

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:
Dry Redwater Regional Water Authority
ATTN: Mandi Nay
PO Box 276
Circle, MT 59215
2. Type of action: Application for Beneficial Water Use Permit (40E 30064997) seeks to divert Missouri River water from the North Fork Rock Creek arm of Fort Peck reservoir. An intake structure and pump system will divert water year-round at rates up to 4,200 GPM and 3,990 AF per year, from a point in the SWNWNE of Section 14, T23N, R42E, Garfield County. Applicant will use water year-round for marketing purposes including municipal, domestic, and livestock within its 11,791 square-mile service area, which is generally located in Garfield, McCone, Prairie, Dawson, and Roosevelt counties.
3. Water source name: The diversion will be located in the North Fork Rock Creek arm of Fort Peck reservoir. The source of water is the Missouri River.
4. Location affected by project: Water will be distributed throughout the Water Authority's 11,791 square-mile service area generally located in Garfield, McCone, Prairie, Dawson, and Roosevelt counties.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The Applicant proposes to divert water from the Missouri River (Fort Peck Reservoir) for year-round water marketing. The project includes installation of an intake system, water treatment facility, water distribution pipelines, and booster pump stations. The project will benefit water users within the service area by providing reliable, safe quality drinking water.
6. Agencies consulted during preparation of the Environmental Assessment:
Montana Fish, Wildlife, and Parks – Montana Fisheries Information System
Montana Department of Environmental Quality - Clean Water Act Information Center website
Montana National Heritage Program

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. Permit application is for surface water from Fort Peck Reservoir. The reservoir level is regulated by Fort Peck Dam and is not listed by DFWP as dewatered (<http://fwp.mt.gov/fishing/mFish/>).

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. While Montana DEQ lists Fort Peck Reservoir as impaired with respect to lead, mercury, and algal blooms (http://cwaic.mt.gov/wqrep/2012/Appendix_A_ImpairedWaters.pdf), the proposed diversion will not increase the deposition of lead, mercury, or nitrates/phosphates to the reservoir.

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. The permit application does not request groundwater.

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 significant impact. Applicant proposes to install an intake system below the minimum operating level of the reservoir to ensure availability of water. Construction of the intake system will not affect dam operations or riparian areas, nor will it modify channels or flows.

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. Sixty-seven animal species of concern, 30 animal Potential Species of Concern, and one Special Status Specie (Bald Eagle) are listed by the Montana National Heritage Program website (<http://mtnhp.org/SpeciesOfConcern>, search date 1/17/13) for the five counties of the proposed water distribution project (Garfield, McCone,

Prairie, Dawson, and Roosevelt). Eleven plant Species of Concern and one Potential Species of Concern (Plains Phlox) exist in the five counties. The issuance of the water right permit and subsequent diversion of water from Fort Peck Reservoir will not impact any of these species. The Applicant is responsible for conducting an environmental assessment for the proposed construction of the intake and water distribution system. The potential environmental consequences of the entire project are discussed in the 2012 engineering feasibility report by Interstate Engineering, Inc. (<http://www.midrivers.com/~drwa/engineering.htm>). In short, short-term disturbance to Piping Plover nesting habitat can be mitigated by scheduling construction outside of the nesting/rearing season and prohibiting construction within line-of-sight of occupied nest sites between May and August. The impact to Sage Grouse and Sprague's Pipit habitat due to pipeline construction would be slight because pipelines would generally parallel existing roads where these species tend to avoid.

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. The Montana National Heritage Program website does not have any wetlands mapped in the immediate vicinity of the proposed intake diversion on the North Fork Rock Creek arm of Fort Peck Reservoir. However, Interstate Engineering, Inc. concluded that impacts to shoreline wetlands due to intake construction would be short-term (less than two years) as adjacent vegetation from undisturbed shoreline would recolonize shoreline disturbed during construction (2012 feasibility report). Wetlands would not be disturbed during pipeline construction because directional drilling methods would install pipeline below wetlands. The applicant is responsible for assessing the impact to any wetlands during the proposed construction of the water distribution system throughout the five-county service area.

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

Determination: Not applicable. No ponds are involved in 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 significant impact. Diversion of water from Fort Peck Reservoir will not affect soil quality, stability or moisture. Soil disturbance due to construction activities will be controlled by the contractor with stabilization and reclamation techniques (e.g., revegetation with local plant species).

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. Establishment and/or spread of noxious weeds will not occur as a result of diverting water from Fort Peck Reservoir. The contractor for the construction phase of the water distribution system will be responsible for controlling noxious weeds by revegetating disturbed areas. Vegetation cover will be lost due to construction of permanent

structures (e.g., water treatment plant, pump stations, etc.), but the loss of prairie habitat is anticipated to be minimal.

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. Short-term impacts due to dust, wind-blown disturbed soil, and combustion engine emissions can be expected during the construction phase, although these impacts will be minimal.

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 - Water Treatment facility is located on private land. In addition, Interstate Engineering, Inc. suggests pipelines would be re-routed to avoid Euro-American cultural properties, and where pipeline routes across National Register eligible sites is unavoidable, the property would be returned to its original appearance (2012 feasibility report).

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. No other impacts on environmental resources of land, water and energy are anticipated at this time.

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. Pumping surface water for municipal and water marketing use is a locally accepted beneficial use of water.

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 proposed 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 adverse impact to human health is anticipated. The project goal is to improve human health by providing a reliable, high quality source of drinking water.

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: The project does not impact government regulations on private property rights.

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 impacts identified.
- (b) Local and state tax base and tax revenues? No significant impacts identified. Property values, and thus property taxes, may increase as a result of a more reliable, higher quality water supply.
- (c) Existing land uses? No significant impacts identified. Some land uses (e.g., grazing) may be temporarily inhibited due to construction activities. A small amount of land will be converted to permanent structures (e.g., water treatment facility, pump stations, etc.), although the applicant will be responsible for acquiring legal access/ownership to this land.
- (d) Quantity and distribution of employment? No significant impacts identified. The construction phase of the project is likely to increase employment within the five counties of the project.
- (e) Distribution and density of population and housing? No significant impacts identified. A more reliable, high quality water source could potentially facilitate higher density population/housing.
- (f) Demands for government services? No impacts identified.
- (g) Industrial and commercial activity? No significant impacts identified. A more reliable, high quality water source could potentially facilitate an increase in industrial and commercial activity.
- (h) Utilities? No significant impacts identified. The project goal is to provide a reliable, high quality source of water.
- (i) Transportation? No impacts identified.
- (j) Safety? No impacts identified.
- (k) Other appropriate social and economic circumstances? No impacts identified.

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:*** No mitigation/stipulation measures are necessary.
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 human/environmental impacts exist as a result of the permit for diverting water from Fort Peck Reservoir. The no action alternative would continue, and likely exacerbate, access to poor quality water within the five counties, which is an undesirable alternative. Interstate Engineering, Inc. considered alternative water supply projects and recommended the project of this application (2012 feasibility report).

PART III. Conclusion

1. ***Preferred Alternative*** No significant impacts exist that would require an alternative to provide mitigation.
2. ***Comments and Responses*** None at this time.
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: The EA is the appropriate level of analysis because no potentially significant effects were identified for the proposed project.

Name: Troy Benn
Title: Engineer/Hydrologist
Date: 9/26/2013