

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Note: Instructions to DNRC staff for preparing this EA can be found at:
http://www.dnrc.state.mt.us/eis_ea.html

Part I. Proposed Action Description

1. *Applicant/Contact name and address:*

Cory Ackerman
PO Box 969
Gardiner, MT 59030

2. *Type of action:* Application for a beneficial water use permit # 43B-30045621

3. *Water source name:* Groundwater

4. *Location affected by project:* SWNWNESE, Sec.8, 9S, R9E, Park, Co

5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:* The well is located within the Yellowstone Controlled Groundwater Area. The National Park Service will be notified. If they do not object, a permit will be issued.

6. *Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)*

No Agencies were contacted for this Environmental Assessment.

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.

Determination: The groundwater has not been identified to affect nearby streams.

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: This project would not affect water quality in perennial streams. 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: At the requested flow rate of 20 gpm and volume of 1.0 acre-feet, there should be no significant impacts to water quantity or quality.

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: This project would not adversely affect channel impacts, flow modifications, barriers, riparian areas or dams, as it would be utilizing groundwater at a rate of 40 gpm. There are no perennial streams located on or near the site. The well was completed in 2008 by a licensed well driller.

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: A report received from the Montana Natural Heritage Program indicates there are four species of special concern within the general area of the project. Two wildlife species are currently listed under the Endangered Species Act, the Grizzly Bear and the Lynx. The cushion townsendia and the dicranowesia cirrata are also identified as possibly occurring in the area. As this is a well drilled on a lot within an established subdivision, it is unlikely that it will have any significant impact on any of these species of special concern.

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 wetlands have been identified in the area of study.

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

Determination: This project does not involve any pond development.

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 significant impact to the degradation of soil quality, alteration of soil stability or moisture content is anticipated. There would be soil disturbance during the construction of the home and development of the lawn area. This would be a temporary impact. The irrigation of the lawn would increase the moisture content of the soil and minimize erosion.

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: The existing vegetative cover would be replaced with a house and lawn. This should prevent the establishment or spread of noxious weeds. The landowner is responsible for weed control management on the property.

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

Determination: There should be no significant deterioration of air quality.

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 impact. Since this project is located on private property, the decision to conduct a cultural resources survey would be at the discretion of the owner.

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 on environmental resources of land, water, and energy not already addressed were identified.

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 significant impact to any locally adopted environmental plans and goals is anticipated.

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: This project would not impact access to or the quality of recreational and wilderness activities.

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

Determination: There should be no significant impacts on human health.

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:

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? No impact identified
- (b) Local and state tax base and tax revenues? No impact identified
- (c) Existing land uses? No impact identified
- (d) Quantity and distribution of employment? No impact identified
- (e) Distribution and density of population and housing? No impact identified
- (f) Demands for government services? No impact identified
- (g) Industrial and commercial activity? No impact identified
- (h) Utilities? No impact identified
- (i) Transportation? **No impact identified**
- (j) Safety? **No impact identified**
- (k) Other appropriate social and economic circumstances? No impact identified

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts No secondary impacts identified

Cumulative Impacts No cumulative impacts identified

3. *Describe any mitigation/stipulation measures:*
None identified

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:*

PART III. Conclusion

1. *Preferred Alternative* none identified

2 *Comments and Responses* : none recieved

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: an EA is appropriate for the scope of this project

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

Name: Porter Dassenko

Title: Water Right Specialist

Date: 5/19/2009