EA Form R 1/2001

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: **Geoduck Land and Cattle, LLC**
600 University St., Suite 2500
Seattle, WA 98101

2. Type of action: **Change application 30019389-41B**

3. Water source name: **Albers Slough**

4. Location affected by action: **Sec 25, 36 Twp 5S Rge 8W and Sec 19, 20, 29, 30, 31 Twp 5S Rge 7W, Beaverhead County**

5. Narrative summary of the proposed project, purpose, action to be taken, and objectives:

The change application proposes to add an additional point of diversion to existing water right no. 88894-41B. The current right irrigates 433.2 acres in Sec 29 and 30 Twp 5S Rge 7W of Beaverhead County from Albers Slough using a point of diversion in the NENENE Sec 36 Twp 5S Rge 8W of Beaverhead County. Adding a new point of diversion in the NWNENE Sec 30 Twp 5S Rge 7W Beaverhead County should increase the efficiency of flood irrigation in the lower part of the irrigated field. It is estimated that the new point of diversion will reduce the irrigation time by 2-3 days.

The change application does not increase the flow, volume, or acreage irrigated. There are no points of diversion between the existing and the proposed point of diversion. Both the existing ditch and the proposed diversion will have water measuring devices installed.

Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

MT Natural Heritage Program - Species of Concern, T/E
MT Dept. of Environmental Quality - 2004 Montana Water Quality Integrated Report
MT Dept. of Fish, Wildlife and Parks - Montana Fisheries Information System
The Montana Noxious Weed Survey and Mapping System
SHPO – State Historical Preservation Office

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 significant impact.**
Albers Slough, the source of supply is not listed by DFWP as chronically dewatered. This water right change should not have any effect on the availability of water in this source as the historic diversion amount will remain the same or possibly decrease due to increased efficiency. This proposed change has the potential to save up to 75 ac-ft of water per year.

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 significant impact.**
Albers Slough is not listed on the DEQ Montana 303(d) list. The proposed project will not 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 impact to groundwater quality or supply.**
This change does not include any groundwater sources.

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: **This project would not have a significant impact on channel structures, flow modifications, barriers, or riparian areas. The historic means of diversion and the amount of water diverted would not change. The proposed point of diversion structure has been in place since 1989. The water is conveyed to the fields through a ditch off of Albers Slough. The water runs into a check reservoir (no storage) that is used to raise the water surface elevation and then is applied to the lower end of the 433.2 acre field. A flume will be installed on the ditch to measure flow and volume.**

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 impact.**
The MT Natural Heritage Program identified the Great Basin Pocket Mouse and the Bald Eagle as a species of special concern in the vicinity of the project. The Great Basin Pocket Mouse tends to prefers higher elevations (above 5,100 feet) so it is most likely not found in the area. There would be very little disturbance with the installation of the head gate and the flume. The Bald Eagle is found in the project vicinity, but the installation of the head gate and the flume is not expected to disrupt the habitat. No plant or fish species of special concern were identified.

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 impact. There are no wetlands in the area of the proposed change.**

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

Determination: **No significant impact. The reservoir associated with the project is not used as a storage reservoir, but used to raise the water level during irrigation.**

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 impact.**
There will be no changes in historic irrigation patterns, therefore there should be no degradation of soil quality, alteration of soil stability, or moisture content. The soils are not heavy in salts.

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 impact.**
The Montana Noxious Weed Survey and Mapping System did not identify any noxious weeds in the project vicinity. Since the project will use an existing ditch there would be minimal disturbance to soils. The landowner is responsible for controlling any establishment of noxious weeds as a result of disturbance.

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 impact.**

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 impact. Records from the Montana State Historic Preservation Office (SHPO) indicate no previously recorded cultural sites within the project area. SHPO recommends contacting them if any cultural materials are discovered**

during the development of the project. Since this project is located on private property, the decision to conduct this inventory is at the discretion of the landowner.

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 on environmental resources of land, water, and energy.**

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 impact. There are no known locally adopted environmental plans and goals.**

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 significant impact. The additional point of diversion would not impact access to or the quality of recreational and wilderness activities.**

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

Determination: **No significant impact. The project would not impact 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:

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? **The land is currently used for grazing. This project would continue to irrigate the land for grazing.**

(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: **No adverse secondary impacts were identified. The proposed project will divert water down an existing ditch and through a new head gate and measuring device.**

   Cumulative Impacts: **No adverse cumulative impacts were identified. The proposed project should allow the applicant to reduce irrigation time by 2-3 days, with a maximum water savings of up to 75 ac-ft.**

3. Describe any mitigation/stipulation measures: **The applicant will install a measuring device at the proposed point of diversion.**

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 project would continue to be used as it is today. There do not appear to be any other alternatives.**

PART III. Conclusion

1. Preferred Alternative: **Issue the authorization for the proposed project.**

2. Comments and Responses: There have been no comments or responses.

3. Finding:
   Yes ___ No _X_ 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: **An EA is the appropriate level of analysis for this action. There are no significant impacts identified, therefore an EIS is not required.**

Name of person(s) responsible for preparation of EA:
Name: Eric Chase
Title: Water Resources Specialist
Date: May 2, 2006