

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: **Town View Estates Water Users Assn Inc
3920 McHugh Ln
Helena MT 59602-7442**
2. Type of action: **Application to Change a Water Right 30024852-411**
3. Water source name: **Groundwater Wells**
4. Location affected by action: **NWSWNE, Sec 7, Twp 11N, Rge 3W, Lewis & Clark Co**
5. Narrative summary of the proposed project, purpose, action to be taken, and objectives:
The applicant proposes to add a point of diversion. The proposed new well would be located in the NWSWNE of Sec 7, Twp 11N, Rge 3W, Lewis and Clark Co. The addition of the 4th well would not increase the combined appropriation but would allow for all wells to be pumped at a lower rate. It would also allow the water users the ability to maintain water demand if a well is out of commission.

The new well would be part of the manifold system for Town View Estates Subdivision. The combined appropriation would not exceed 260 gpm up to 108 acre-feet per year. The system is metered and required reports are submitted to DNRC yearly.

The DNRC shall issue an Authorization to Change if the criteria in 85-2-402, MCA are met.

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

**Montana Department of Environmental Quality (DEQ)
Montana Natural Heritage Program (MTNHP)**

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 source of supply is groundwater. The proposed change would not likely impact surface water quantity.**

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: **The proposed project would not affect water quality in perennial streams. The source of supply is groundwater.**

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 impact. There will be no additional water used. The additional of the proposed well would not increase the combined appropriation but would allow for all wells to be pumped at a lower rate. There should not be an impact to adjacent surface water flows.**

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 impact. The proposed new well would be manifold into the current system for the subdivision. The proposed project will not impact any of the following: well construction, dams, riparian areas, barriers, flow modifications, or channel impacts.**

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 impact. MTNHP was contacted about species of special concern. There are seven occurrences of a species of special concern. The Cynomys ludovicianus or Black-tailed Prairie Dog has been sighted in the area. There have been no sightings in the immediate area of the proposed well.**

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

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

Determination: **This 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 impact.**

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 impact.**

There will be minor ground disturbance during the construction of the well. Proper field management should prevent the establishment or spread of noxious weeds. The landowner would be responsible for any weed control on their property.

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 impact.**

There would be no significant deterioration of air quality or adverse effects on vegetation.

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

Determination: **The State Historic Preservation Office was not contacted about this proposed project. There is another well for the Town View system in the vicinity. Since this project is located on private property, the decision to conduct a cultural inventory would be at the discretion of the landowner.**

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 impacts on the 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 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 impact.**

The proposed 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: **No significant adverse impacts on human health.**

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 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 adverse impact.**

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

Secondary Impacts **No significant adverse secondary impacts have been identified at this time.**

Cumulative Impacts **No significant adverse cumulative impacts have been identified at this time.**

3. Describe any mitigation/stipulation measures: **The system for Town View Estates Subdivision is a manifold system. The water use is metered. This additional proposed well will be part of the existing system. A mandatory report is submitted to the DNRC every year as part of conditions placed on the subdivision from previous water rights. No other mitigation or stipulation measures have been discussed at this time.**

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:
There do not appear to be any reasonable alternatives. The proposed new well could not be constructed or included in the existing system if the application is denied.

PART III. Conclusion

1. Preferred Alternative: **Issue the authorization to change as applied for by the applicant, or in some modified form considered reasonable**
2. Comments and Responses: **There have not been any comments or responses at this time.**
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: **Based on a consideration of the criteria found in DNRC Administrative Rule 30.2.524, "Determining the Significance of Impacts," there is not a significant adverse impact. An EA is sufficient for this level of action and does not warrant an EIS.**

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

Name: Kathy Arndt
Title: Water Resources Specialist
Date: December 5, 2006