

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: USDA Forest Service, C/O Kevin Weinner, 26 Fort Missoula Rd, Missoula, MT 59804
2. Type of action: Water Right Change
3. Water source name: Selway Creek
4. Location affected by project: Sections 27 and 34 of Township 8 South, Range 15 West, and Section 3 of Township 9 South Range 15 West, Beaverhead County.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The DNRC shall issue change authorization if an applicant proves the criteria in 85-2-402 MCA are met. Applicant proposes to change a flood irrigation water right claim (41A-111306-00), with a historical headgate and ditch system located on Selway Creek in NENWSE Section 27, Township 8 South, Range 15 West, Beaverhead County, to an instream flow protection for fisheries between the historic diversion point and the Selway Creek confluence with Bloody Dick Creek in NE Section 3, Township 9 South, Range 15 West, Beaverhead County.
6. Agencies consulted during preparation of the Environmental Assessment: None

**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 detrimental impact. The proposed action is to increase the water in the source by eliminating an irrigation diversion.

**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 detrimental impact. The proposed action is to increase the water in the source by eliminating an irrigation diversion.

**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 proposed action will leave water in the natural channel.

**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 proposed action will return the channel to natural conditions.

#### **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 impact. The proposed action will cease irrigation on the historical place of use, increase stream flows in Selway Creek, and generally return the project area to natural conditions. Habitat conditions for any endangered or threatened species present in the project area should only improve

**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. The proposed action does not involve wetlands.

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

*Determination:* No impact. The proposed action does not involve ponds.

**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. The proposed action will return the area to natural conditions.

**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 proposed action will return the area to natural conditions and does not involve activity that would spread noxious weeds.

**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.

**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:* No impact. The proposed action does not involve the disturbance of any ground and will return the area to pre-development conditions.

**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.

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

*Determination:* The proposed action is consistent with stream restoration 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:* The proposed action will lead to improved fisheries habitat and more natural wilderness conditions.

**HUMAN HEALTH** - Assess whether the proposed project impacts on 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:* The proposed action does not involve private property.

**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 None identified.

Cumulative Impacts None identified.

**3. *Describe any mitigation/stipulation measures:*** No mitigation or stipulations 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:*** The no action alternative would result in decreased stream flows and continued departure from natural conditions.

**PART III. Conclusion**

**1. *Preferred Alternative*** No preferred alternatives identified.

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:*

An Environmental Assessment is the appropriate level of analysis because no significant adverse impacts were identified for the proposed project.

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

*Name:* Russ Gates

*Title:* Hydrologist/Water Resource Specialist

*Date:* 6/11/2019