

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:**  
Tollefson Properties LLC  
15311 Tyson Way  
Frenchtown, MT 59834-8535
2. **Type of action:** Change Application 76M 30165219
3. **Water source name:** Ground Water (Bitterroot River Valley Shallow Aquifer)
4. **Location affected by project:** Sections 1, 2, 11, 12, 13, and 14 T12N, R20W, Missoula County.
5. **Narrative summary of the proposed project, purpose, action to be taken, and benefits:** Tollefson Properties proposes to change the purpose of Statement of Claim 76H 30165310 from irrigation to aquifer recharge, retiring 82 acres in the S2S Sec. 2 and the NENE Sec. 11, T12N, R20W, which constitute the entirety of the irrigated acres on this right. The place of use for the new aquifer recharge purpose will be the Bitterroot River from the southern boundary of the NENW Sec. 15, T12N, R20W to the confluence of the Bitterroot and Clark Fork Rivers in the NWNW of Sec. 27, T13N, R20W. A pump in the SENWNE Sec. 15, T12N, R20W will serve as the new point of diversion for aquifer recharge; the current point of diversion in the NWSESE Sec. 2, T12N, R21W will no longer be used by this right. This application is to provide mitigation water via aquifer recharge for Permit Application 76H 30163647.

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:**  
Montana Department of Fish, Wildlife & Parks (DFWP)  
Montana Department of Environmental Quality (DEQ)  
Montana Natural Heritage Program Species of Concern Report  
U.S. Fish & Wildlife Service (USFWS) National Wetlands Inventory  
USDA Natural Resources Conservation Service (NRCS) Web Soil Survey

## **Part II. Environmental Review**

### **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.*

This reach of the Bitterroot River is not identified as a chronically or periodically dewatered stream by DFWP. This application is for aquifer recharge to offset depletions to the Bitterroot River by another application. The total consumptive use of water under this Statement of Claim will decrease if this change application is approved.

*Determination:* No significant impact

**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.*

The Bitterroot River is not considered to have impaired water quality by DEQ. The proposed application for aquifer recharge is not expected to negatively affect water quality.

*Determination:* No significant impact

**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.*

This application is not for appropriation of groundwater, and is not anticipated to have any negative effects on groundwater quality or supply.

*Determination:* No significant impact

**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.*

The diversion works are designed by a professional engineering firm and are not anticipated to have negative impacts on the local environment.

*Determination:* No significant impacts.

##### **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.”

The Montana Natural Heritage Program website was reviewed to determine if there are any “threatened” or “endangered” fish, wildlife, plants, or aquatic species that could potentially be impacted by this project. “Species of special concern” were also included in this search.

According to the Montana Natural Heritage Program, observations from the past 50 years indicate that 9 animal species of concern may be found in the area of potential impact. Of these, 2 species are listed as threatened by the USFWS in this area: the Grizzly Bear (*Ursus arctos*) and the Bull Trout (*Salvelinus confluentus*).

Animal species of concern include:

Grizzly Bear (*Ursus arctos*)

Northern Hoary Bat (*Lasiurus cinereus*)

Cassin’s Finch (*Haemorhous cassinii*)

Clark’s Nutcracker (*Nucifraga columbiana*)

Evening Grosbeak (*Coccothraustes vespertinus*)

Great Blue Heron (*Ardea herodias*)

Pileated Woodpecker (*Dryocopus pileatus*)

Bull Trout (*Salvelinus confluentus*)

Westslope Cutthroat Trout (*Oncorhynchus lewisi*)

The new diversion and conveyance works and the aquifer recharge water provided by this project are not anticipated to adversely affect any of these species.

*Determination:* No significant impact.

**Wetlands** - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

The area in which the diversion and conveyance structures will be constructed contain riparian emergent and freshwater emergent wetland. The diversion and conveyance structures are not anticipated to disrupt these ecosystems. The proposed aquifer recharge plan may raise groundwater levels in the area.

*Determination:* No significant impact.

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

No ponds were identified as being adversely affected.

*Determination:* No significant impact.

**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.*

Erosion and degradation of soil quality is not anticipated as a result of the proposed change. Soils are not heavy in salts, and not likely to create saline seep.

*Determination:* No significant impact

**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.*

Irrigation in the historical place of use ceased prior to this change; therefore, no change to vegetative cover is anticipated as a result of this change, nor is the establishment or spread of noxious weeds predicted.

*Determination:* No significant impact

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

No negative effects to air quality are expected as a result of this proposal.

*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:* N/A – 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.*

No additional impacts to land, water, or energy are anticipated.

*Determination:* No significant impact

<h2>HUMAN ENVIRONMENT</h2>
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**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

This project does not violate any known locally adopted environmental plans or regulations.

*Determination: No significant impact*

**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.*

The proposed project will not inhibit, alter, or impair access to present recreational opportunities in the area. The project is not expected to create any significant pollution, noise, or traffic congestion in the area that may alter the quality of recreational opportunities. The proposed place of use and diversion do not exist on land designated as wilderness.

*Determination: No significant impact*

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

No impacts on human health are anticipated as a result of this project.

*Determination: No significant 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: No significant 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? None identified
- (b) Local and state tax base and tax revenues? None identified
- (c) Existing land uses? None identified
- (d) Quantity and distribution of employment? None identified
- (e) Distribution and density of population and housing? None identified
- (f) Demands for government services? None identified
- (g) Industrial and commercial activity? None identified
- (h) Utilities? None identified
- (i) Transportation? None identified
- (j) Safety? None identified

(k) Other appropriate social and economic circumstances? None identified

**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

**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:*** None identified

**PART III. Conclusion**

**1. *Preferred Alternative***

Issue a water use permit if the Applicant proves the criteria in 85-2-402 MCA are met.

**2 *Comments and Responses***

None.

**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 environmental impacts were identified as a result of the EA.

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

*Name:* Benjamin Thomas

*Title:* Water Conservation Specialist

*Date:* 5/22/2025