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*: Bureau of Land Management
111 Garryowen RD
Miles City, MT 59301

2. *Type of action*: Application for Beneficial Water Use Permit No. 42M-30102859

3. *Water source name*: Unnamed Tributary of Cedar Creek

4. *Location affected by action*: E2NE, Section 17, T13N, R56E, Dawson County

Narrative summary of the proposed project, purpose, action to be taken, and benefits: This project is to add the purpose of fisheries to an existing reservoir that was built in the early 1960's. This application is to use up to 121.38 acre-feet (AF) of water annually for the purpose of fisheries. The point of diversion is located in the NESENE Section 17, T13N, R56E and place of use is E2NE Sec 17 Twp 13N Rge 56E.

The DNRC shall issue a water use permit if the applicant proves the criteria in 85-2-311, MCA are met.

5. *Agencies consulted during preparation of the Environmental Assessment: (include agencies with overlapping jurisdiction*

Montana Department of Environmental Quality
Montana Natural Heritage Program (website)
Montana Department of Environmental Quality Website (TMDL 303d Listing)
USDA Web Soil Survey
National Wetlands Inventory

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.*

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

Determination: No significant impact

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.*

Cedar Creek is listed on the 2016 Montana 303(d) list as not fully supporting Aquodic life and the Primacy Contact Recreation has not been assessed. The proposed purpose of fisheries is not anticipated to affect the water quality.

Determination: No significant impact

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.*

The diversion means consists of a dam from an existing reservoir build in the early 1960s. There will not be any new construction on this project that will impact the channel or stream flows. The applicant is proposing to plant fish in an existing reservoir.

Determination: No significant impact

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."*

A report received from the Montana Natural Heritage Program indicates there are five species of special concern within the general area of the project. The BLM recognizes four species of concern that are all listed as sensitive. They are the Greater Sage-Grouse, Loggerhead Shrike, Brewer's Sparrow and Greater Short-Horned Lizard. Additionally the State ranks the Black-billed Cuckoo as a S3B (limited/declining during breading season). This project is to add the purpose of fisheries as an existing reservoir. There is no anticipated impact any of these species.

No plant species were identified as species of special concern within the identified project area.

Determination: No significant impact

Wetlands - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

According the U.S. Fish and Wildlife Service National Wetlands Inventory, the only wetland near this project area is the reservoir itself. Adding the purpose of fisheries to this existing reservoir should not have a significant impact on the wetland.

Determination: No significant impact

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.*

No permanent degradation to soil quality, stability or moisture content is anticipated. The point of diversion and place of use are on Vanda Clay. This soil is classified as moderately saline to strongly saline (8.0 to 16 mmhos/cm). This reservoir has been in place for roughly 55 years without issue.

Determination: No significant impact

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.*

No vegetation was listed as endangered or threatened by the USFWS for the project area. The control of noxious weeds is the responsibility of the property owner.

Determination: No significant impact

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

The means of diversion is an existing earth reservoir. No deterioration of air quality or adverse effects are due to air pollutants are anticipated.

Determination: No significant impact

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.*

This project is to add the purpose of fisheries to an existing reservoir that was built in the early 1960s. There will not be any new construction or degradation to the area.

Determination: No significant impact

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 is to enhance recreational activities by stocking an existing reservoir with fish.

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

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:***

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:
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Title: Water Resource Specialist
Date: March 11, 2016