

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:

USDI – Bureau of Land Management – Havre Field Office  
3990 Highway 2 West  
Havre, MT 59501

2. Type of action: Application to Change a Water Right No. 40J 30125496.

3. Water source name: Reser Creek a Tributary of Lodge Creek

4. Location affected by project: NESESE, SENESE, NWSESE, SWNESE of Section 8 34N 18E Blaine County.

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met. The applicant proposes new construction of a dam for fishery purposes. Stated from the application: “New principle spillway pipe will have a 12" sluice gate at the low-level inlet (Elevation 2625.1) with an 18" horizontal HOPE running into the 5 ft diameter RCP Riser Pipe. The Riser Pipe will have a top elevation at 2648.5 ft (principle spillway elevation). From the riser pipe a 30" diameter RCP will run through the embankment to the outlet dissipation basin. The sluice gate will be operated manually on the front slope above the auxiliary spillway elevation and a monitoring gauge will mounted on the front slope for water elevations and correlation to stage storage.”

6. Agencies consulted during preparation of the Environmental Assessment:

Natural Heritage Program, Natural Resources Conservation Service Soils Data Website, Department of Environmental Quality, National Wetlands Inventory Website, and the Natural Resources Information System, the Department of Fish, Wildlife, & Parks.

**Part II. Environmental Review**  
**Environmental Impact Checklist:**

**PHYSICAL ENVIRONMENT**

## **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - The proposed change does not change the quantity of water diverted at the point of diversion and will therefore not influence the quantity of water in the Reser Creek.

*Determination:* No impact to water quantity is expected.

**Water quality** - The Department of Environmental Quality (DEQ) does lists not list Reser Creek as water quality impaired or threatened.

*Determination:* No impact to water quality is expected.

**Groundwater** - The project does not involve groundwater.

*Determination:* Assessment is not applicable.

## **DIVERSION WORKS**

The proposed diversion works was designed to minimize disturbances to the diversion in NESESE, SENESE, NWSESE, SWNESE of Section 8 34N 18E Blaine County. The Applicant proposes to add a place of storage. The Reser Reservoir has been determined to be a low hazard class dam.

*Determination:* No significant impact.

## **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

### **Endangered and threatened species**

Below is a list of animal species of concern found in 34N 18E. There were no plant species of concern identified. The project is located in Sage Grouse habitat, and weed management is required. Reclamation of disturbed areas must include control of noxious weeds and invasive plant species, including cheatgrass and Japanese brome. All species found in the area of interest are listed as G3, G4, and G5. The following definitions are taken from the Montana Natural Heritage Program (MNHP). The G3 category defines a species as “Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.” The G4 category defines a species as “Apparently secure, though it may be quite rare in parts of its range, and/or suspected to be declining.” The G5 category defines a species as “Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.” The Swift Fox, Sprague’s Pipit, Burrowing Owl, Ferruginous Hawk, Chestnut-collared Longspur, Lon-billed Curlew, Northern Redbelly Dace, Great Sage-Grouse, Baird’s Sparrow, and Forster’s Tern should not be impacted by the project. Threats associated with these species are global climate crisis increasing temperature for air and water, invasive species, and accidental harvesting. All the species listed have management plans associated with their conservation. The management plan for these species consists of reintroduction, habitat rehabilitation, human interaction maintenance, and research. The Sauger and the Great Blue Huron are the species that may be affected by this project because of human disturbance and water flow fluctuations. According to the MNHP website,

“Angler harvest, channelization, water flow fluctuations, migration barriers, loss of spawning and rearing habitat, and environmental degradation have resulted in declines in distribution and abundance of sauger populations rangewide (Rawson and Scholl 1978, Hesse 1994, Pegg et al. 1997).”

The area of interest has been historically and currently disturbed with fisheries. If this species is spotted, the ranch operators should do their best to not disturb the species, not fish, and removal of invasive species. The management of the Sauger and the Great Blue Heron has not been researched.

