

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: **Centennial Livestock, Inc.
900 Mansfield Ln
Dillon MT 59725-9710**
2. Type of action: **Application to Change a Water Right No. 411 30046071
Statement of Claim No. 411 127792
Supplemental Rights 411 127790, 127791, 127793, 127794**
3. Water source name: **Groundwater**
4. Location affected by action: **Two wells in the SENWSE of Sec 18, Twp 11N, Rge 3W,
Lewis and Clark County**
5. Narrative summary of the proposed project, purpose, action to be taken, and objectives:
Centennial Livestock, Inc. purchased a portion of five water rights involved in this change from Mark & Annette Williams. The portion purchased was severed from the historical property. Only one of the rights is actually being used for mitigation. The rights were supplemental, therefore all of the rights will be included in the change application.

The applicant, Centennial Livestock, Inc. is proposing to change a portion of the point of diversion, purpose, and place of use of Statement of Claim No. 127792 411 (Application to Change a Water Right No. 30046071-411). The change is to be used to mitigate possible surface water depletion of Lake Helena due to the pumping of two public water-supply wells under an associated Application for Beneficial Water Use Permit No. 30046072 411 submitted by Kim and Thomas Harrison for Grand Valley Estates Subdivision. The subdivision wells will also supply water for institutional purposes to the Jim Darcy Elementary School.

The proposed Grand Valley Estates application requests 100 gpm up to 38.0 acre-feet per year. Of the total volume 15.8 acre-feet will be consumptive. Under the mitigation change, the Applicant would retire 11.0 acres of historic irrigation to provide 16.1 acre-feet of water for mitigation.

The additional purpose for Statement of Claim No. 127792 411 would be mitigation. The point of diversion and place of use would be located in the E2 of Section 22, Twp 11N, Rge 3W, where Silver Creek and Tenmile Creek empty into Lake Helena.

The maximum flow rate, volume and acres for the proposed change are as follows:

Flow rate: 10 gpm
Volume: 15.8 acre-feet per year
Acres: 11 acres

The DNRC shall issue an authorization to change to the applicant if the criteria in 85-2-402, MCA are met.

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

Jim Beck, Helena Regional Office Engineer

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: **No significant adverse impact.**
This proposed project would not affect chronically dewatered streams as identified by DFWP; it does not seek to develop water from a surface water source. The proposed application is for mitigation of Lake Helena.

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 adverse impact.**
This proposed project would not affect water quality in a surface water source. The proposed application is for mitigation of Lake Helena.

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 adverse impact.**
The proposed project is to mitigate possible impacts on Lake Helena by the Grand Valley Estates Subdivision public water supply wells.

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 adverse impact.**
The proposed project will not divert the water. The water will be left in the aquifer to mitigate possible impacts on Lake Helena by the Grand Valley Estates Subdivision public water supply wells.

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 adverse impact.**

The proposed project will not impact any threatened or endangered fish, wildlife, plants or aquatic species or species of special concern. It will not create a barrier to the migration or movement of fish or wildlife.

The water will be left in the aquifer to mitigate possible impacts on Lake Helena by the Grand Valley Estates Subdivision public water supply wells.

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: **The proposed project does not involve wetlands.**

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

Determination: **The proposed 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.

Determination: **No significant adverse impact.**

There will not be degradation of soil quality, alteration of soil stability or moisture content. Soils do not have a bearing on this project.

The water will be left in the aquifer to mitigate possible impacts on Lake Helena by the Grand Valley Estates Subdivision public water supply wells.

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 significant adverse impact.**

This project will have no impacts to existing vegetative cover, nor will it result in the establishment or spread of noxious weeds.

The water will be left in the aquifer to mitigate possible impacts on Lake Helena by the Grand Valley Estates Subdivision public water supply wells.

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

Determination: **No significant adverse impact.**

The project will have no adverse effects on air quality or vegetation due to increased air pollutants.

The water will be left in the aquifer to mitigate possible impacts on Lake Helena by the Grand Valley Estates Subdivision public water supply wells.

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 adverse impact.**
There will be no degradation to unique archeological or historical sites due to the proposed project.

The water will be left in the aquifer to mitigate possible impacts on Lake Helena by the Grand Valley Estates Subdivision public water supply wells.

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 significant adverse impact.**

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 adverse 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.

Determination: **No significant adverse impact.**

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

Determination: **No significant adverse impact.**

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.
Yes ___ No **X**.

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 significant adverse impact.**
- (b) Local and state tax base and tax revenues? **No significant adverse impact.**

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

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

Secondary Impacts: **Secondary impacts from this proposed project are not anticipated. The proposed project involves the mitigation of possible surface water impacts to Lake Helena.**

A portion of the water from a groundwater well will be left in the aquifer to mitigate possible impacts on Lake Helena by the Grand Valley Estates Subdivision public water supply wells.

Cumulative Impacts: **Cumulative impacts from this proposed project are not anticipated. The proposed project involves the mitigation of possible surface water impacts to Lake Helena.**

A portion of the water from a groundwater well will be left in the aquifer to mitigate possible impacts on Lake Helena by the Grand Valley Estates Subdivision public water supply wells.

3. Describe any mitigation/stipulation measures:

This proposed application is for mitigation of Lake Helena. The application is to mitigate the possible effects on Lake Helena from two public water supply wells. The wells are for the Grand Valley Estates Subdivision.

The application will go through the public notice process and water users concerned with the potential impacts will be given the opportunity to object to the application. The decision by the DNRC to grant or deny the application would not be made until these review processes are completed.

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 Grand Valley Estates Subdivision application for beneficial water use permit is in the DNRC. The mitigation change and the permit application will go through the public notice process at the same time. The subdivision is in the process of being developed. The no action alternative would prevent the applicant from

mitigating the possible adverse effects of the public water supply wells. The water use permit cannot be granted without a mitigation plan in place.

PART III. Conclusion

1. Preferred Alternative: **Issue the authorization as applied for by the applicant, or in some modified form considered reasonable.**
2. Comments and Responses: **There have been no comments or responses at this time.**
3. Finding:
Yes No 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:

Based on a consideration of the criteria found in DNRC Administrative Rule 36.2.524, "Determining the Significance of Impacts," there is not a significant adverse impact. An EA is sufficient for this level of action. The proposed project is for mitigation of Lake Helena.

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

Name: Kathy Arndt
Title: Water Resources Specialist
Date: January 26, 2011