

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Revised 11-00

Part I. Proposed Action Description

1. *Applicant/Contact name and address:* Dry Prairie Rural Water Authority
PO Box 577
Culbertson, MT 59218
2. *Type of action:* Application for Beneficial Water Use Permit No. 40S-30064200
3. *Water source name:* Missouri River
4. *Location affected by action:* NESWNW, Section 28, T27N, R48E, Roosevelt County
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
The Applicant proposes to divert water from the Missouri River, by means of a pump, from January 1 through December 31 at 9.33 CFS up to 2843 AF, from a point in the NESWNW Section 28, T27N, R48E, Roosevelt County, for water marketing use from January 1 through December 31. The place of use is the point of sale (water treatment plant) and is located in the W2NW Section 3, T27N, R48E, Roosevelt County. The service area is generally located in Daniels, Sheridan, Roosevelt and the eastern portion of Valley County, outside the boundaries of the Fort Peck Indian Reservation. The Fort Peck Reservation Rural Water System was authorized by the US Congress in 2000 (PL 106-382). This system is composed of two smaller systems, the Assiniboine & Sioux Rural Water System (on reservation portion) and the Dry Prairie Rural Water System (off reservation portion). Both of these systems obtain water through common delivery facilities, intake structure and treatment plant. The common facilities are held in trust by the United States for the Fort Peck Tribes. The intake and water treatment plant have been completed.

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)

Montana Department of Environmental Quality Website (TMDL 303d Listing)

The October, 2002 Final Environmental Assessment and the Finding of No Significant Impact was prepared by the U.S. Department of Interior Bureau of Reclamation, Montana

Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.

To obtain a copy of this Environmental Assessment, please contact the:

Montana Department of Natural Resources
Water Resources Glasgow Regional Office
P.O. Box 1269, Glasgow, MT 59230
406-228-2561

or

Dry Prairie Rural Water Authority
PO Box 577, Culbertson, MT 59218
406-787-5382

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: The Missouri River is not identified as a chronically or periodically dewatered stream by the Montana Department of Fish, Wildlife & Parks. The DFWP has a water reservation on this portion of the Missouri River for 5178 cfs to maintain instream flows. This appropriation would have no significant impact on the surface water flows.

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 Missouri River is listed on the 2012 Montana 303(d) list as partially supporting aquatic life and fully supporting agricultural and drinking water use. The probable causes for the impairment are flow regime alterations and water temperature due to the regulated flows from Fort Peck dam. Due to the large size of the source, no significant impact should occur.

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: Dry Prairie Rural Water Authority will be diverting their water through an existing intake structure and water treatment plant currently used by the Assiniboine and Sioux Rural Water System. The diversion works were addressed in the October, 2002 Final Environmental Assessment and the Finding of No Significant Impact prepared by the U.S. Department of Interior Bureau of Reclamation, Montana Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.

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: Endangered and threatened species were addressed in the October, 2002 Final Environmental Assessment and the Finding of No Significant Impact prepared by the U.S. Department of Interior Bureau of Reclamation, Montana Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.

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: Wetlands were addressed in the October, 2002 Final Environmental Assessment and the Finding of No Significant Impact prepared by the U.S. Department of Interior Bureau of Reclamation, Montana Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.

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

Determination: Not applicable.

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: Geology/soil quality, stability and moisture were addressed in the October, 2002 Final Environmental Assessment and the Finding of No Significant Impact prepared by the U.S. Department of Interior Bureau of Reclamation, Montana Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.

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: Vegetation cover, quantity and quality/noxious weeds were addressed in the October, 2002 Final Environmental Assessment and the Finding of No Significant Impact prepared by the U.S. Department of Interior Bureau of Reclamation, Montana Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.

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

Determination: The intake pumps are electric and 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: Historical and archeological sites were addressed in the October, 2002 Final Environmental Assessment and the Finding of No Significant Impact prepared by the U.S. Department of Interior Bureau of Reclamation, Montana Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.

