30048732-43B

3. *Water source name*: Groundwater well

4. *Location affected by project*: NE NW NE SE Sec. 32, T8S, R7E, Park County.

5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits*:

6. This application is to obtain a water right for a well located in the Yellowstone Controlled Groundwater Area (YCGA)by means of a 1-horsepower pump, from January 1 through December 31 annually at a rate of 20 gallons per minute (GPM) up to 1.0 acre-feet (AF), from a point in the NE NW NE SE Sec. 32, T8S, R7E, Park County. The proposed appropriation is for 1.0 AF for domestic use that includes one residence from January 1 through December 31. The water from this well measured 68 degrees F and is located in the YCGA. DNRC hydrologist Russell Levens has been contacted as well as the Montana Bureau of Mines and Geology in addition to the National park Service. The National Park Service was notified. If they do not object, a permit will be issued.

7. *Agencies consulted during preparation of the Environmental Assessment:* Montana

8. Montana Natural Resource Program……. Species of Concern
Montana Historical Society……Cultural Records Search
US Fish and Wildlife Service……Wetlands Mapper
National Park Service……..Water Resources Division

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: NA

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: The source of water is a groundwater, not on the DEQ list.

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: The groundwater well is 757 feet deep. This is a small domestic appropriation and a deep well. It is unlikely to affect adjacent surface flows. The water temperature was measured at 68 degrees F. The National Park Service has been contacted, per compact requirements. No impact identified.

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 diversion is a 757 foot well. No impact to existing resources has been identified.

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 was contacted. The gray wolf, Canada lynx, and brown bear may be found within Sec. 29 T8S, R7E. This new well should not have impact on these animals.

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 known wetlands exist in the area.

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

Determination: This project does not include a pond.

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: This well should not impact soil quality, alter soil stability, or moisture content. There is no saline seep in this area.

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: The disturbed areas have reclaimed themselves since construction. No impact identified.

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

Determination: There should be no significant impact to air quality from this development. No impact 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: SHPO has been contacted. They stated that any cultural properties that may have been in the area have already been impacted due to construction.

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 additional impacts on other environmental resources were 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: The project is consistent with local land use planning.

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: This area is private property, with no access to public recreational or wilderness activities. No impact is expected.

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

Determination: No impact on human health is expected on human health.

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: Private property rights are not impacted by this proposed action.

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 secondary impacts have been identified

Cumulative Impacts__No cumulative impacts have been identified

3. ***Describe any mitigation/stipulation measures:*** Mitigation or stipulations are not planned 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:*** The no action alternative to this proposed project will result in the applicant not having access to water for a beneficial use.

PART III. Conclusion

1. Preferred Alternative As proposed.

2 Comments and Responses None received to date.

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: Significant impacts have not been identified. An EIS is not required for this action.

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

Name: Porter Dassenko
Title: Water Resources Specialist
Date: April 19, 2010