

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Melstone Wells
Proposed Implementation Date:	Fall 2005/Spring 2006
Proponent:	Town of Melstone
Location:	Section 16, Township 9 North, Range 31 East
County:	Musselshell County

I. TYPE AND PURPOSE OF ACTION

The Town of Melstone is proposing to locate up to two (2) water wells on Section 16, T9N, R31E for the purpose of locating water to supply to the Town's residents for domestic use. In advance of drilling the two wells, the Town will first drill up to two (2) test holes to determine if the site is appropriate for a well. If the test hole(s) are successful, the Town will ask that the Land Use License for the test hole(s) and well(s) be amended to also permit the location of a transmission pipeline to transport the water off-site to the supply pipeline that will feed the Town. The location and construction of this proposed pipeline is not included in this Assessment and will be analyzed in a separate, subsequent Checklist Environmental Assessment.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

No public scoping was performed by DNRC other than contact with the Town of Melstone's consulting engineer, Patrick Murtagh of Montana Engineering and Administration (ME&A) in Billings.

Montana Engineering and Administration (ME&A) did their own scoping of the following agencies in June of 2005:

- U.S. Fish and Wildlife Service
- Montana Department of Fish, Wildlife and Parks
- Montana Environmental Quality Council
- U.S. Environmental Protection Agency
- Montana Department of Natural Resources & Conservation
- U.S. Army Corps of Engineers
- Montana Department of Environmental Quality
- Montana State Historic Preservation Office

RECEIVED

MAR 08 2006

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

Montana Department of Natural Resources and Conservation Water Resources Division.

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Allow the Town of Melstone to drill up to two (2) test holes and if viable, two (2) wells for domestic consumption by the Town's residents and issue a Land Use License to permit this activity.

No Action Alternative: Deny the request by the Town of Melstone to drill test holes on the State land.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

No Impact.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

No Impact. The test hole(s) and well(s) will be completed by Agri-Industries of Williston, ND. This company has drilled wells into this aquifer for the Towns of Jordan, Richey and Circle.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

No Impact.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

No Impact. An overall area of approximately 12,000 square feet will be temporarily disturbed at each test site. The location of the proposed test holes and wells is such that they are located on flat grassland areas and are outside of any intermittent creek riparian areas. Any area that is disturbed will be reclaimed to its current condition.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

No Impact. Montana Fish, Wildlife and Parks responded to the ME&A scoping letter and had no specific comments on the project as it related to potential impacts on fisheries or wildlife habitat. See Attachment A for a copy of the response from FWP.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

A search of the Montana Natural Heritage Program database indicated that there are no endangered, threatened or sensitive species in the project area. Additionally, the US Fish and Wildlife Service responded to the ME&A scoping letter and determined that "...no federally-listed species or designated habitat occurs within the project area." See Attachment B for a copy of the response from USFWS.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

An on-site inspection was conducted by Jeff Bollman, Area Planner, of the two proposed well sites and no historic or archaeological sites were found. Patrick Rennie, DNRC Archaeologist, verified that there were no documented cultural sites on the section.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

No Impact. The sites for the proposed test holes and wells are located near the center of the section and are not visible from the Melstone Custer Road that is located over one mile to the west. Also, the well locations are located in meadows that are generally surrounded by trees that would obstruct the view of the well sites from adjoining private properties.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No Impact. The aquifer that the Town is trying to find is the Fox Hills aquifer and the Town is the only know user in the region. The Town currently has a well utilizing this aquifer in another location and no losses in yield have been reported.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

If the test hole location proves successful in finding the Fox Hills aquifer, the Town will submit a request to permit the construction of a pipeline to convey the water to the west off of the section to a transmission line located along the Melstone Custer Road. The exact location of this pipeline on the State section has not been determined and a subsequent Checklist Environmental Assessment will be completed before its location is approved.

<p style="text-align: center;">IV. IMPACTS ON THE HUMAN POPULATION</p>

- | |
|--|
| <ul style="list-style-type: none">• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i>• <i>Enter "NONE" if no impacts are identified or the resource is not present.</i> |
|--|

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

If the well is successful, the Montana Department of Environmental Quality may require that an area surrounding the well be fenced. If fencing is required, it will utilize fencing that is designed to allow for the passage of antelope.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

No Impact. The area that will be permanently impacted will be relatively small and not have any significant effect on agricultural activities. If the well is successful, it will provide water to the Town of Melstone to help in its retention, expansion or attraction of commercial or industrial uses.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

No Impact. The proposed action of drilling the test hole(s) and well(s) will be a relatively short duration project and would not have a significant impact on employment.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

No Impact. If the well is successful, it would provide an additional source of domestic water which could increase the tax base of the Town of Melstone, but the actual well will not have any impact on taxes.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

No Impact. If the well is successful, it would provide an additional source of domestic water for Town to be used for fire protection and other municipal uses.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

There will be no impact from the proposed action because there are no known plans that the proposed action would affect.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The proposed action will not significantly affect the recreational values of this tract, especially since it does not have legal public access.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

No Impact.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

No Impact.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

No Impact.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

No Impact.

