

MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
WATER RESOURCES DIVISION
WATER RIGHTS BUREAU

ENVIRONMENTAL ASSESSMENT

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of action:** WATER RIGHT PERMIT APPLICATION NO.
40S-P111276
2. **Applicant/Contact name and address:**
LUSTRE DAIRY
HC 66 BOX 35
LUSTRE, MT 59225
3. **Water source name:** GROUNDWATER
4. **Location affected by action:** S2SW, SECTION 21, T31N, R44E, VALLEY COUNTY
5. **Narrative summary of the proposed project and action to be taken:** THIS PROJECT IS TO PUMP WATER OUT OF FOUR 30 GPM GROUNDWATER WELLS FOR STOCK AND COMMERCIAL USE. THE WATER WILL BE USED FOR A DAIRY UP TO 156 ACRE-FEET FOR STOCK USE AND 7 ACRE-FEET FOR COMMERCIAL USE. THE COMMERCIAL USE IS FOR THE CLEANING OF THE MILKING PARLOR. THIS APPLICATION IS TO USE A TOTAL OF 120 GPM UP TO 163 ACRE-FEET OF WATER PER YEAR. THE POINT OF DIVERSION IS AND THE PLACE OF USE ARE LOCATED IN THE S2SW, SECTION 21, T31N, R44E. THE DNRC SHALL ISSUE A WATER USE PERMIT IF AN APPLICANT PROVES THE CRITERIA IN 85-2-311, MCA ARE MET.
6. **Agencies consulted during preparation of the environmental assessment:**
STATE HISTORIC PRESERVATION OFFICE
MONTANA NATURAL HERITAGE PROGRAM

PART II. ENVIRONMENTAL REVIEW

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

Soils/Geologic Features:

Degradation of soil quality or alteration of soil stability, moisture content, geologic substructure, unique geologic features?

THE SOIL WILL BE DISTURBED WHEN THE WHEN THE BARNES, MILKING PARLOR AND WASTEWATER LAGOONS ARE CONSTRUCTED. THE COWS WILL REMAIN INSIDE THE BARNES SO OTHER THAN STATED ABOVE, NO PERMANENT DISTURBANCE WILL OCCUR.

Erosion:

Alteration of erosion or siltation patterns which modify stream beds or lake shores?

NO IMPACT

Vegetation/Noxious weeds:

Change in or adverse affect on diversity and production of local plant species including any unique or endangered species (including trees, shrubs, grass, and aquatic plants)? Establishment or spread of noxious weeds?

A PORTION OF THE SITE IS CURRENTLY UNDER DRY LAND CULTIVATION. ACCORDING TO THE MONTANA NATURAL HERITAGE PROGRAM, THERE ARE NO PLANT SPECIES OF SPECIAL CONCERN WITHIN THE PROJECT AREA. THE DAIRY SHOULD HAVE NO IMPACT ON THE ESTABLISHMENT OR SPREAD OF NOXIOUS WEEDS.

Air:

Deterioration of air quality, or adverse effects on vegetation due to increased air pollutants.

AIR QUALITY WITHIN THIS REGION OF THE STATE IS GOOD AND NO ADVERSE EFFECTS ARE ANTICIPATED WITH THE CONSTRUCTION AND OPERATION OF THIS DAIRY.

Water:

Alteration of surface water or groundwater quality including but not limited to temperature, dissolved oxygen or turbidity or quantity or distribution?

THE PROJECT SITE IS LOCATED AT THE HEAD OF A SMALL EPHEMERAL DRAINAGE. WATER WOULD ONLY FLOW HERE DURING SPRING RUNOFF AND DURING INTENSE SUMMER STORMS. THE APPLICANT IS WORKING WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY ON AN APPLICATION FOR THEIR WASTEWATER LAGOONS. THE LAGOONS WILL BE LINED AND NON-DISCHARGING. THEY WILL BE LOCATED TO PROTECT SURFACE WATER AND AT LEAST ONE MONITORING WELL WILL BE INSTALLED TO PROTECT THE GROUNDWATER.

Floodplain:

Changes in drainage patterns, course or magnitude of flood flows, or exposure of people/property to hazards (flood)?

NO IMPACT. THE SITE IS NOT LOCATED WITHIN A FLOODPLAIN.

Wildlife Habitat/Migration:

Deterioration of critical fish or wildlife habitat? Creation of a barrier to the migration or movement of fish or wildlife?

