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. 76H -P107615-00

2. **Applicant/Contact name and address:**
Mark Bennett and Shannon Bennett
PO Box 733
Hamilton, MT 59840

3. **Water source name:** Canyon Creek

4. **Location affected by action:** SWSESW Sec 21, Twp 06N, Rge 21W

5. **Narrative summary of the proposed project and action to be taken:** This application is for a fish and wildlife pond that was constructed approximately 30 years ago. The pond is located directly on a branch of the Barley Ditch that diverts water out of Canyon Creek. The pond has a capacity of 6.9 ac-ft. The applicant is requesting 45.33 gpm up to 42.87 ac-ft per year for the beneficial use of Fish & Wildlife. The amount of water the applicant is requesting represents enough water to fill the pond six times over the irrigation season and to account for water lost to evaporation.

6. **Agencies consulted during preparation of the environmental assessment:**
NONE

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, archeological sites?

No new development is planned so it is not likely that there will be any adverse effect on any soils or geologic features.

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

No new development is planned so it is not likely that there will be any adverse effect on erosion patterns.

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?

No new development is planned so it is not likely that there will be any adverse effect on local plant species or increase in noxious weeds.

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

No new development is planned so it is not likely that there will be any adverse effect on air quality.

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

Ponds of this type may contribute to increased water temperatures. This pond has been in place for so long though, that any effect on water quality is not likely to be measurable.

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

No new development is planned so it is not likely that there will be any adverse effect on drainage patterns. The existence of this pond may be considered to have a positive effect by keeping water in the Barley Ditch for longer in the summer than would be the case without the pond.

Wildlife Habitat/Migration:
Deterioration of critical fish or wildlife habitat? Creation of a barrier to the migration or movement of fish or wildlife?

The pond is located more than two miles down the ditch from the Barley Ditch headgate so in and of itself, it is not likely to have an adverse effect on fish or wildlife habitat. It is more likely that it has a positive impact providing water for wildlife and fish habitat.

Endangered Species:
Adverse effects on any unique or endangered species?

No new development is planned so it is not likely that there will be any adverse effect on any endangered species.

HUMAN ENVIRONMENT

Existing Land Use:
Alteration of or interference with the productivity or profitability of the existing land use of an area?

No new development is planned so it is not likely that there will be any adverse effect on existing land use.

Historical Significance:
Destruction or alteration of a natural area of scientific or educational value or prehistoric or paleontological importance?

No new development is planned so it is not likely that there will be any adverse effect on any area of historic significance.

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

No new development is planned so it is not likely that there will be any adverse effect on the existing populace.

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

No new development is planned so it is not likely that there will be any adverse effect on transportation.

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

No new development is planned so it is not likely that there will be any adverse effect on safety.

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?

No new development is planned so it is not likely that there will be any adverse effect on public services.

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 new development is planned so it is not likely that there will be any adverse effect on utilities.

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

No new development is planned so it is not likely that there will be any adverse effect on the aesthetics of the area.

Other:

NO

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2. Secondary and cumulative impacts: NONE

3. Reasonable alternatives to the proposed action, including the no action alternative None

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:

This permit, if issued will not result in any new development or a water use that is not currently in existence. Based on this information, it is determined that an EA is an adequate level of review. No EIS is required.

PREPARED BY:

NAME: Julie A. McNichol
TITLE: Water Resource Specialist

DATE: [Automatic date code removed]