EA Checklist Prepared By:	Name: Jeff Bollman, AICP	Date: 22 November 2005
	Title: Area Planner, Southern Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that a Land Use License (LUL) be issued to the Town of Melstone to allow the location of up to two (2) water wells on Section 16, T9N, R31E for the purpose of supplying water to the Town's residents for domestic use.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The scoping done by ME&A did not reveal any significant comments or concerns from responding agencies. Additionally, the proposed action is relatively minor and the location of wells does not in and of itself pose any significant impacts for resources on or around the subject parcel.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS More Detailed EA No Further Analysis

EA Checklist Approved By:	Name: Sharon Moore
	Title: Area Manager, Southern Land Office
Signature: <i>Sharon Moore</i>	Date: 11/22/05



Montana Fish, Wildlife & Parks

2300 Lake Elmo Drive
Billings, MT 59105

July 14, 2005

Montana Engineering & Administration, PC
115 N Broadway, Suite 202
Billings MT 59101

SUBJECT: Water System Improvement
Melstone MT

Please consider this a response to your request for information on the fisheries and wildlife resources relative to your proposed project.

- Based on a review of the proposed project, the Region 7 Wildlife Staff has no specific comments.
- Review of the proposed project resulted in concerns about impacts to wildlife as summarized in the comment section below.
- Based on a review of the proposed project, the Region 5 Fisheries Staff has no specific comments relating to the potential impacts on fisheries habitat.
- Review of the proposed project resulted in concerns about impacts to fisheries habitat as summarized in the comment section below:

COMMENTS:

The type of fisheries habitat in the proposed project's vicinity is described in the Montana Interagency Stream Database. Montana Fish, Wildlife & Parks reserves the right to address any impacts to any stream or its banks or tributaries by any type or form of construction when detailed plans are furnished with an application as required by the Stream Preservation Act.

Sincerely,

John Ensign (by Ray Mulθ)
Wildlife Division

Ken Frazer
Fisheries Division

c: Glenn Phillips

ME&A

MONTANA ENGINEERING & ADMINISTRATION, PC

115 N. Broadway, Suite 202
Billings, MT 59101
E-mail: pmurtagh@montanaea.com

Phone: (406) 652-5000
Fax: (406) 248-1363
Tl Phone: (406) 855-3575

Providing Water and Wastewater

The U.S. Fish & Wildlife Service reviewed the proposed project & determined that no federally-listed species or designated critical habitat occurs within the project area. This concludes consultation on this project & no further review under Section 7 of the Endangered Species Act is necessary. If wetlands may be impacted by this project, Corps of Engineers' Section 404 permits may be required. Contact Lou Hanebury at (406-247-7367 for further information.

June 24, 2005

U.S. Fish & Wildlife Service
2900 Fourth Avenue North, Room 301
Billings, MT 59101

R. Mark Wilson 9/23/05
Field Supervisor Date File

RE: *Request for Input for an Environmental Assessment for the Town of Melstone Water System Improvements; Additional Areas*

Dear Reviewer:

The Town of Melstone has been working diligently for several years towards obtaining new source water. The Town currently obtains water from the Musselshell River, which has run dry in the summer in the past three summers. The Town built an additional storage pond in an emergency project in 2000, however, between the cost of treating and testing surface water, the uncertainty of future surface water treatment rules, and the uncertainty of available surface water, the Town has opted it would be best to find an all groundwater source.

Just this year, the Town completed a project to connect their first well to Town, which involved approximately 5 miles of pipeline. However, in order to move to an all groundwater source, the Town will likely need three to four additional wells (the actual number of wells will be dependent upon the yield of each well) and a small chemical building and water storage tank. Several possible areas for well sites had previously been included in an Environmental Assessment (EA) that resulted in a Finding of No Significant Impact (FONSI). The FONSI did not specifically note the chemical building and water storage tank, however, the building and tank are included within the same area.

In addition to the well site areas include in the FONSI, the Town would like to extend the possibilities for the locations of additional wells and piping. The Town is proposing additional possible well sites within the NE1/4 of Section 16, T9N, R31E and the N1/2 of Section 28, T9N, R31E including piping to those sites. The impacted areas are shown in more detail on the enclosed maps and clearly show the areas previously included in the EA as well as the new areas.

Please review the proposed improvements and let us know if you have any environmental concerns resulting from the proposed project. If we do not receive any comments within 30 days of the date of this letter, we will assume that you have no comments. Thank you for your time.



