

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:**
David G Miller & Susan E Miller
6610 Mullan Rd
Missoula, MT 59808-5654
- 2. Type of action:** Change Application 76M 30164554
- 3. Water source name:** Groundwater
- 4. Location affected by project:** Sections 14 and 23, Township 13 North, Range 20 West, Missoula County. Clark Fork River from the northern boundary of the SWNE Section 23, T13N, R20W to the confluence of the Clark Fork and the Bitterroot rivers in the NWNW Sec. 27, T13N, R20W.
- 5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:** David and Susan Miller propose to irrigate 23 acres in the SWNWNE and W2NWSE of Section 14 and the NWNWNE of Section 23, all in Township 13 North, Range 20 West, Missoula County. The depletions resulting from this appropriation will be mitigated by water made available in Change Application 76M 30165370. The DNRC shall issue a permit if an applicant proves the criteria in 85-2-311 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:

<h2>PHYSICAL ENVIRONMENT</h2>

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 Clark Fork River is not identified as a chronically or periodically dewatered stream by DFWP. The depletions in the Clark Fork River resulting from this application will be offset by Change Application 76M 30165370.

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 Clark Fork River from Rattlesnake Creek to Fish Creek is considered by DEQ to be an impaired water fully supporting use for agriculture and drinking water but not fully supporting recreation or aquatic life. The proposed application 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 for a reduction in groundwater appropriation, which will result in 0.78AF of water historically depleted from the Bitterroot River being left undiverted. No negative effects on groundwater quality or supply are anticipated as a result of this change.

The technical analysis conducted by the DNRC determined that depletions in the amount of 44.34 AF per year would result in the Clark Fork River as a result of this application. These depletions will be fully mitigated by Change Application 76M 30165370. After 5 years under the proposed pumping schedule, no well will experience drawdown greater than 1 foot. The proposed project is not anticipated to affect groundwater quality.

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.

All depletions to the Clark Fork River resulting from the proposed application will be mitigated by Change Application 76M 30165370. The construction and operation of this well will not preclude the construction and operation of other wells in the future.

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 19 animal species of concern and 1 plant 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:

American Goshawk (*Astur atricapillus*)
Bobolink (*Dolichonyx oryzivorus*)
Brewer's Sparrow (*Spizella breweri*)
Brown Creeper (*Certhia americana*)
Bull Trout (*Salvelinus confluentus*)
Cassin's Finch (*Haemorhous cassinii*)
Evening Grosbeak (*Coccothraustes vespertinus*)
Great Blue Heron (*Ardea herodias*)
Grizzly Bear (*Ursus arctos*)
Lewis's Woodpecker (*Melanerpes lewis*)
Northern Hoary Bat (*Lasiurus cinereus*)
Pacific Wren (*Troglodytes pacificus*)
Pileated Woodpecker (*Dryocopus pileatus*)
Silver-Haired Bat (*Lasionycteris noctivagans*)
Varied Thrush (*Ixoreus naevius*)
Veery (*Catharus fuscenscens*)
Western Skink (*Pleistodon skiltonianus*)
Westslope Cutthroat Trout (*Oncorhynchus lewisi*)
Worm Stygobromid (*Stygobromus tritus*)

Plant species of concern include:
Woolly Clover (*Trifolium microcephalum*)

This change is to provide groundwater for irrigation on land that has historically been irrigated by surface water. No impact to any species of concern is anticipated as a result of this change.

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 applicant's property contains riparian forested areas and emergent palustrine wetlands. The proposed application is not anticipated to negatively impact wetland resources.

Determination: No significant impact.

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

Determination: N/A – This project does not involve 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.*

The proposed project is to allow the applicant to irrigate with groundwater instead of surface water. No other change from historic practice will occur; therefore, no impacts are anticipated. Soils in this area are considered nonsaline to very slightly saline with a low surface salinization risk.

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.*

No change in irrigated area is proposed, and no establishment or spread of noxious weeds is anticipated.

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

HUMAN ENVIRONMENT

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: 2/18/2026