

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. *Applicant/Contact name and address:* David R. & Deborah S. Lyman, 34 Beaver Peak Road, Heron MT 59844
2. *Type of action:* Application for Beneficial Water Use Permit 30017281-76N
3. *Water source name:* Unnamed Tributary of Beaver Gulch
4. *Location affected by action:* The SE quarter of section 4, T 26N, R 34W, Sanders County.
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-31, MCA are met. The applicants are seeking a water use permit from a UT to Beaver Gulch for stock watering, lawn & garden irrigation, agricultural irrigation and fish & wildlife purposes in a 2.2 surface acre pond with a filled volume of 8.32 acre-feet. The pond may be used as a helicopter bucket refill site for fire fighting if the need arises.
6. *Agencies consulted during preparation of the Environmental Assessment:*
(include agencies with overlapping jurisdiction) MT Fish, Wildlife & Parks, the MT Natural Heritage Program, the State Historic Preservation office and the MT DEQ.

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: This source is very seasonal and is not reflected on any maps as an actual stream. The pond appurtenant to this action will sustain flows later in the season than has been seen historically.

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: This source shows up on no source 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: This action may help percolation into the shallow aquifer.

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 dam/diversion works are already in place and functional.

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: Although a Lynx may cross this property from time to time, this action does not create any type of barrier to their movement. It may actually create an opportunity for hunting and become a food source for other endangered species as well.

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 impacts. The area where the pond is now located was formerly a hayfield.

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

Determination: Wildlife and waterfowl will benefit from this pond as was witnessed during the 4/20/06 site inspection. Pairs of Canadian Geese were present and moose and whitetail deer were using the pond for drinking. After completion, the pond will be planted with fish as approved by the MT Fish, Wildlife & Parks.

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: Soil moisture in the immediate area will increase from the pond and the irrigation of the surrounding acres.

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 landowner has been controlling noxious weeds for 30 years.

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

Determination: No 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: Any sites on the property were removed many years ago.

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: None 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 applicants are working with all local federal, state and county officials as needed and required by law.

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. This is private property.

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) Cultural uniqueness and diversity? None
 - (b) Local and state tax base and tax revenues? Potential for slight positive impacts.
 - (c) Existing land uses? The area where the pond is built can no longer be farmed or pastured.
 - (d) Quantity and distribution of employment? None
 - (e) Distribution and density of population and housing? None
 - (f) Demands for government services? Slight
 - (g) Industrial and commercial activity? None
 - (h) Utilities? None
 - (i) Transportation? None
 - (j) Safety? Some impacts if the dam were to fail.
 - (k) Other appropriate social and economic circumstances? None identified.
2. **Secondary and cumulative impacts on the physical environment and human population:** No secondary or cumulative impacts were identified as a result of this action.
3. **Describe any mitigation/stipulation measures:** None are needed 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:** Since the action has already taken place, this was the only alternative considered.

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: Because no significant impacts were identified as a result of this action, the EA is the appropriate level of analysis.

Name of person responsible for preparation of EA:

Name: Wes McAlpin

Title: Water Resources Specialist, Kalispell RO, DNRC Water Resources

Date: January 29, 2015