

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. Applicants Contact name and address: Arlene Hein  
2917 Hwy 312  
Worden, MT 59088
2. Type of action: Application to Change an Existing Irrigation Water Right
3. Water source name: Unnamed Tributary to Yellowstone River
4. Location affected by project: NWSESE Sec. 22, and SWNWSW Sec. 23, T3N, R29E, Yellowstone County.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The Applicant proposes to add two points of diversion; a pump in the NWSESE Sec. 22, and another pump in the SWNWSW Sec. 23, T3N, R29E, Yellowstone County. 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 Natural Heritage Program	Endangered-Threatened Species
Montana Department of Fish Wildlife & Parks (MFWP)	Dewatered Stream Information
Montana Department of Environmental Quality (MDEQ)	TMDL Information

**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 impact

This unnamed tributary (UT) to the Yellowstone River is not on the DFWP list of chronically or periodically dewatered streams. The proposed change will not increase the flow rate or volume of water removed from the UT.

**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 impact

This unnamed tributary has not been evaluated for water quality. The addition of two pump sites should not cause any alteration in the water quality of the UT.

**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

This application does not include a groundwater component.

**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 addition of two pump sites will reduce the number and length of ditches required to irrigate the existing place of use. There will be no negative impact to channel, flow modifications, barriers, riparian areas, dams or well construction.

#### **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 Natural Heritage Program identified the following species of concern or special status species within the project area: Sauger, Bald Eagle, Great Blue Heron, Little Brown Myotis, Long-eared Myotis, Snapping Turtle, Hoary Bat, Spiny Softshell, Black-tailed Prairie Dog, Golden Eagle, Spotted Bat, Brewer's Sparrow and Greater Sage-Grouse. The proposed changes are within an area that is already actively farmed. Any impacts to species of concern will be limited to the construction period.

**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*

There are no wetlands within the proposed project area shown on the National Wetlands Inventory online at <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>. There should be no impacts to wetland resources due to the proposed change in point of diversion.

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

*Determination: no impact*

This project does not involve any 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 points of diversion will be moveable pumps. There will be a trench for the pipeline to a proposed center pivot irrigation system that will sit within the existing irrigated place of use. The remaining conveyance is already in place and actively used, this change will not degrade soil quality, alter stability or moisture content.

**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*

NA – project not located on State or Federal Lands.

**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*

There should be no significant impacts on other environmental resources of land, energy or water from this proposed use.

## 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 impact

This proposed change is not inconsistent with locally adopted environmental plans and goals for Yellowstone County.

**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 impact

The project is located in an area that is actively farmed; this project should have no impact on recreational or wilderness activities.

**HUMAN HEALTH** - *Assess whether the proposed project impacts on human health.*

*Determination:* no impact

There should be no significant impact on human health from this proposed use.

**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

**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 None identified.

Cumulative Impacts None identified.

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

**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 mean that the applicant could not add two points of diversion and would likely continue with their historical irrigation practices and add more pipeline to reach the center pivot.

**PART III. Conclusion**

**1. Preferred Alternative** To authorize the change in point of diversion.

**2. Comments and Responses**

**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: No significant impacts were identified. No EIS required.

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

Name: Christine Schweigert

Title: Hydrologist

Date: May 16, 2024