

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Revised 11-00

Note: Instructions to DNRC staff for preparing this EA can be found at:
http://www.dnrc.state.mt.us/eis_ea.html

Part I. Proposed Action Description

1. **Applicant/Contact name and address: RICHLAND COUNTY CONSERVATION DISTRICT
HCR 89 BOX 5165A
SIDNEY, MT 59270**
2. **Type of action: WATER RIGHT CHANGE APPLICATION NO. 40S-G(R)111449**
3. **Water source name: MISSOURI RIVER**
4. **Location affected by action: NWNENW, SECTION 2, T26N, R58E, RICHLAND COUNTY**
5. **Narrative summary of the proposed project, purpose, action to be taken, and benefits:
THIS CHANGE APPLICATION IS TO USE A PORTION OF RICHLAND COUNTY CONSERVATION DISTRICTS WATER RESERVATION. THE PROJECT WILL USE 10 CFS UP TO 408 ACRE-FEET OF WATER A YEAR ON 136 ACRES. THE POINT OF DIVERSION IS LOCATED IN THE NWNENW OF SECTION 2, T26N, R58E, RICHLAND COUNTY. THE PLACE OF USE IS 40 ACRES IN THE W2 OF SECTION 1 AND 96 ACRES IN THE E2 OF SECTION 2, ALL IN T26N, R58E, RICHLAND COUNTY.**

THE ACRES IN THIS CHANGE APPLICATION HAVE BEEN IRRIGATED SINCE 1988 UNDER A WATER RIGHT PERMIT THAT WAS ISSUED THAT SAME YEAR. THE UNDERLYING PURPOSE FOR THIS CHANGE APPLICATION FROM THE CONSERVATION DISTRICT IS TO PROVIDE THE LAND OWNER WITH A PORTION OF THE DISTRICTS WATER RESERVATION, WHICH WILL IN TURN PROVIDE THE LAND OWNER WITH AN EARLIER PRIORITY DATE. THE POINT OF DIVERSION, MEANS OF DIVERSION, FLOW RATE, VOLUME, PERIOD OF USE AND ACRES IRRIGATED WILL NOT CHANGE FROM THOSE THAT WERE ISSUED WITH THE PERMIT IN 1988. IN EFFECT THIS CHANGE APPLICATION WILL ONLY BE TO CHANGE THE TYPE OF WATER RIGHT BEING USED ON THESE ACRES. NO CHANGES WILL BE MADE TO THE ACTUAL IRRIGATION SYSTEM. THIS IS A COMPLETED PROJECT.

AN ENVIRONMENTAL ASSESSMENT CHECKLIST WAS COMPLETED PRIOR TO THE ISSUANCE OF THE PERMIT THAT THE LAND OWNER HAS BEEN IRRIGATING UNDER SINCE 1988. THE LOWER MISSOURI RIVER BASIN FINAL ENVIRONMENTAL IMPACT STATEMENT WAS COMPLETED IN 1994 PRIOR TO GRANTING THE WATER RESERVATIONS TO THE CONSERVATION DISTRICTS.

THE DNRC SHALL ISSUE AN AUTHORIZATION TO CHANGE IF THE APPLICANT PROVES THE CRITERIA IN 85-2-402 ARE MET.

6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)
MONTANA NATURAL HERITAGE PROGRAM
RICHLAND COUNTY SOIL SURVEY

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: THE MISSOURI RIVER IS NOT IDENTIFIED AS A CHRONICALLY OR PERIODICALLY DEWATERED STREAM BY THE DEPARTMENT OF FISH, WILDLIFE AND PARKS. THE DFWP HAS A WATER RESERVATION ON THIS PORTION OF THE MISSOURI RIVER FOR 5178 CFS TO MAINTAIN INSTREAM FLOWS.

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 MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY HAS LISTED THIS SEGMENT OF THE MISSOURI RIVER ON THE TMDL 303(d) LIST. THE LISTING SHOWS PARTIAL SUPPORT FOR AQUATIC LIFE AND WARM FISH IN THIS SEGMENT OF THE RIVER. ALL OTHER USES ARE FULLY SUPPORTED BY THE SOURCE. AS THIS PROJECT HAS BEEN IN USE SINCE 1988, THIS ACTION WILL NOT HAVE ANY ADDITIONAL IMPACT ON THE WATER QUALITY.

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 CONTINUED USE OF THIS SURFACE WATER WILL HAVE NO IMPACT ON GROUNDWATER.

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 WORKS CONSIST OF TWO FLOATING CENTRIFUGAL PUMPS. THEY HAVE CREATED NO CHANNEL IMPACTS, FLOW MODIFICATIONS, BARRIERS OR ANY SIGNIFICANT IMPACTS TO RIPARIAN AREAS.

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: A REPORT RECEIVED FROM THE MONTANA NATURAL HERITAGE PROGRAM INDICATES THERE ARE THREE SPECIES OF SPECIAL CONCERN WITHIN THE GENERAL AREA OF THE PROJECT. THE LEAST TERN AND THE PALLID STURGEON ARE LISTED AS ENDANGERED AND THE PIPING PLOVER AS THREATENED. HABITAT FOR THESE SPECIES EXTENDS OVER MULTIPLE TOWNSHIPS.

THE LEAST TERN AND THE PIPING PLOVER PREFER NESTING SITES ON BARREN ISLANDS AND SANDBARS. PUMP SITES ARE TYPICALLY SET IN DEEPER WATER. THE SHALLOW WATER AROUND ISLANDS AND SANDBARS ARE AVOIDED.