MAMMALS (MAMMALIA)											TOWNSHIP = 034ND18E (based on mapped Species Occurrences)		1 SPECIES
SCIENTIFIC NAME	FAMILY (SCIENTIFIC)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT			
COMMON NAME	FAMILY (COMMON)												
TAXA SORT													
<i>Vulpes velox</i> Swift Fox	Canidae Wolves / Coyotes / Foxes	G3	S3					SENSITIVE	SGCN3	1%	69%	Grasslands	
Species Occurrences verified in these Counties: Blaine, Carter, Custer, Fallon, Garfield, Glacier, Hill, Phillips, Pondera, Powder River, Prairie, Valley													
BIRDS (AVES)											TOWNSHIP = 034ND18E (based on mapped Species Occurrences)		9 SPECIES
SCIENTIFIC NAME	FAMILY (SCIENTIFIC)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT			
COMMON NAME	FAMILY (COMMON)												
TAXA SORT													
<i>Anthus spragueii</i> Sprague's Pipit	Motacillidae Pipits	G3C4	S3B	MBTA; BCC11; BCC17				SENSITIVE	SGCN3	18%	67%	Grasslands	
Species Occurrences verified in these Counties: Blaine, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Gallatin, Garfield, Glacier, Golden Valley, Hill, Judith Basin, Lewis and Clark, Liberty, Madison, McCone, Meagher, Musselshell, Park, Petroleum, Phillips, Pondera, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Valley, Wheatland, Wibaux													
State Rank Reason: Although population trends in Montana appear to be relatively stable in recent years, populations have been in decline over the long run and the species faces threats from covertype conversion, overgrazing, exotic plant invasions, altered fire regimes, and mowing prior to fledging of young.													
<i>Ardea herodias</i> Great Blue Heron	Ardeidae Bitterns / Egrets / Herons / Night-Herons	G5	S3	MBTA				SENSITIVE	SGCN3	3%	100%	Riparian forest	
Species Occurrences verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Lincoln, Madison, McCone, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Sheridan, Silver Bow, Stillwater, Sweet Grass, Teton, Treasure, Valley, Wheatland, Wibaux, Yellowstone													
State Rank Reason: Small breeding population size, evidence of recent declines, and declining regeneration of riparian cottonwood forests due to altered hydrology and grazing.													
<i>Athene cucularia</i> Burrowing Owl	Strigidae Owls	G4	S3B	MBTA; BCC17				Sensitive - Known on Forests (CG) Sensitive - Suspected on Forests (MLC)	SENSITIVE	SGCN3	2%	82%	Grasslands
Species Occurrences verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Dawson, Fallon, Fergus, Gallatin, Garfield, Glacier, Golden Valley, Hill, Jefferson, Lewis and Clark, Liberty, Madison, McCone, Musselshell, Petroleum, Phillips, Pondera, Powder River, Prairie, Ravalli, Roosevelt, Rosebud, Sheridan, Stillwater, Teton, Toole, Treasure, Valley, Wheatland, Yellowstone													
State Rank Reason: Species has a negative short-term population trend.													
<i>Buteo regalis</i> Ferruginous Hawk	Accipitridae Hawks / Kites / Eagles	G4	S3B	MBTA; BCC10; BCC17				SENSITIVE	SGCN3	11%	95%	Sagebrush grassland	
Species Occurrences verified in these Counties: Beaverhead, Blaine, Broadwater, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Gallatin, Garfield, Glacier, Golden Valley, Hill, Jefferson, Judith Basin, Lewis and Clark, Liberty, Madison, McCone, Meagher, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Prairie, Petroleum, Phillips, Pondera, Powder River, Prairie, Ravalli, Roosevelt, Rosebud, Sheridan, Stillwater, Teton, Toole, Valley, Wheatland, Wibaux, Yellowstone													
<i>Colaptes auratus</i> Chestnut-collared Longspur	Colapidae Longspurs and Snow Buntings	G5	S3B	MBTA; BCC11; BCC17				SENSITIVE	SGCN2	32%	67%	Grasslands	
Species Occurrences verified in these Counties: Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Garfield, Glacier, Golden Valley, Hill, Judith Basin, Lewis and Clark, Liberty, McCone, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Valley, Wheatland, Wibaux, Yellowstone													
State Rank Reason: Species has a negative short-term population trend and faces threats from loss of native prairie grassland habitats and altered frequency, intensity, and spatial distribution of grazing and fire regimes it is dependent on.													
<i>Centrocercus urophasianus</i> Greater Sage-Grouse	Phasianidae Upland Game Birds	G3C4	S2					Sensitive - Known on Forests (BD) Sensitive - Suspected on Forests (CG, MLC)	SENSITIVE	SGCN2	17%	75%	Sagebrush
Species Occurrences verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Chouteau, Custer, Dawson, Deer Lodge, Fallon, Fergus, Gallatin, Garfield, Glacier, Golden Valley, Hill, Madison, McCone, Meagher, Musselshell, Park, Petroleum, Phillips, Powder River, Prairie, Rosebud, Silver Bow, Stillwater, Sweet Grass, Treasure, Valley, Wheatland, Wibaux, Yellowstone													
<i>Centronyx bairdii</i> Baird's Sparrow	Passerellidae New World Sparrows	G4	S3B	MBTA; BCC11; BCC17				SENSITIVE	SGCN3	27%	67%	Grasslands	
Species Occurrences verified in these Counties: Blaine, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Glacier, Hill, Judith Basin, Lewis and Clark, Liberty, McCone, Meagher, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone													
State Rank Reason: Montana populations were declining until recently and the species is declining in most or the surrounding states and provinces.													
<i>Numenius americanus</i> Long-billed Curlew	Scolopacidae Sandpipers	G5	S3B	MBTA; BCC10; BCC11; BCC17				SENSITIVE	SGCN3	19%	100%	Grasslands	
Species Occurrences verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Madison, McCone, Meagher, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone													
<i>Sterna forsteri</i> Forster's Tern	Laridae Gulls / Terns	G5	S3B	MBTA				SENSITIVE	SGCN3	1%	59%	Wetlands	
Species Occurrences verified in these Counties: Beaverhead, Blaine, Cascade, Chouteau, Hill, Lake, Lewis and Clark, Petroleum, Phillips, Powell, Roosevelt, Sheridan, Teton													
FISH (ACTINOPTERYGII)											TOWNSHIP = 034ND18E (based on mapped Species Occurrences)		2 SPECIES
SCIENTIFIC NAME	FAMILY (SCIENTIFIC)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT			
COMMON NAME	FAMILY (COMMON)												
TAXA SORT													
<i>Chrosomus eos</i> Northern Redbelly Dace	Cyprinidae Minnows	G5	S3					SENSITIVE	SGCN3	4%	27%	Small prairie rivers	
Species Occurrences verified in these Counties: Blaine, Cascade, Chouteau, Daniels, Dawson, Fergus, Golden Valley, Hill, Judith Basin, Lewis and Clark, McCone, Meagher, Musselshell, Petroleum, Phillips, Pondera, Richland, Roosevelt, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Valley, Wheatland, Wibaux													
State Rank Reason: The Northern Redbelly Dace is currently listed as an "S3" species of concern in Montana because they are potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.													
<i>Sander canadensis</i> Sauger	Percidae Perches	G5	S2					SENSITIVE	SGCN2	1%	15%	Large prairie rivers	
Species Occurrences verified in these Counties: Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Garfield, Hill, Liberty, McCone, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Stillwater, Teton, Treasure, Valley, Wibaux, Yellowstone													
State Rank Reason: The Sauger is currently listed as an "S2" species of concern in Montana because they are at risk of extirpation in the state, because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas. Population losses from the reservoir sections of the Missouri River and the Big Horn River are likely permanent. Competition and hybridization from the introduced walleye is another threat to native sauger populations.													

