

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

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:* Michael G & Stephanie H Becker
PO Box 268
Harrison, Mt. 59735
2. *Type of action:* Application For Beneficial Water Use Permit # 30005320-41G
3. *Water source name:* Unnamed Tributary to South Willow Creek
4. *Location affected by project:* SW Sec 29 T1S R1W, Madison County.
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
The applicant proposes to construct two small berms across an unnamed tributary to South Willow Creek. A flow of 6.23 GPM, Up to 10.13 acre-feet of water will be backed up to create 2 surface acres of wetlands. This project was designed, and endorsed by the NRCS, to enhance wetland wildlife habitat. The DNRC shall issue a Provisional Permit if the applicant proves that the criteria in MCA, #85-2-311, are met.
6. *Agencies consulted during preparation of the Environmental Assessment:* Montana Department of Fish, Wildlife & Parks, Montana Department of Environmental Quality, Montana State Historical Preservation Office, Montana Natural Heritage Program, Madison County Planning Office.
(include agencies with overlapping jurisdiction)

Part II. Environmental Review

1. Environmental Impact Checklist:

<h2>PHYSICAL ENVIRONMENT</h2>

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 source of water is an unnamed tributary to South Willow Creek, which is not listed as chronically or periodically dewatered by the MDFWP.

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, an unnamed to South Willow Creek, is not listed on the DEQ, 303(d), 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: Surface water will be diverted onto new wetlands, where water may seep into the ground to recharge the 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: Two small berms will be constructed across the drainage. The water will be spread out to increase 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: The Montana Natural Heritage Program was contacted. There are no species of special concern in the project location.

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: The purpose of this project is to increase the size of the existing wetlands. The project is designed and backed by the NRCS.

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

Determination: This project does not involve a pond. Existing wildlife & waterfowl should benefit from this action.

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 location does not have saline seep. Soil moisture content should increase under the new wetland.

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 two berms will be the only construction. Native vegetation will be inundated. In time wetland species may replace existing vegetation.

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 on air quality relating to these wetlands.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: The State Historical Preservation Office was contacted. There have been no previously recorded historic or archaeological sites within the designated search locale. There is a low likelihood that cultural properties will be impacted, so a cultural resource inventory is unwarranted.

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 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 Madison County Planning Board has no restrictions against ponds.

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 project is located on private land, with no access to public recreation or wilderness activities. Therefore, no impact is expected.

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

Determination: No impact on human health is 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: Private property rights are not impacted by this 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 It has been determined that there are no secondary impacts to the physical environment, or human population.

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 would be to not build this wetland. The applicant could dig down to create a groundwater pit, less than 10 acre-foot in capacity. The NRCS prefers that native vegetation not be disturbed.

PART III. Conclusion

1. ***Preferred Alternative*** It is preferred that the berms be constructed, and native vegetation be inundated.

2. ***Comments and Responses*** No comments have been received to date.

3. ***Finding:***
Yes___ NoX___ *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. The EA is the appropriate level of action for this project.

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

Name: Jan R. Mack

Title: Water Resources Specialist

Date: July 7, 2004