

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:* GW DEVELOPMENT LLC  
PO BOX 17050  
MISSOULA, MT 59808
  
2. *Type of action:* APPLICATION FOR BENEFICIAL WATER USE PERMIT  
76M-30025342
  
3. *Water source name:* GROUNDWATER
  
4. *Location affected by project:* RUSSELL SMITH FEDERAL COURTHOUSE  
NW SECTION 22, T 13 N, R 19 W, MISSOULA  
COUNTY.
  
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*  
THE APPLICATION UNDER CONSIDERATION IS A PROPOSAL TO DIVERT  
GROUNDWATER FROM A WELL FOR THE PURPOSE OF COOLING THE  
RUSSELL SMITH FEDERAL COURTHOUSE. THIS PERMIT APPLICATION IS  
REQUESTING A TOTAL FLOW RATE OF 210 GPM, UP TO AN ANNUAL  
VOLUME OF 99.13 ACRE-FEET. AFTER PASSING THROUGH THE BUILDING  
HEAT EXCHANGE SYSTEM, THE DIVERTED GROUNDWATER WILL BE  
INJECTED BACK INTO THE GROUNDWATER AQUIFER THROUGH AN  
INJECTION WELL. THE PROPOSED COOLING SYSTEM IS COMPLETELY  
CLOSED TO INSURE NO CONTAMINATION OF WATER INJECTED BACK INTO  
THE GROUNDWATER AQUIFER. THE COOLING SYSTEM IS PLANNED FOR  
USE BETWEEN APRIL 1 AND OCTOBER 31 EACH YEAR. THE APPLICANT  
HAS COMPLIED WITH THE DNRC NEW APPROPRIATIONS RULES BY  
CONDUCTING A 72-HOUR AQUIFER TEST AND CORRECTLY REPORTING THE  
RESULTS.

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:*  
*(include agencies with overlapping jurisdiction)*

STATE HISTORIC PRESERVATION OFFICE  
MONTANA NATURAL HERITAGE PROGRAM

**Part II. Environmental Review**

**1. Environmental Impact Checklist:**

<b>PHYSICAL ENVIRONMENT</b>
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**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.

*Determination:* NO SIGNIFICANT IMPACTS.

SEE GROUNDWATER SECTION BELOW.

**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.

*Determination:* NO SIGNIFICANT IMPACTS.

SEE GROUNDWATER SECTION BELOW.

**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.

*Determination:* NO SIGNIFICANT IMPACTS.

THE PROPOSED PROJECT IS EXPECTED TO HAVE MINIMAL IMPACTS TO GROUNDWATER SUPPLY AND QUALITY. THE PROPOSED SYSTEM USES DIVERTED GROUNDWATER THAT INTERACTS WITH A HEAT EXCHANGER FOR COOLING PURPOSES. THE DIVERTED GROUNDWATER IS THEN CONVEYED THROUGH A CLOSED LOOP TO AN INJECTION WELL AFTER USE.

THE SOURCE OF GROUNDWATER IS THE MISSOULA AQUIFER. NUMEROUS STUDIES HAVE SHOWN THAT THE MISSOULA AQUIFER IS CAPABLE OF SUSTAINED DIVERSIONS WITH LITTLE TO NO IMPACT ON THE CONTINUED SUPPLY OF GROUNDWATER. THE APPLICANT HAS PRESENTED AN AQUIFER REPORT THAT SHOWS NO MORE THAN .05 FEET OF DRAWDOWN AT THE TESTED FLOW RATE. THE ACTUAL USAGE WILL BE APPROXIMATELY 2/3 OF THE TESTED RATE.

**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.*

*Determination:* NO SIGNIFICANT IMPACTS.

A LICENSED WELL DRILLER CONSTRUCTED THE PRODUCTION AND INJECTION WELLS. THE APPLICANT PRESENTED COPIES OF THE WELL DRILLERS' LOGS WITH THE APPLICATION.

**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."*

*Determination:* NO SIGNIFICANT IMPACTS.

RESEARCH DONE BY THE MONTANA NATURAL HERITAGE PROGRAM REVEALS SEVERAL SPECIES OF CONCERN IN THE AREA OF THE PROPOSED PROJECT. NONE OF THE IDENTIFIED SPECIES ARE THREATENED BY THE PROPOSED PROJECT.

BULL TROUT AND WEST SLOPE CUTTHROAT TROUT ARE IDENTIFIED IN THE CLARK FORK RIVER, WHICH PASSES BY HEAR THE RUSSELL SMITH FEDERAL COURTHOUSE.

THE CANADA LYNX IS IDENTIFIED AS OCCURRING IN THE VICINITY, BUT WOULD NOT BE IMPACTED BY THE PROPOSED PROJECT.