THIS PROJECT WILL REQUIRE THE CONSTRUCTION OF SEVERAL BARNs AND A MILKING PARLOR. THE SITE IS SURROUNDED BY FARMLAND AND WILDLIFE SHOULD BE ABLE TO EASILY TRAVEL AROUND THE DAIRY. THE SITE IS CURRENTLY FARM LAND AND THIS PROJECT WILL NOT DETERIORATE ANY CRITICAL WILDLIFE HABITAT.

Endangered Species:

Adverse effects on any unique or endangered species?

THE MONTANA NATURAL HERITAGE PROGRAM IDENTIFIED NO SPECIES OF SPECIAL CONCERN WITHIN THE AREA OF THE PROPOSED PROJECT.

HUMAN ENVIRONMENT

Existing Land Use:

Alteration of or interference with the productivity or profitability of the existing land use of an area?

APPROXIMATELY 2/3 OF THE 80 ACRE SITE IS CURRENTLY UNDER DRYLAND CULTIVATION. THE USE WOULD REMAIN AGRICULTURAL, HOWEVER, THE DAIRY WOULD INCREASE THE PROFITABILITY.

Historical Significance:

Destruction or alteration of a natural area of scientific or educational value or prehistoric or paleontological and archeological importance?

THE STATE HISTORIC PRESERVATION OFFICE WAS CONTACTED. THEIR REPORT STATES THAT "BASED ON THE PREVIOUS CULTURAL INVENTORIES AND THE KNOWN SITES IN THE AREA THAT THE LIKELIHOOD OF CULTURAL PROPERTIES BEING AFFECTED IS LOW". THERE HAVE BEEN TWO PREVIOUS INVENTORIES CONDUCTED IN THIS AREA, SO IT IS UNLIKELY THAT UNRECORDED OR UNKNOWN CULTURAL PROPERTIES WOULD BE PRESENT. THERE ARE NO PREVIOUSLY RECORDED SITES IN THE DESIGNATED SEARCH LOCALE (S2SW, SECTION 21, T31N, R44E).

Populace:

Alteration of the location, distribution, density, or growth rate of the human population of an area?
Alteration of social structure of community?

THIS PROJECT WILL BE LOCATED IN THE HEART OF AN AGRICULTURAL COMMUNITY AND IS NOT EXPECTED TO ALTER THE HUMAN POPULATION OR THE SOCIAL STRUCTURE OF THAT COMMUNITY.

Transportation:

Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?

THERE MAY BE AN INCREASE IN MILK HAULING TRUCKS ON THE COUNTY ROADS, HOWEVER, THAT SHOULD NOT CREATE A PROBLEM. THIS IS A REMOTE AREA OF MONTANA AND TRAFFIC IS NOT CONGESTED.

Safety:

Creation of any health hazard or affect on existing emergency response or evacuation plans?

THE ANIMAL WASTE WILL BE TREATED IN WASTEWATER LAGOONS. THIS IS A RURAL COMMUNITY AND THE DAIRY SHOULD HAVE NO IMPACT ON EXISTING EMERGENCY RESPONSE.

Public Services:

Have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? Have an effect upon local or state tax base?

THIS AREA IS SERVICED BY A RURAL FIRE DEPARTMENT. NO NEW GOVERNMENT SERVICES WILL BE REQUIRED RELATED TO THE CONSTRUCTION OF THE DAIRY. THE PROJECT IS EXPECTED TO HAVE A POSITIVE AFFECT ON THE LOCAL AND STATE TAX BASE.

Utilities:

Creates need for new or altered facilities for any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?

NO, POWER IS ALREADY LOCATED WITHIN A ½ MILE OF THE PROJECT AREA AND SERVICE LINES WILL BE INSTALLED TO THE SITE. NO NEW FACILITIES WILL BE REQUIRED.

Aesthetics:

Alteration of any scenic vista or recreation opportunity or creation of an aesthetically offensive site to the public?

THIS IS A REMOTE AREA OF MONTANA AND ALL THE COWS WILL BE IN A CONFINED FACILITY.

Other:

NO IMPACT

2. **Secondary and cumulative impacts:** NONE

3. **Reasonable alternatives to the proposed action, including the no action alternative:** NO SIGNIFICANT IMPACTS HAVE BEEN IDENTIFIED. IF THE USE OF THE THIS WATER WERE NOT APPROVED, THE APPLICANTS WOULD NOT BE ABLE TO ENJOY THE BENEFITS OF A DAIRY.

PART III. CONCLUSION

Based on the significance criteria evaluated in this EA, is an EIS required? NO

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

AN EA IS ADEQUATE FOR THIS ACTION. THERE WILL BE NO SIGNIFICANT IMPACTS, THEREFORE, NO EIS IS REQUIRED.

PREPARED BY:

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TITLE: WATER RESOURCES SPECIALIST
DATE: [Automatic date code removed]