

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

Applicant/Contact name and address: JIM HELMER & PATRICIA SKERGAN
436 S 3RD W
MISSOULA, MT 59801

1. Type of action: APPLICATION TO CHANGE A WATER RIGHT 76H-30121736
2. Water source name: Groundwater
3. Location affected by project: NWNWNW SECTION 9, T9N, R20W, RAVALLI CO
4. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant proposes to use a portion of the remaining historic consumptive volume of 1.66 AF/YR associated with Statement of Claim No.76H-30125254 to offset depletions predicted to occur in the Bitterroot River from the proposed groundwater diversion in Application for Beneficial Water Use Permit no. 76H-301187748. The well was previously abandoned and no longer be used, water historically pumped from the groundwater aquifer and consumed will remain in the groundwater aquifer, which is tributary to the Bitterroot River. The retirement of the historical consumption will offset new predicted depletion in the reach of the Bitterroot River from the Town of Lolo to the confluence of the Bitterroot River and the Clark Fork River.

The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.

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

Montana Natural Heritage Program	Species of Concern
Montana Department of Fish, Wildlife and Parks	2006 Montana dewatered streams

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 significant impacts

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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 significant impacts

The proposal is for groundwater

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 significant impacts

This application to change is for mitigation which will not require a diversion, the non-diverted historic volume of 1.98 AF will be left in the groundwater aquifer to mitigate depletions to the Bitterroot River.

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 significant impacts

This proposal is to mitigate predicted depletions to the Bitterroot River from proposed use of groundwater by retiring use of an existing domestic well. No diversion will occur.

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 significant impact

The proposed project will not impact any threatened or endangered fish, wildlife, plants or aquatic species. There will be no construction, soil disturbances, or other physical alterations to the landscape resulting from the proposed change in water use.

The Montana Natural Heritage program file search conducted for this project proposal indicated several animal species of concern occur in the vicinity of the proposed project.

Western toad, black-crowned night-heron, bald eagle, Lewis's woodpecker, bob link, west slope cutthroat trout, bull trout, Townsend's big-eared bat, gray wolf, fisher, wolverine, spotted skunk, Canada lynx and western skink.

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 significant impacts

There are no wetlands in the vicinity of the proposed project.

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

Determination: No significant impacts

There are no ponds associated with the proposed project.

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 significant impacts

The groundwater well has been in existence for over a decade. Soil stability, quality and moisture content would not change as a result of the project.

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 significant impact

Existing vegetative cover would not change as a result of the project.

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

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.

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 significant impacts

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 significant impacts

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 significant impacts

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

Determination: No significant impacts

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 significant impacts

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? None
- (b) Local and state tax base and tax revenues? None
- (c) Existing land uses? None
- (d) Quantity and distribution of employment? None
- (e) Distribution and density of population and housing? None
- (f) Demands for government services? None
- (g) Industrial and commercial activity? None
- (h) Utilities? None
- (i) Transportation? None
- (j) Safety? None
- (k) Other appropriate social and economic circumstances? None

2. Secondary and cumulative impacts on the physical environment and human population:

Secondary Impacts None identified in this EA

Cumulative Impacts None identified in this EA

3. Describe any mitigation/stipulation measures:

None identified in this EA

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: There are no other reasonable alternatives

PART III. Conclusion

- 1. Preferred Alternative**
- 2. Comments and Responses**
- 3. Finding:**

Based on the significance criteria evaluated in this EA, is an EIS required?
Yes ___ No X

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 analysis for this proposed action because no significant impacts have been identified as a result of the proposed action.

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

Name: Kathy Schubert
Title: Water Resource Specialist
Date: June 12, 2020