Part I. Proposed Action Description

1. Applicant/Contact name and address:

   City of Shelby
   112 1st Street South
   Shelby, MT 59474

2. Type of action:

   • Change Application 41P 30114262 to change Water Right No. 41P 192877 00; 41P 192879 00.

   • Change Application 41P 30116656 to change Water Right No. 41P 192878 00; 41P 192880 00; 41P 192881 00; 41P 192882 00; 41P 4489 00; 41P 4490 00; 41P 58129 00; 41P 71891 00.

3. Water source name: All proposed changes obtain groundwater from a wellfield completed in a shallow alluvial aquifer of the Marias River system.

4. Location affected by project: The purpose for the existing wells at the applicant’s wellfield is for municipal use at the applicant’s existing place of use (POU) (City of Shelby) and new POU at Galata County Water District, Oilmont County Water District, and Ninemile County Water and Sewer District. The points of diversion are thirteen wells that are between 32 feet and 49 feet deep located in Township 31 North, Range 2 West, Section 21, 6 miles south of Shelby. The points of diversion are already established and are not affected by Montana basin closures or controlled groundwater areas.
Figure 1: Map of City of Shelby Project and Well Locations
Figure 2: Proposed places of use for the City of Shelby Project.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The DNRC shall issue a both change authorizations if an applicant proves the criteria in 85-2-402 MCA are met. The Applicant proposes to construct 13 wells to provide water for the City of Shelby. The water rights proposed to be changed in Application 41P 30116656 include four SOCs (192878, 192880, 192881 & 192882), and three Permits (4489, 4490 & 58129). All the aforementioned water rights are for year-round municipal use. Change Application 41P 30114262 includes two SOCs (192877 & 192879) that are for municipal use from May 1 through October 31. The amount of water the Applicant is seeking to change through both Applications is up to 2,895.00 gallons per minute (GPM) for a total volume up to 1124.90 acre-feet (AF) in this change proposal. The Applicant is also seeking 331.6 AF of additional volume through Permit Application 41P 30117451 concurrent to the two water right change applications (41P 30116656 and 41P 30114262). The change proposal includes temporarily adding places of use to include Oilmont, Nine Mile and Galata rural water systems to the Applicant’s service area and replace one well serving in manifold with 12 existing wells which serves as the points of diversion.

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:

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<th>PHYSICAL ENVIRONMENT</th>
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**WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - The Marias River has been identified as chronically or periodically dewatered by the Montana Department of Fish, Wildlife, & Parks.

*Determination:* Impact expected for the Marias River.

**Water quality** - The Department of Environmental Quality (DEQ) does lists the Marias River as water quality impaired or threatened. DEQ identifies the Marias River as fully supporting for agricultural, drinking water, and recreation in certain areas. The Marias River does not support aquatic life, agriculture, and recreation in different areas. The probable causes of the impaired listing are agriculture, infrastructure, and lack of riparian barriers. The proposed project will not adversely affect water quality. The purpose of the project is to obtain water from groundwater instead of the Marias River directly, which will help with the decreasing sedimentation and soil degradation near the banks of the river.

*Determination:* No significant impact.

**Groundwater** - The wellfield will be operated according to historical consumptive volumes and the historical flow rate.
Determination: No significant impact

**DIVERSION WORKS** - The wellfield is currently in operation and changes are not expected for the diversion works.

*Determination: No significant impact.*

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

*Endangered and threatened species* All disturbances created by the points of diversion and places of use have already occurred. The changes proposed are intended to correct the water rights associated with the project. Therefore, no impacts to endangered and threatened species are anticipated.

*Determination: No significant impact.*

**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 proposed change is to correct the water rights. All disturbances and construction have been completed.

*Determination: Assessment is not applicable for proposed changes.*

**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.

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**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: 11/20/2020