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:

   Town of Alberton
   PO Box 115
   Alberton, MT 59820

2. Type of action: Groundwater Application for Beneficial Water Use Permit No 76M 30165209

3. Water source name: Groundwater Spring

4. Location affected by project:

   Point of diversion: Govt. Lot 1 in the NWNENE of Section. 3, Township 14N, Range 23W, Mineral County

   Place of use: Govt. Lot 6 in the S2NENE of Sec. 3, Govt. Lot 5 in the S2NWNW, Govt. Lot 12 in the N2SWNW, Govt. Lot 11 in the SENW, Govt. Lot 10 in the S2SWNE, Govt. Lot 15 in the N2NWSE, Govt. Lot 16 in the NWNESE all in Section 2. Both Sections 2 and 3 are within Township 14N, Range 32W, Mineral County.

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

   The Applicant proposes to divert groundwater at 20 gallons per minute (GPM) for municipal purposes. This permit is only requesting an additional flow rate from the spring and no volume is needed. The period of diversion and period of use are year-round, from January 1 through December 31. The point of diversion is in the Clark Fork River Basin between the Blackfoot and Flathead Rivers (76M) which is an area that is not currently subject to any water right basin closures or controlled groundwater areas.
   The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:
   - Montana Natural Heritage Program - Species of Concern
   - Montana Department of Fish, Wildlife and Parks - 2005 Dewatered Stream List, 2022 Dewatered Streams Map
   - Montana Department of Environmental Quality - 303(d) list of impaired streams, Montana Impaired Waters 2020 Maps.

- USDA Natural Resources Conservation Science – Web Soil Survey
- U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory Mapper

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.*

The Applicant will divert groundwater via a developed spring. Given the characteristics of the source, performing an aquifer test was not possible and the Department did not evaluate potential connectivity to surface water sources. The 2005 Montana Department of Fish, Wildlife & Parks Dewatered Concern Areas list does not identify Lower Clark Fork River as chronically or periodically dewatered. The Department determined that the proposed appropriation will not result in any depletions to the Clark Fork River.

Determination: *No significant impacts.*

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 proposed appropriation is for groundwater. Water will be diverted from a developed spring and conveyed through an existing water system used by the Town (under Statement of Claim 76M 45355-00 from the same spring source and Provisional Permit 76M 13904-00 from a single well). No source of pollution was identified, and the use of water will be controlled. DEQ does not currently evaluate groundwater quality in Montana. DEQ's Montana Impaired Waters 2020 Maps and 303(d) list of streams only include surface water, streams and lakes. There is no known contamination to the aquifer being diverted from.

Determination: No significant impacts.

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.*

The appropriation requests to divert an additional 20 GPM from the developed groundwater spring. No additional volume is requested. Water from the spring is collected in three separate structures and diverted through a single water line to a large 300,000 gallon storage tank. This developed spring captures groundwater and based on an undated schematic of the source/system, water may at times flow over the ground surface to an open concrete cistern. The primary potentially impacted surface water source is the Clark Fork River. This river is not a chronically or periodically dewatered stream and the proposed appropriation would not significantly impact flows in that source.

Determination: *No significant impacts.*

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 developed spring source has existed since at least 1923 when water right 76M 45355-00 was filed on this source. Based on an undated schematic of the spring source, water is collected in three separate structures. A singular water line originates in the bottom collection structure and runs downgradient to a chlorine shed where an altitude valve and flow meter are present on the water line. Adjacent to this shed is a large 300,000 gallon storage tank. When the tank is full, the altitude valve closes, and water backs up to the bottom collection structure and bypasses to an old concrete cistern and flows to the south/southwest into a drainage area.

The Applicant's consultant provided flow measurements from the entire 2024 year, which were collected with the in-line flow meter present on a section of the water line within the chlorine shed. The measurement data included data sets recorded every 5 minutes. The flow meter recorded both very low flows (less than 1 GPM) and very high flows (above 100 GPM). The low flows were recorded when the system was not being used and when water would back up to the lowest collection structure. Those high flows were the result of pressure in the system that would be recorded when the altitude valve opened back up. Based on these measurements, the Applicant's consultant determined that the system is capable of diverting a reliable flow rate of approximately 67 GPM.