Figure 1: Animal Species of Concern Located in T34N, R18E, Blaine County.

**Determination:** Impact to Sauger and the Great Blue Heron is expected.

**Wetlands** – The project does not involve wetlands.

**Determination:** Assessment is not applicable.

**Ponds** - The project does not involve ponds.

*Determination:* Assessment is not applicable.

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE**

The Natural Resources Conservation Service (NRCS) Web Soil Survey was utilized to assess the project area’s soils. The soil map below depicts the general project area and the table provides soil unit information. The stock tanks will not cause salinity issues or decrease soil stability.

<b>Map Unit Symbol</b>	<b>Map Unit Name</b>	<b>Acres in AOI</b>	<b>Percent of AOI</b>
59	<a href="#">Havre, Hanly, and Glendive soils, channeled</a>	2.0	0.3%
67	Hillon clay loam, 15 to 60 percent slopes	1.9	0.3%
68	Hillon-Kevin clay loams, 8 to 25 percent slopes	58.4	9.0%
73	Kevin-Elloam complex, 2 to 8 percent slopes	5.5	0.9%
97	Phillips-Elloam complex, 0 to 4 percent slopes	497.5	76.5%
98	Phillips-Elloam complex, 2 to 8 percent slopes	34.9	5.4%
123	Thoeny-Elloam-Absher complex, 0 to 4 percent slopes	15.4	2.4%
153	Water	35.0	5.4%
<b>Totals for Area of Interest</b>		<b>650.6</b>	<b>100.0%</b>

Figure 2: Web Soil Survey of Soil Types in Section 8, T34N, R18E, Blaine County.



Figure 3: Map of Web Soil Survey Soil Types in Section 8, T34N, R18E, Blaine County.

*Determination:* No significant impact.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - Any impacts to existing vegetation will be within the range of current disturbances due to current land use practices. Noxious weeds are not expected to be established or spread due to the proposed project.

*Determination:* No significant impact.

**AIR QUALITY** - The project does not involve air quality.

*Determination:* Assessment is not applicable.

**HISTORICAL AND ARCHEOLOGICAL SITES** - The project does not involve historical and archeological sites.

*Determination:* Assessment is not applicable.

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** – There are no other environmental issues that need to be addressed.

*Determination:* No additional environmental impacts were identified.

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - No local environmental plans and goals were identified.

*Determination:* No impact to local environmental plans and goals is expected.

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - No recreational or wilderness activities were identified.

*Determination:* No impact to recreational and wilderness activities is expected.

**HUMAN HEALTH** - No human health issues were identified.

*Determination:* No impact to human health is expected.

**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 to 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 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 were identified.

Cumulative Impacts No cumulative impacts were identified.

**3. *Describe any mitigation/stipulation measures:*** No mitigation or stipulation measures exist at this moment

***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: The Applicant would not be able to develop the project as proposed.

**4.**

**PART III. Conclusion**

**1. *Preferred Alternative*** Proposed action.

**2. *Comments and Responses*** None to date.

**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 EA is the appropriate level of assessment for the proposed action because no impacts have been identified in the EA.

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

*Name:* Megan Blauwkamp

*Title:* Water Resources Specialist

*Date:* 1/31/2020