

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:* Dale K. McCoy
PO Box 5
Plentywood, MT 59254
2. *Type of action:* Application for Beneficial Water Use Permit No. 40R-30021061
3. *Water source name:* McCoy Creek
4. *Location affected by action:* SESENW, Section 36, T36N, R54E, Sheridan County
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
This project is to pump water out of a reservoir on McCoy Creek to irrigate 34 acres. The project was completed 20 years ago, however the applicant developed more acres than he was permitted for at that time. The original 1986 water right (40R-61830-00) was to flood irrigate 28 acres but a 62 acre center pivot was installed. This permit application is for a water right to irrigate the remaining 34 acres and to add the reservoir. The point of diversion is a dam located in the SESENW, Section 36, T36N, R54E, Sheridan County. The place of use is located in the E2E2NE of Section 35 and the W2NW of Section 36, T36N, R54E, Sheridan County. The applicant will benefit by having all of the acres he irrigates under the pivot protected by a water right.

The DNRC shall issue a water use permit if the 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)

Sheridan County Soil Survey
Montana Natural Heritage Program
Montana Department of Environmental Quality Website (TMDL 303d Listing)

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: McCoy Creek is not identified as a chronically or periodically dewatered stream by the Montana Department of Fish, Wildlife & Parks.

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: McCoy Creek is not listed a water quality impaired or threatened by the Montana Department of Environmental 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: This surface water appropriation should have no significant impact on groundwater in the area.

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 means consists of a rock dam on McCoy Creek. Water is then pumped out of the reservoir using a 40 hp 300 gpm pump. The water is conveyed to a center pivot through a 6 inch pipeline. The water line is approximately 1700 feet long.

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: According to a report from the Montana Natural Heritage Program (MNHP) there are no species of special concern in the general area of this project.

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 reservoir created by the construction of the dam 20 years ago is now listed on the National Wetland Inventory as a palustrine wetland.

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

Determination: Based on the 1996 and 2005 aerial photos, it appears that the 20-year old reservoir may have enhanced wildlife and waterfowl habitat.

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 have been irrigated and farmed for 20 years. According to the Sheridan County Soil Survey the dominant soils under the applicants pivot are Williams loam. They are well-drained upland soils formed in glacial till. Runoff is slow to medium and erosion is slight to moderate. These soils are suitable for all crops grown in the county and are not prone to saline seep.

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 was completed 20 years ago and is currently cropped for barley hay. The vegetative cover over the buried pipeline was reestablished long ago. The control of noxious weeds is the responsibility of the property owner.

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 deterioration of air quality as a result of this appropriation.

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 Montana State Historic Preservation Office (SHPO) was not contacted regarding this irrigation project because it was completed in 1986. Additionally, as the project is located on private property, any cultural resource inventory conducted would be at the property owner's discretion.

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 local 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: This project will have no significant impact on recreational or wilderness activities.

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

Determination: This project will have no significant 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 application.

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: No secondary impacts have been identified.

Cumulative Impacts: No cumulative impacts have been identified.

3. Describe any mitigation/stipulation measures: None 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: Under the no action alternative, the applicant would not have the benefit of water for 34 acres of irrigation. The applicant would only be able to use approximately ½ turn of the pivot that is covered under his 1986 water right.

PART III. Conclusion

1. Preferred Alternative: Issue a water use permit if the applicant proves the criteria in 85-2-311, MCA are met.

2. Comments and Responses

3. Finding:

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: No significant impacts have been identified, therefore an EIS is not necessary.

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

Name: Denise Biggar

Title: Water Resources Specialist

Date: December 12, 2006