This project will utilize existing underground pipelines and conveyance facilities. The additional water use does not involve well construction and will not create any channel impacts, barriers, dams, or riparian impacts to surface waters.

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 (MNHP) was utilized to determine if there are any threatened or endangered fish, wildlife, plants of aquatic species or any "species of special concern", that could be impacted by the proposed project. The MNHP identified the following species of concern: Bull trout, Westslope Cutthroat Trout, Clark's Nutcracker, Evening Grosbeak, Pileated Woodpecker, Fisher, Grizzly Bear, Wolverine, Cassin's Finch, Lewis Woodpecker, Veery, Golden Eagle, Great Blue Heron, Canada Lynx, Northern Alligator Lizard, Western Skink, Suckley's Cuckoo Bumble Bee, A Caddisfly, Lyrate Mountainsnail, Rocky Mountain Forestfly, Tapertip Onion, Linearleaf Moonwort, Pointed Broom Sedge, Panic Grass, Scribner's Panic Grass, Beaked Spikerush, Coville's Rush, Floriferous Monkeyflower, Flatleaf

Bladderwort, Yellow-billed Cuckoo, Monarch, Fringed myotis, Little Brown Myotis, Long-eared Myotis, Long-legged Myotis, Silver-haired Bat,Townsend's Big-eared Bat, Western Pygmy Shrew, Yuma Myotis, Black-backed Woodpecker, Trumpeter Swan, Coeur d'Alene Salamander, Western Toad, Western Pearshell, Western Moonwort, Least Moonwort, Giant Helleborine, Liniar-leaf Fleabane, Spiny-spore Quilwort, Idaho Lovage, Stalk-leaved Monkeyflower, Fleshy Stitchwort, Britton's Dry Rock Moss, Meesia Moss, Northern Hoary Bat, American White Pelican, Black Tern, Black-crowned Night Heron, Forester's Tern and Harlequin Duck.

The location of the proposed groundwater diversion and place of use is already developed, and it is not anticipated that any species of concern will be further impacted by the proposed project.

Determination: *No significant impacts.*

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

This project does not involve wetlands. A review of the US FWP National Wetlands Inventory Program reveals that there are no designated wetlands within the POU or at the POD.

Determination: No impacts.

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

This project does not involve any ponds.

Determination: *No impacts*

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 use for municipal purposes is not anticipated to negatively impact the soil quality, stability, or moisture content. The soil types in the area consist of Tally fine sandy loam, 0 to 4 percent slopes, Nemote-Sharrott association and Wakepish-Wilde-Sixteenmile, very stony families, complex, flood scoured footslopes. These soils generally have high to moderate infiltration rates. Soils in this area are not likely susceptible to saline seep.

Determination: *No significant impacts*

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.*

The area is already developed and any existing native vegetation has likely already been disturbed. It is not anticipated that issuance of a water use permit will contribute to the establishment or spread of noxious weeds in the project area. Noxious weed prevention and

control will be the responsibility of the Applicant who must follow local noxious weed regulations.

Determination: *No significant impacts*

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

There will be no impacts to air quality associated with issuance of the proposed permit for beneficial use of groundwater.

Determination: *No significant impacts*

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.*

This project is not located on any State or Federal lands.

Determination: *No impacts*

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

All impacts to land, water, and energy have been identified. No further impacts are anticipated.

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.*

The project is consistent with planned land uses.

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.*

The project site consists of private property with limited recreational opportunities for the public within the POU. No wilderness areas will be impacted by the proposed use of water.

Determination: *No impacts*

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

The proposed use will not adversely impact 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 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:***

The only alternative to the proposed action would be the no action alternative. The no action alternative would not authorize the diversion of groundwater.

PART III. Conclusion

1. Preferred Alternative

Issue a water use permit if the Applicant proves the criteria in 85-2-311 MCA are met.

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 related to the proposed project have been identified.

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

Name: Alex Dalgleish
Title: Water Conservation Specialist
Date: June 1, 2026