

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: Big Horn Conservation District
724 W 3rd
Hardin, MT 59034
2. Type of action: Application for Change Authorization
3. Water source name: Bighorn River
4. Location affected by project: SW Sec. 19, T1N, R33E, and Sec. 20, T2S, R33E, Big Horn County, MT
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:
The applicant proposes to add a point of diversion and place of use to the Big Horn Conservation District Reserved Water Right. The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.
6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Montana Natural Heritage Program	Endangered-Threatened Species
Montana Department of Fish Wildlife & Parks (MFWP)	Dewatered Stream Information
Montana Department of Environmental Quality (MDEQ)	TMDL 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 Impact

The Bighorn River, at the location of this project, is not on the DFWP list of Chronically or Periodically Dewatered Streams.

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 Impact

The Bighorn River, at the location of this project, is on the DEQ list of water quality impaired streams as water quality category 5 – waters where one or more applicable beneficial uses are impaired or threatened, and a TMDL is required to address the factors causing the impairment or threat. The river is assessed as fully supporting agriculture. The place of use is approximately 3 miles from the Bighorn River. Water will be used for center pivot irrigation with little or no runoff.

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 Impact

There will be no groundwater used in this 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 Impact

The diversion works will consist of the existing Two Leggins canal headgate. There will be no channel impacts, flow modifications, barriers, or impact to riparian areas, dams or well construction from this proposed diversion.

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: Minor Impact

The project area is already actively farmed. There should be no impact to threatened or endangered fish, wildlife, plants or aquatic species due to this center pivot irrigation system.

The Montana Natural Heritage Program identified the following Species of Concern within the project area: Marriam’s Shrew, Preble’s Shrew, Great Blue Heron, Greater Sage-Grouse,

Spiny Softshell, Western Hog-nosed Snake, Milksnake, and Sauger. Potential Species of Concern are the White-footed Mouse, Hayden's Shrew, Hooded Merganser and Burbot. The Bald Eagle is listed as a Special Status Species. There are no plant species of concern in the project area.

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 impact

There are no wetlands in the project area. The project operator is expected to contact the Army Corps of Engineers if they intend to fill the wetlands.

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

Determination: No Impact

There are no ponds involved with this project.

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 Impact

There should be no degradation of soil quality, alteration of soil stability or moisture content due to this proposed use of water for center pivot irrigation.

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 Impact

The project area is already actively farmed. The operator is expected to stop or control the spread of noxious weeds in the project area.

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

Determination: No Impact

The project area is already actively farmed, there should be no additional deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal*

Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.

Determination: NA

This project is not on State or Federal Lands

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 impact

There are no other impacts on environmental resources not already addressed.

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 Impact

This project is not inconsistent with any 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 Impact

This project will 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 Impact

This project will 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: No Impact

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 Impact
- (b) Local and state tax base and tax revenues? No Impact
- (c) Existing land uses? No Impact
- (d) Quantity and distribution of employment? No Impact
- (e) Distribution and density of population and housing? No Impact
- (f) Demands for government services? No Impact
- (g) Industrial and commercial activity? No Impact
- (h) Utilities? No Impact
- (i) Transportation? No Impact
- (j) Safety? No Impact
- (k) Other appropriate social and economic circumstances? No Impact

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

Secondary Impacts

No secondary impacts anticipated.

Cumulative Impacts None identified

No cumulative impacts anticipated.

3. *Describe any mitigation/stipulation measures:*

No mitigation or stipulation measures have been identified. A measurement condition will be placed on the water right as required by the reservation final order.

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 action alternative. Deny the application. This alternative would result in none of the benefits of increased forage production and the related economic benefits being realized

by the water user.

PART III. Conclusion

1. ***Preferred Alternative*** Project as proposed.
2. ***Comments and Responses*** No comments have been received.
4. ***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:

None of the identified impacts for any of the alternatives are significant as defined in ARM 36.2.524.

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

Name: Christine Smith
Title: Water Resources Specialist
Date: March 24, 2014