

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: Elizabeth T. Childrey Revocable Trust
6430 Roselawn Rd
Richmond, VA 23226
2. Type of action: Application to change water right # 30051805-41D
3. Water source name: Groundwater, tributary to the Big Hole River.
4. Location affected by project: SWNWNE, Sec. 3, T5S, R8W, Madison County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The purpose of this change application is to change the point of diversion, source, period of use, and place of use. The new diversion is a proposed well diverting groundwater that is hydraulically connected to the Big Hole River located in the SWNWNE Sec. 3, T5S, R8W, Madison County. The new, corrected place of use proposes to irrigate 30.5 acres in the W2NE, Sec. 3, T5S, R8W, Madison County. The corrected proposed period of diversion and period of use is from April 15 to October 15.

The DNRC shall issue an Authorization to Change if the criteria in 85-2-402, MCA are met.

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

Dept. of Environmental Quality Website – Clean Water Act Information Center
MT. National Heritage Program Website - Species of Concern
USDI Fish & Wildlife Service Website - Endangered and Threatened Species
MT DFWP- Dewatered Streams List

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 impact identified.

The Big Hole River is listed on the Montana Department of Fish, Wildlife and Parks as being a dewatered concern area. This designation refers to a reduction in stream flow below the point where stream habitat is adequate for fish. This application was filed by the Applicant to use a well hydraulically connected to the river as an option not to use surface water directly from the Big Hole River. Water quantity will not be impacted by this action.

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 impact identified.

The Big Hole River is listed on the DEQ, 303(d) as impaired. This designation defines a water body or stream segment for which sufficient credible data shows that the water body or stream segment is failing to achieve compliance with applicable WQS (Montana Water Quality Act; Section 75-5-103(11)). Water quality will not be impacted by this project.

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 impact identified.

This project is for groundwater that is hydraulically connected to the Big Hole River. No impacts to groundwater have been 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: No impacts identified.

The new diversion will be a well completed in the alluvial aquifer that is hydraulically connected to the Big Hole River.

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 Bald Eagle, Blue Heron, Ferruginous Hawk, Long Billed Curlew, Sage Thrasher, Brewer's Sparrow, and the Grasshopper Sparrow may be found near this area. No impact identified.

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 impact identified.

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

Determination: No impact identified.

This project does not involve 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: No impact identified.

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: No impact identified.

The disturbed area from the newly drilled well will reclaim itself after 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: No impacts identified

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 if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.

Determination: NA-project not located on State or Federal Lands.

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

No anticipated additional impacts.

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 impact identified

The proposed project is not inconsistent with locally adopted environmental plans and goals.

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

This project is located on private property.

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

Determination: No impacts identified.

No impact to human health expected.

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 impacts identified

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

Impacts on:

- | | |
|--|-----------------------|
| (a) <u>Cultural uniqueness and diversity?</u> | No impacts identified |
| (b) <u>Local and state tax base and tax revenues?</u> | No impacts identified |
| (c) <u>Existing land uses?</u> | No impacts identified |
| (d) <u>Quantity and distribution of employment?</u> | No impacts identified |
| (e) <u>Distribution and density of population and housing?</u> | No impacts identified |
| (f) <u>Demands for government services?</u> | No impacts identified |
| (g) <u>Industrial and commercial activity?</u> | No impacts identified |
| (h) <u>Utilities?</u> | 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 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 is the only alternative to the proposed action. Under the no action alternative, the applicant would be unable to obtain a change authorization for the proposed new diversion.

PART III. Conclusion

1. Preferred Alternative Obtain a change authorization for the proposed purpose.

2. Comments and Responses None at this time.

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: No reasonable alternatives identified.

None of the identified impacts for any of the alternatives is significant as defined in ARM 36.2.524

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

Name: Porter Dassenko
Title: Water Resources Specialist
Date: 3/6/2012