EA Form R 1/2001

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*: Tana R. Steiner
PO Box 421
East Glacier Park, MT 59434
and
Cynthia A. Taylor
PO Box 73
East Glacier Park, MT 59434

2. *Type of action*: Water Right Change Application No. 41M-30023057

3. *Water source name*: Unnamed tributary of Two Medicine River

4. *Location affected by project*: SESWNW Sec. 11, T30N R13W, Glacier County

5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits*: The applicant is proposing to temporarily change a small portion of the above existing stock Water Right No. 41M-44025-00 and allow Northwestern Energy to use some water for hydrostatic testing purposes. Northwestern Energy is constructing a two mile section of new 12 inch natural gas pipeline through Section 11, T30N R13W. The new section of pipeline will be a loop of an existing pipeline that serves western Montana and is required to satisfy existing and projected demand. Northwestern Energy is requesting to add a new temporary pump site in the applicant's existing reservoir. Once the new pipeline section is in place, the pipeline will be filled with water for hydrostatic testing to check for leaks. Northwestern Energy will pump at a rate of about 750 gpm up to 1,500 gpm and use about 65,000 gallons to fill the test section. The project as proposed will use about .20 acre-feet. If retesting is necessary, another .20 acre-feet for a total of .40 acre-feet will be required. Using a proposed 1,500 gpm motor driven pump, it will take less than 45 minutes to pump the required 65,000 gallons to fill the test section. In order to compensate for the temporary water use change, the applicant has moved their livestock to another location, thereby reducing their water usage. The withdrawal of water from the reservoir and testing of the pipeline will occur over a period of a few days between June and October, 2006, which is within the existing period of use of the applicants' stockwater right. Once the testing is completed no later than October 2006, the

temporary water right change will expire and the water use will revert back to its original use the following year.

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

6. *Agencies consulted during preparation of the Environmental Assessment: (include agencies with overlapping jurisdiction)*
Montana Natural Heritage Program
Montana State Historic Preservation Office
Dept. of Enviromental Quality Website (TMDL 303d listing)
MT Dept. of Fish, Wildlife & Parks Website (Montana Rivers Information System)

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 South Fork Two Medicine River is not considered a chronically or periodically dewatered stream by the Dept. of Fish, Wildlife and Parks (DFWP). The DFWP has a year round water reservation on South Fork Two Medicine River for 16 cfs to maintain instream flows for aquatic life. Since this is a temporary change application on a 1970 existing water right for a brief water use to hydrostatically test a natural gas pipeline and no additional water will be used, the proposed project should not create any impact.

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: South Fork Two Medicine River is not listed on the 2002 TMDL 303(d) list. The pump to be used for this temporary project will be a trailer-mounted motor driven 750 gpm up to 1,500 gpm pump. The project is scheduled between June and October 2006 and will be pumped for a short period of time. At a rate of 1,500 gpm, it will take less than 45 minutes to pump the required 65,000 gallons to fill the test section for hydrotesting. After the testing is completed, the temporary water user (Northwestern Energy) will be allowed to sprinkle the water on grassland owned by the water right owners of this Water Right No. 41M-44025, provided said water contains no toxic chemicals or other substances harmful to grass or animals. The temporary water right change will expire after the testing is completed in October 2006, and the water use will revert back to its original use the following year. This temporary pump project should be minor and should not create any further impacts to the water quality in the Marias River.

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: This project does not involve any groundwater.

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: Northwestern Energy is constructing a two mile section of new 12 inch natural gas pipeline through Section 11, T30N R13W. This temporary change will involve pumping from the existing reservoir using a trailer-mounted motor driven pump and using it to test for leaks in a new pipeline. The intake will be fitted with a screen to inhibit the intake of fry or larger fish. The project will require about 750 gpm up to 1,500 gpm and will use 65,000 gallons to fill the test pipeline section. If leaks occur, retesting may be necessary. The project as proposed should not create any impacts to the channel, flow modifications, barriers and riparian areas due to the small amount of water to be used. Northwestern Energy shall comply with all local, state and federal statutes to insure the construction, operation and maintenance of the new line will comply with all environmental laws and regulations. The temporary change will expire on October 31, 2006, and the water right will revert back to the original use the following year.

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: The Montana Natural Heritage Program was researched on the website for the township and range (T30N R13W) of the project. No animal species of concern was found. Within the township area, there are two (2) vascular plant species of state concern in the township, the Peculiar Moonwort and the Blunt-leaved Pondweed. These plant species are at risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state. Because the search query can only be done for the entire township and not refined to sections within the township, the reviewer cannot determine where the plant species are found more specifically. Due to the wide range of area researched and because this is a small temporary pump project, it is unlikely to impact the species.

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 known wetlands exist in the temporary pump diversion area.

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

Determination: The pond to be used for this project is an existing structure. Only the pump to be used for the hydrostatic testing project will be new and it is portable and will only be used temporarily until the testing is completed. The testing project will expire in October 2006.

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: Because this is a temporary change project involving a small amount of water pumping into a pipeline for hydrostatic testing, the soils were not researched. The temporary change will expire on October 31, 2006, and the water right will revert back to the original use the following year.

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 pump site will be located on private agricultural land. The vegetation will be temporarily disturbed when the temporary pump site is used and pipeline is installed, however, the impacts should be minor. After the entire pipeline installation by Northwestern Energy, the areas should be re-seeded to prevent the possibility of the spread of noxious weeds. Although it is the responsibility of the property owner to control weeds on their property, it is assumed that Northwestern Energy will ensure that any weeds created as a result of this project will be dealt with in compliance with environmental laws and regulations.

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

Determination: No known impacts to air quality will occur as a result of this project.

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

Determination: Because the project involves a temporary pump site and the hydrostatic testing will be completed in October 2006, the Montana State Historical Society (SHPO) was not contacted. Because the temporary pump will be setting on a trailer for mobility, there will be minimal ground disturbance. Therefore, there is low likelihood cultural properties will be impacted. Since the project is located on private property, no reconnaissance survey is required and any cultural resource inventory would be conducted at the discretion of the property 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 additional impacts on other environmental resources 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: There are no known environmental plans or goals in this area.

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: The project should have no significant or harmful impact on recreational or wilderness activities.

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

Determination: The project should have no impact on human health.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*
Yes___ No___ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: There are no additional government regulatory impacts on private property rights associated with this application.

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 impact.

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

(c) Existing land uses? No significant impact.

(*d) Quantity and distribution of employment?* No significant impact.

(e) Distribution and density of population and housing? No significant impact.

(f) Demands for government services? No significant impact.

(g) Industrial and commercial activity? No significant impact.

(h) Utilities? No significant impact.

(i) Transportation? No significant impact.

(j) Safety? No significant impact.

(k) *Other appropriate social and economic circumstances?* No significant impact.

2. ***Secondary and cumulative impacts on the physical environment and human population:***
No secondary or cumulative impacts have been 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:***

No action alternative: This alternative is to do nothing and the existing water right claim would remain as is. Northwestern Energy would not have the benefit of testing the additional section of pipeline for the community's natural gas use. Hydrostatic testing is a common practice, is non-polluting, and helps to assure a safe supply of a necessary commodity.

Alternative 1: Approve the change application as submitted.

PART III. Conclusion

1. ***Preferred Alternative:*** Alternative 1.

2. ***Comments and Responses:*** None

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 have been identified, therefore an EIS is not necessary.

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

Name: Dixie Brough
Title: Water Resources Specialist
Date: July 14, 2006