THE MISSOULA PHLOX, THE OBSCURE EVENING PRIMROSE AND THE FRINGED MYOTIS ARE OTHER SPECIES THAT ARE LISTED, BUT WILL NOT BE IMPACTED BY THE PROPOSED PROJECT.

THE GRASSHOPPER SPARROW AND THE A CAVE OBLIGATE AMPHIPOD ARE IDENTIFIED AS OCCURRING IN THE VICINITY OF THE PROPOSED PROJECT, BUT WOULD NOT BE IMPACTED.

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

*Determination:* NO IMPACTS.

THERE ARE NO WETLANDS ASSOCIATED WITH THE PROPOSED PROJECT.

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

*Determination:* NO IMPACTS.

THERE ARE NO PONDS ASSOCIATED WITH THE PROPOSED PROJECT.

**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.*

*Determination:* NO IMPACTS.

NO WATER WILL BE APPLIED TO SOILS IN THE AREA. THE DIVERTED WATER WILL PASS THROUGH A CLOSED HEATING/COOLING SYSTEM AND INJECTED BACK INTO THE GROUND WATER AQUIFER.

**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.*

*Determination:* NO IMPACTS.

SOME SOIL DISTURBANCE HAS OCCURRED WITH THE CONSTRUCTION OF THE PRODUCTION AND INJECTION WELLS. DUE TO THE LOCATION OF THE TWO WELLS IN AN EXISTING PARKING LOT, SOILS DISTURBANCE IS MINIMIZED.

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

*Determination:* NO IMPACTS.

THE CONSTRUCTION OF WELLS MAY HAVE RESULTED IN THE SPREAD OF SOME DUST. THIS DUST ISSUE WOULD HAVE BEEN SHORT IN DURATION AND NOT A FACTOR AFTER WELLS ARE COMPLETED.

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

*Determination:* NO SIGNIFICANT IMPACTS.

ACCORDING TO THE RECOMMENDATION OF THE STATE HISTORICAL PRESERVATION OFFICE, NO INVENTORY OF CULTURAL RESOURCES IS NEEDED AT THIS TIME.

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

*Determination:* NO IMPACTS.

## HUMAN ENVIRONMENT

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

*Determination:* NO IMPACTS.

THE PROPOSED PROJECT IS CONSISTENT WITH LOCALLY ADOPTED PLANS AND GOALS. THE PROPOSED SYSTEM IS PROJECTED TO REPLACE AN EXISTING COOLING SYSTEM.

**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.

*Determination:* NO IMPACTS.

THE CONSTRUCTION OF WELLS FOR COOLING OF THE RUSSELL SMITH FEDERAL COURTHOUSE WILL NOT LIMIT ACCESS TO WILDERNESS OF RECREATIONAL ACTIVITIES.

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

*Determination:* NO 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 IMPACTS.

**OTHER HUMAN ENVIRONMENTAL ISSUES** - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

*Impacts on:*

- |  |      |
|--|------|
| (a) <u>Cultural uniqueness and diversity?</u>                  | NONE |
| (b) <u>Local and state tax base and tax revenues?</u>          | NONE |
| (c) <u>Existing land uses?</u>                                 | NONE |
| (d) <u>Quantity and distribution of employment?</u>            | NONE |
| (e) <u>Distribution and density of population and housing?</u> | NONE |
| (f) <u>Demands for government services?</u>                    | NONE |

- (g) Industrial and commercial activity? NONE
- (h) Utilities? NONE.
- (i) Transportation? NONE
- (j) Safety? NONE
- (k) Other appropriate social and economic circumstances? NONE

**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:** THERE ARE NO MITIGATION/STIPULATION MEASURES IDENTIFIED FOR THE PROPOSED ACTION.

**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 NO ACTION ALTERNATIVE IS THE ONLY ALTERNATIVE TO THE PROPOSED ACTION. UNDER THE NO ACTION ALTERNATIVE, THE APPLICANT WOULD BE UNABLE TO OBTAIN A WATER RIGHT FOR THE PROPOSED GEOTHERMAL COOLING SYSTEM.

**PART III. Conclusion**

**1. Preferred Alternative**

**2. Comments and Responses**

**3. Finding:**

*Based on the significance criteria evaluated in this EA, is an EIS required?*

Yes \_\_\_ No X

*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 ANALYSIS FOR THIS PROPOSED ACTION BECAUSE NO SIGNIFICANT IMPACTS HAVE BEEN IDENTIFIED AS A RESULT OF THE PROPOSED ACTION.

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

*Name:* PATRICK RYAN

*Title:* WATER RESOURCE SPECIALIST

*Date:* JANUARY 15, 2007