

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: Robert and Michelle Barber, 1499 Hwy 10 E, Reed Point, MT 59069
2. Type of action: Application to Change an Existing Irrigation Water Right
3. Water source name: Yellowstone River
4. Location affected by project: Sections 19, 20, and 29, T1S, R17E, Sweet Grass County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The Applicant proposes to add a transitory point of diversion along their property in Government Lots 2, 3, 6, and 7, Section 20, T1S, R17E and Government Lot 2, Section 29, T1S, R17E, Sweet Grass County. A moveable pump will serve as the means of diversion. The Applicant proposes no change to the place of use, purpose, or place of storage. The moveable pump would provide water to two center pivot sprinkler systems entirely within the footprint of historical irrigation. The Applicant proposes to keep the existing headgate point of diversion and alternate use of the two points of diversion. 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 Department of Natural Resources and Conservation
Montana Department of Fish, Wildlife and Parks
Montana Department of Environmental Quality
Montana Heritage Project
Montana Sage Grouse Habitat Conservation Program
United States Fish & Wildlife Service
United States Natural Resource Conservation Service

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - The Yellowstone River between Springdale and the Bighorn River is considered periodically dewatered by the Montana Department of Fish, Wildlife and Parks. The addition of a point of diversion will not worsen the dewatering of the river. The new point of diversion would be operated in rotation with the original point of diversion and operated at a lower diversion flow rate. When the proposed point of diversion is in use, water would be left in the Yellowstone River in excess of historical practices.

Determination: Possible positive impact

Water quality – The Montana Department of Environmental Quality lists the Yellowstone River as category 2 - Waters for which available data and/or information indicate that some, but not all the beneficial uses are supported. The Yellowstone River is not specifically listed as impaired or threatened. The addition of a point of diversion has no potential to affect water quality.

Determination: No impact

Groundwater – The proposed project includes a change from flood irrigation to two center-pivot sprinkler systems. The infiltration from sprinklers is less than that from flood irrigation and the proposed irrigation would return less water to local groundwater. The pivots would only be used with the added point of diversion that operates at a lower flow rate than the historical headgate. When the pivots are in use, water would be left in the river. The place of use is adjacent to the Yellowstone River and the reduction in groundwater infiltration would not have an adverse effect to any other owners.

Determination: No significant impact

DIVERSION WORKS - The proposed means of diversion is a moveable pump. There would be no need for construction in or near the river and therefore no impact to riparian area, flow, or channel characteristics. No wells, dams or other obstructions are planned.

Determination: No significant impact

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species – The Montana Natural Heritage Project lists the Black-tailed Prairie Dog, Grizzly Bear, Hoary Bat, Little Brown Myotis, Great Blue Heron, Lewis's Woodpecker, Red-headed Woodpecker, Veery, Spiny Softshell and Yellowstone Cutthroat Trout as species of concern in the project area. The Bald Eagle is a species of special status found in the project area. The proposed project does not change any current habitat, does not create any barriers, and does not impact flow in the Yellowstone River. The project only changes the location of water withdrawal from the Yellowstone River and has no impact on habitat. The project area does not lie in Sage Grouse habitat as mapped by the Montana Sage Grouse Habitat Conservation Program.

Determination: No impact

Wetlands – The United States Fish and Wildlife Service maps several emergent palustrine wetlands in the vicinity of the proposed project. Most of the wetlands are related to riparian environments along the Yellowstone River. There are no wetlands mapped in the project area and none are proposed.

Determination: No impact

Ponds – No ponds are present or proposed.

Determination: No impact

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE – According to the United States Natural Resources Conservation Service, the project area is almost entirely underlain by Fairway loam with uniformly low slopes. Fairway loam is a somewhat poorly drained soil. The addition of a point of diversion in the Yellowstone River has no potential to degrade soil quality or increase instability.

Determination: No significant impact

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS – Existing vegetative cover is agricultural and no change to the vegetative cover is proposed. It will be the responsibility of the landowner to control the spread of noxious weeds.

Determination: No impact

AIR QUALITY – Adding a point of diversion on the Yellowstone River has little chance of negatively affecting air quality. There is a possibility that the power for the pump may create a minimal amount of air pollution.

Determination: No significant impact

HISTORICAL AND ARCHEOLOGICAL SITES – The project is not located on State or Federal Lands.

Determination: N/A

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - No impacts on environmental resources of land, water, or energy not previously discussed are recognized.

Determination: No impact

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS – There are no known locally adopted environmental plans or goals.

Determination: No impact

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES – The addition of a single pump in the Yellowstone River has no effect on access to or quality of recreational or wilderness activities.

Determination: No impact

HUMAN HEALTH - The addition of a single pump in the Yellowstone River has no possibility of impacting human health.

Determination: No impact

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: N/A

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 are recognized.

Cumulative Impacts: No cumulative impacts are recognized.

3. ***Describe any mitigation/stipulation measures:*** None

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:*** The only alternative to the proposed project is the no-action alternative. The no-action alternative does not prevent any recognized environmental impacts and prevents the landowner from increasing agricultural production by upgrading irrigation infrastructure.

PART III. Conclusion

1. ***Preferred Alternative:*** Issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.

2. ***Comments and Responses:*** None

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 environmental assessment is the appropriate level of analysis because there is little chance that adding a point of diversion to an agricultural irrigation system will result in significant environmental impacts. The environmental assessment found no significant impacts from the proposed project.

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

Name: Mark Elison

Title: Regional Manager

Date: 2/21/2024