THE PUMPS BEING USED FOR THIS PROJECT ARE CORNELL FLOATING CENTRIFUGAL PUMPS. THE INTAKE ON THIS TYPE OF PUMP SITS HIGH IN THE WATER COLUMN AND SHOULD HAVE MINIMAL, IF ANY, IMPACT ON THE FISHERY. THE PUMP SITE IS LOCATED ON A DEEP WATER SEGMENT OF THE RIVER WITH NO ISLANDS OR SANDBARS IN THE IMMEDIATE VICINITY.

THIS ACTION, WHICH WILL SIMPLY CHANGE THE TYPE OF WATER RIGHT BEING USED FOR THIS IRRIGATION PROJECT, WILL HAVE NO IMPACT ON THESE SPECIES.

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: THIS ACTION WILL HAVE NO IMPACT ON ANY EXISTING WETLANDS.

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

Determination: NOT APPLICABLE. THERE ARE NO PONDS ASSOCIATED WITH THIS CHANGE APPLICATION.

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: THE SOILS AT THE PROJECT SITE ARE PREDOMINATELY HAVRELON AND LOHLER SILTY CLAY LOAMS. THESE ARE BOTH DEEP, MODERATELY WELL DRAINED SOILS ON THE MISSOURI RIVER FLOOD PLAIN, FORMED IN STRATIFIED ALLUVIUM. RUNOFF IS VERY SLOW TO SLOW AND THE HAZARD EROSION IS NONE TO SLIGHT. ACCORDING TO THE SOIL SURVEY OF RICHLAND COUNTY, THIS TYPE OF SOIL IS SUITED TO IRRIGATED CROPS.

IRRIGATION ENHANCES CROP COVER DURING THE GROWING SEASON AND PROVIDES MORE PROTECTION FROM WIND AND WATER EROSION. IRRIGATION ALSO INCREASES PLANT RESIDUES RETURNED TO THE SOIL. SOIL STRUCTURE IS IMPROVED, MICROBE POPULATIONS BENEFIT FROM THE ADDED FOOD SOURCE, AND NITROGEN FERTILITY IS ENHANCED.

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 PROJECT SITE HAS BEEN IRRIGATED CROPLAND SINCE 1988. THERE IS ALWAYS THE POSSIBILITY OF NOXIOUS WEEDS INFESTING CROPLAND AND IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO CONTROL THE NOXIOUS WEEDS ON THEIR PROPERTY.

Air quality

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

Determination: THERE WILL BE NO IMPACTS TO AIR QUALITY DUE TO THIS CHANGE APPLICATION. THE PUMPS ARE POWERED BY ELECTRIC MOTORS.

Historical and archeological sites

Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.

Determination: THESE ACRES HAVE BEEN IRRIGATED SINCE 1988 AND FARMED AT LEAST THAT LONG. THE ENVIRONMENTAL ASSESSMENT CHECKLIST COMPLETED IN 1988 STATED THAT THERE WERE NO KNOWN SITES OF HISTORICAL OR PREHISTORIC IMPORTANCE NEAR THE DIVERSION OR PLACE OF USE.

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: THERE ARE NO KNOWN ENVIRONMENTAL PLANS OR GOALS IN THIS AREA.

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: CHANGING THE TYPE OF WATER RIGHT USED ON THESE ACRES WILL HAVE NO IMPACT ON RECREATIONAL OR WILDERNESS ACTIVITIES.

Human health

Assess whether the proposed project impacts on human health.

Determination: THIS CHANGE APPLICATION WILL HAVE NO IMPACT 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: THERE ARE NO ADDITIONAL GOVERNMENT REGULATORY IMPACTS ON PRIVATE PROPERTY RIGHTS ASSOCIATED WITH THIS CHANGE.

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 IMPACT
- (b) Local and state tax base and tax revenues ? NO IMPACT
- (c) Existing land uses ? NO IMPACT
- (d) Quantity and distribution of employment ? NO IMPACT
- (e) Distribution and density of population and housing ? NO IMPACT
- (f) Demands for government services ? NO IMPACT
- (g) Industrial and commercial activity ? NO IMPACT
- (h) Utilities ? NO IMPACT
- (i) Transportation ? NO IMPACT
- (j) Safety ? NO IMPACT
- (k) Other appropriate social and economic circumstances ? NO IMPACT

2. Secondary and cumulative impacts on the physical environment and human population: NO SECONDARY OR CUMMULATIVE IMPACTS HAVE BEEN IDENTIFIED. CUMMULATIVE IMPACTS WERE ADDRESSED IN THE 1994 LOWER MISSOURI RIVER BASIN FINAL ENVIRONMENTAL IMPACT STATEMENT, PRIOR TO THE GRANTING OF THE WATER RESERVATIONS.

3. Describe any mitigation/stipulation measures: NONE

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: UNDER THE NO ACTION ALTERNATIVE THE RICHLAND COUNTY CONSERVATION DISTRICT COULD NOT ALLOCATE THIS PORTION OF THEIR WATER RESERVATION TO THE PROPERTY OWNER. THE PROPERTY OWNER WOULD CONTINUE TO IRRIGATE THESE ACRES UNDER THE WATER RIGHT ISSUED TO HIM IN 1988.

PART III. Conclusion

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:

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

Name: DENISE BIGGAR

Title: WATER RESOURCES SPECIALIST

Date: DECEMBER 11, 2000