

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:* Stillwater Mining Company  
2562 Nye Road  
Nye, MT 59061  
  
USA (Dept of Agriculture Forest Service  
1310 Main St.  
Billings, MT 59105
2. *Type of action:* Application for Beneficial Water Use Permit 43C 30063154
3. *Water source name:* Burnt Creek
4. *Location affected by project:* SWSW Section 19, Township 5 South, Range 16 East, and NW Section 24, Township 5 South, Range 15 East, Stillwater County, Montana

*Narrative summary of the proposed project, purpose, action to be taken, and benefits:*

The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

Stillwater Mining Company is requesting a beneficial water use permit in order to draw 25 gpm up to 26.95 acre-feet per year from Burnt Creek to use it for exploratory drilling and other mining activities.

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

Montana Natural Heritage Program  
Montana Department of Fish Wildlife & Parks (MFWP)  
Montana Department of Environmental Quality (MDEQ)  
US Forest Service

Endangered-Threatened Species  
Dewatered Stream Information  
TMDL Information  
Environmental Impact Statement

**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:* Burnt Creek is not listed as chronically or periodically dewatered.

There will be impacts on the source from this proposed use, but those impacts are not expected to be significant.

**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:* Burnt Creek is not listed as water quality impaired. The proposed use will not have any return flows to the stream. The proposed use should have no significant impact on water quality issues in the area.

**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 proposed use of water should have no significant impact on groundwater quality or quantity in the area. All exploratory drilling will be done according to accepted practices.

**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:* The diversion works will consist of an FMC Bean model 435 triplex water pump rated at 35 GPM at 1000 psi. The pump will be run with a diesel powered two cylinder 20-25 HP motor. The pump and motor will be placed in a plastic tub or like containment to prevent accidental fuel spillage into the creek. There will be no permanent disturbances to the streambed or banks of the creek. It may be necessary to install a temporary dike in the creek to increase localized storage capacity. At the completion of drilling, all dike materials will be removed, and any rocks used will be randomly scattered. Temporary stream disturbances will be approved by a US Forest Service representative prior to construction. The proposed use may have some affect on the flow of this small stream during pumping. There will be minor impacts from the proposed diversion and operation, however those impacts are not expected to be significant or long lasting.

### 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 has identified the Canadian Lynx, Wolverine, Grizzly Bear, Uinta Chipmunk, Northern Goshawk, Veery, Clark’s Nutcracker, Green-tailed Towhee, Brewer’s Sparrow, Yellowstone Cutthroat Trout, and Arctic Grayling as threatened species or species of concern and Ovenbird and Plumbeous Vireo as potential species of concern in the project area. The noise and commotion of this project may have some impact on the habitat of these animals. The impact should be minor and will be temporary.

**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 project area is not within a wetland, so there should be no significant impacts to wetlands from this proposed use.

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

*Determination:* There are no ponds included in 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:* This proposed use should not degrade soil quality beyond the normal impacts of Exploratory drilling or cause saline seep problems in the area.

**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:* There will be some soil and vegetation disturbance during construction of the proposed project and there will be a possibility of some noxious weeds spread and establishment. It is expected that the Stillwater Mining Company will take an active role to reduce that risk.

**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 deterioration of air quality due to increased air pollutants from this proposed project.

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

*Determination:* There are no unique archeological or historic sites in the vicinity of the proposed project. There should be no impact to historical or archeological sites.

**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:* There should be no significant impacts on other environmental resources of land, energy, and water from this proposed use.

## **HUMAN ENVIRONMENT**

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

*Determination:* This proposed use is not inconsistent with locally adopted environmental plans and goals for Stillwater County or the US Forest Service.

**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:* Due to the remote location and lack of trails in the project area, this project should have minimal impacts on recreational or wilderness activities from this proposed activity.

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

*Determination:* There should be no significant impact on human health from this proposed use.

**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 significant impact.

**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:**

Secondary Impacts Any secondary impacts of this water use are overshadowed by the impacts of the larger mine operation that is occurring around the project.

Cumulative Impacts This water use is expected to have little impact on water users down stream.

- 3. **Describe any mitigation/stipulation measures:** The applicant is aware that they would be required to cease diverting water if that use is adversely impacting the rights of downstream users.
- 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 proposed activity is reasonable, and is within accepted practices for the on going mine operations and mineral exploration. The no action alternative may force the Stillwater Mining Company to truck or fly the water they need for this activity to the site. This would require more traffic and equipment that may create more impacts on the environment.

**PART III. Conclusion**

- 1. **Preferred Alternative:** To issue the permit and allow this project to continue
- 2. **Comments and Responses:** None to report
- 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 environmental impacts were identified. No EIS required.

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

*Name:* Christine Smith

*Title:* Water Resources Specialist

*Date:* 01/11/2013