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: Human health and quality of life were addressed in the October, 2002 Final Environmental Assessment and the Finding of No Significant Impact prepared by the U.S. Department of Interior Bureau of Reclamation, Montana Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.

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:*

Determination: Secondary and cumulative impacts were addressed in the October, 2002 Final Environmental Assessment and the Finding of No Significant Impact prepared by the U.S. Department of Interior Bureau of Reclamation, Montana Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.

3. ***Describe any mitigation/stipulation measures:*** Wetland mitigation was addressed in the October, 2002 Final Environmental Assessment and the Finding of No Significant Impact prepared by the U.S. Department of Interior Bureau of Reclamation, Montana Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.
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:*** An alternatives analysis, including the no action alternative, was provided in the October, 2002 Final Environmental Assessment and the Finding of No Significant Impact prepared by the U.S. Department of Interior Bureau of Reclamation, Montana Department of Natural Resources and Conservation and the Montana Department of Environmental Quality.

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: March 20, 2013

ADOPTION OF EXISTING ENVIRONMENTAL REVIEW (EA/EIS)

Part I. Proposed Action Description

Applicant/Contact Name & Address: Dry Prairie Rural Water Authority
P.O. Box 577
Culbertson, MT 59218

Type of Action: Application for Beneficial Water Use Permit No. 40S-30064200

Location Affected by Action: NESWNW, Section 28, T27N, R48E, Roosevelt County

Narrative Summary of Proposed Action: The Applicant proposes to divert water from the Missouri River, by means of a pump, from January 1 through December 31 at 9.33 CFS up to 2843 AF, from a point in the NESWNW Section 28, T27N, R48E, Roosevelt County, for water marketing use from January 1 through December 31. The place of use is the point of sale (water treatment plant) and is located in the W2NW Section 3, T27N, R48E, Roosevelt County. The service area is generally located in Daniels, Sheridan, Roosevelt and the eastern portion of Valley County, outside the boundaries of the Fort Peck Indian Reservation. The Fort Peck Reservation Rural Water System was authorized by the US Congress in 2000 (PL 106-382). This system is composed of two smaller systems, the Assiniboine & Sioux Rural Water System (on reservation portion) and the Dry Prairie Rural Water System (off reservation portion). Both of these systems obtain water through common delivery facilities, intake structure and treatment plant. The common facilities are held in trust by the United States for the Fort Peck Tribes. The intake and water treatment plant have been completed.

Part II. Existing Environmental Review Information

Title: Final Programmatic Environmental Assessment, Fort Peck Reservation Rural Water System, Fort Peck Reservation and Dry Prairie Service Areas

Publication Date: October, 2002

Lead Agency: U.S. Department of Interior (Bureau of Indian Affairs and Bureau of Reclamation), Montana Department of Natural Resources and Conservation and Montana Department of Environmental Quality

Location Where Interested Parties Can View or Obtain the Document: DNRC - Water Resources Regional Office, Glasgow or Dry Prairie Rural Water Authority, Culbertson

Part III. Criteria for Adopting Existing Environmental Review

- _X_Yes _No Does the existing environmental review cover an action paralleling or closely related to the proposed action?
- _X_Yes _No Is the information in the existing environmental review accurate and clearly presented?
- _X_Yes _No Is the information in the existing environmental review applicable to the action being considered?
- _X_Yes _No Were all appropriate Agencies consulted during preparation of the existing environmental review?
- _X_Yes _No Were alternatives to the proposed action evaluated as part of the existing environmental review effort?
- _X_Yes _No Have all of the impacts of the proposed action been accurately identified as part of the existing environmental review?
- _X_Yes _No If the existing environmental review identifies any significant impacts as a result of the proposed action, will they be mitigated below the level of significance?

Part IV. Conclusion

If the answers to ALL of the questions listed above are "Yes", the existing environmental review can be considered sufficient to satisfy DNRC's MEPA review responsibilities.

Yes___ No_X Based on the criteria evaluated in the existing EA, is an EIS required?

Name: Denise Biggar

Title: Deputy Regional Manager

Date: March 20, 2013

Signature: _____