

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:* WILLIAM R. MOORE
PO BOX 1070
CONDON, MT 59826

2. *Type of action:* APPLICATION FOR BENEFICIAL WATER USE PERMIT
7K-30016854

3. *Water source name:* CLOSED BASIN

4. *Location affected by project:* W2SW, SECTION 26, T 21 N, R 17 W, MISSOULA CO.

5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
THIS APPLICATION FOR A WATER USE PERMIT IS A REQUEST TO PUMP WATER FROM A CLOSED BASIN SURFACE WATER POTHOLE LAKE/POND THAT IS LOCATED ENTIRELY ON PROPERTY OWNED BY THE APPLICANT. THE DIVERTED WATER IS TO BE USED FOR IRRIGATION OF A ½ ACRE LAWN AND GARDEN AREA AND FOR WATERING STOCK. THE APPLICANT WOULD USE A ¾ HP PUMP WITH A CAPACITY OF 15 GALLON PER MINUTE. WATER WOULD BE USED YEAR-ROUND FOR STOCK AND FROM APRIL 15 TO SEPTEMBER 15 FOR IRRIGATION.

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:*
(include agencies with overlapping jurisdiction)

NRIS WEBSITE FOR WATER RIGHTS, WATER QUALITY, WATER QUANTITY, SOILS AND NOXIOUS WEED INFORMATION
MONTANA NATURAL HERITAGE PROGRAM FOR THREATENED AND ENDANGERED PLANT AND ANIMAL INFORMATION
STATE OF MONTANA HISTORICAL PRESERVATION OFFICE FOR CULTURAL INFORMATION

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 IMPACTS.

THE SOURCE OF SUPPLY IS A POND FED BY SNOW MELT AND PRECIPITATION. ACCORDING TO THE APPLICANT, THIS SOURCE DOES NOT DRAIN UNTO ANY OTHER WATER BODY. HOWEVER, DURING SPRING RUNOFF AND PERIODS OF HIGH RAINFALL, WATER WILL FLOW OUT OF THE POND AND ENTERS A BOGGY, RIPARIAN SECTION ADJACENT TO THE SWAN RIVER. DRAWDOWN TESTING BY THE APPLICANT SHOWS THAT, AT THE EXPECTED RATE OF WITHDRAWAL, THE LEVEL OF THE POND REMAINS CONSTANT.

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 IMPACTS.

THE AFFECTED SOURCE IS NOT IDENTIFIED AS WATER QUALITY IMPAIRED BY DEQ. THE PROPOSED PROJECT WOULD NOT BE EXPECTED TO AFFECT 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: NO SIGNIFICANT IMPACTS.

THERE WOULD BE NO IMPACTS TO GROUNDWATER EXPECTED FROM THE PROPOSED PROJECT.

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 SIGNIFICANT IMPACTS.

THE PROPOSED DIVERSION WOULD BE A ¾ HP PUMP USED TO DRAW WATER FROM AN EXISTING POTHOLE POND.

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: NO SIGNIFICANT IMPACTS.

THE MONTANA NATURAL HERITAGE PROGRAM PROVIDED INFORMATION ABOUT PLANT AND ANIMAL SPECIES OF CONCERN IN THE VICINITY OF THE PROPOSED PROJECT. OTHER THAN THE THREATENED GRIZZLY BEAR, THERE WERE NO OTHER SPECIES IDENTIFIED WITHIN ONE MILE OF THE APPLICANT'S PROPERTY.

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 SIGNIFICANT IMPACTS.

THERE ARE NO WETLANDS IDENTIFIED IN THE VICINITY OF THE PROPOSED PROJECT.

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

Determination: NO SIGNIFICANT IMPACTS.

THE PROPOSED DIVERSION WOULD DRAW WATER FROM AN EXISTING POND. AT THE PROPOSED RATE AND ACCORDING TO INFORMATION PROVIDED REGARDING DRAWDOWN, NO IMPACTS WOULD BE EXPECTED. THE BED OF THE POND IS IDENTIFIED AS A CLAY MATERIAL THAT IS NOT SUSCEPTIBLE TO SEEPAGE LOSS.

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 SIGNIFICANT IMPACTS.

SOILS IN THE AREA ARE IDENTIFIED AS HOLLAND LAKE-BATA COMPLEX.

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 SIGNIFICANT IMPACTS.

EXISTING VEGETATION IS PREDOMINANTLY FOREST WITH NATURAL AND MA-MADE OPENINGS. WEED SPREAD WOULD NOT BE EXPECTED.

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

Determination: NO SIGNIFICANT IMPACTS.

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

Determination: NO SIGNIFICANT IMPACTS.

AFTER CONSULTATION, SHPO ADVISES THAT NO CULTURAL RESOURCE INVENTORY IS RECOMMENDED.

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 SIGNIFICANT 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 SIGNIFICANT IMPACTS.

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.

THERE ARE NO PUBLIC RECREATIONAL OR WILDERNESS ACCESS ISSUES PRESENTED BY THE PROPOSED PROJECT.

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

Determination: NO IMPACTS.

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:

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> | NONE |
| (b) <u>Local and state tax base and tax revenues?</u> | NONE |
| (c) <u>Existing land uses?</u> | NONE |
| (d) <u>Quantity and distribution of employment?</u> | NONE |
| (e) <u>Distribution and density of population and housing?</u> | NONE |
| (f) <u>Demands for government services?</u> | NONE |
| (g) <u>Industrial and commercial activity?</u> | NONE |
| (h) <u>Utilities?</u> | NONE |
| (i) <u>Transportation?</u> | NONE |
| (j) <u>Safety?</u> | NONE |
| (k) <u>Other appropriate social and economic circumstances?</u> | NONE |

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts NONE IDENTIFIED

Cumulative Impacts NONE IDENTIFIED

3. *Describe any mitigation/stipulation measures:* NONE IDENTIFIED

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:* NO REASONABLE ALTERNATIVES WERE IDENTIFIED IN THIS ANALYSIS. THE NO ACTION ALTERNATIVE WOULD RESULT IN THE DENIAL OF THE WATER USE APPLICATION AND DISALLOW THE LEGAL APPROPRIATION OF WATER FOR IRRIGATION AND STOCK USES.

PART III. Conclusion

1. *Preferred Alternative* NOT APPLICABLE

2. *Comments and Responses*

3. *Finding:*

Based on the significance criteria evaluated in this EA, is an EIS required?

*Yes*___ *No* ***X***___

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: AN EA IS THE APPROPRIATE LEVEL OF ANALYSIS FOR THIS PROPOSED ACTION BECAUSE NO SIGNIFICANT IMPACTS HAVE BEEN IDENTIFIED AS A RESULT OF THE PROPOSED ACTION.

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

Name: PATRICK RYAN

Title: WATER RESOURCE SPECIALIST

Date: JANUARY 5, 2005