

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 of Froid
PO Box 308
Froid, MT 59226
2. Type of action: Application to Change an Existing Non-Irrigation Water Right No. 40R 30067650
3. Water source name: Groundwater
4. Location affected by project: SENE Section 23, T30N, R55E, Roosevelt County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant is proposing to add a place of storage to Water Right Claim No. 40R 22428 00 and Beneficial Water Use Permit No. 40R 11869 00. The Applicant will be constructing a storage pit at their water depot in order to better meet the demand for high truck fill rates and the volume associated with fracking an oil well. No other elements of the water rights will be changed.

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

6. Agencies consulted during preparation of the Environmental Assessment:
US Fish & Wildlife Service
Montana Natural Heritage Program
Montana Department of Fish, Wildlife, & Parks
Montana Department of Environmental Quality
USDA Web Soil Survey
National Wetlands Inventory

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: This is a change application for a groundwater source. There will not be an impact to surface waters due to the additional place of storage associated with this change. The Applicant will not be changing the flow or volume of their combined water rights.

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 application is for a change of a groundwater project and will not affect surface water quality.

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 application is for an additional place of storage for existing wells. There will be no additional flow or volume diverted from the groundwater source, therefore there should be no impacts to groundwater quality or the source of supply.

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 means of diversion is two wells which have already been completed. This application is only to add an additional place of storage and so it will not have any channel impacts, flow modifications, barriers, riparian area impacts, dam impacts, or well construction 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: A list of 21 animal species of concern was generated by the Montana Natural Heritage Program. Of that list, only the Whooping Crane is listed by the US Fish & Wildlife Service as endangered. Whooping cranes are only known to migrate through northeast Montana; therefore it is unlikely that any significant impact on the whooping crane will occur from the proposed project. The following table shows all 21 animal species of special concern identified:

Baird’s Sparrow	Nelson’s Sparrow	Sprague’s Pipit
Golden Eagle	Burrowing Owl	American Bittern

Ferruginous Hawk	Black Tern	Bobolink
Whooping Crane	Franklin's Gull	Black-crowned Night Heron
American White Pelican	White-faced Ibis	Forster's Tern
Common Tern	Smooth Greensnake	Northern Redbelly Dace
Blue Sucker	Iowa Darter	Pearl Dace

There were no plant species identified as species of special concern within the project area. Since this application is only for adding an additional place of storage to already permitted rights, it will not have any significant impacts on any of the identified 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: There were no wetlands identified within the project area.

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

Determination: There were no ponds identified within the project area.

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: Soil quality in the proposed project area is very high. No saline seeps will form from completion of this project. There will be no significant degradation of soil quality, alteration of soil stability, or moisture content associated with this project.

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 proposed storage pit will be 1 surface acre in size. There will be minor ground disturbances associated with the completion of this project. The project is located on private property, and the Applicant will be responsible for controlling the spread of noxious weeds.

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

Determination: There will be no significant impacts to air quality associated with 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 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: NA-project not located on State or Federal lands.

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 have been 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: This project is located on private property and will not impact access to or the quality of recreational and wilderness activities.

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

Determination: This project will have no impact 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: 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 impacts identified
- (b) Local and state tax base and tax revenues? No significant impacts identified
- (c) Existing land uses? No significant impacts identified
- (d) Quantity and distribution of employment? No significant impacts identified
- (e) Distribution and density of population and housing? No significant impacts identified
- (f) Demands for government services? No significant impacts identified

- (g) Industrial and commercial activity? No significant impacts identified
- (h) Utilities? No significant impacts identified
- (i) Transportation? No significant impacts identified
- (j) Safety? No significant impacts identified
- (k) Other appropriate social and economic circumstances? No significant impacts identified

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

Secondary Impacts No secondary impacts are anticipated with this project

Cumulative Impacts No cumulative impacts are anticipated with this project

3. Describe any mitigation/stipulation measures: There are no mitigation plans. This application is for an additional place of storage. The proposed change will not result in additional flow or volume being used.

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 only other viable alternative would be the no action alternative in which the Department would not authorize the change for a place of storage. Under the no action alternative, the Applicant would not be able to provide water to purchasers at their depot as efficiently as they would be able to if the change were granted.

PART III. Conclusion

1. Preferred Alternative

Issue a change authorization if the applicant proves the criteria in 85-2-402, MCA, are met.

2. 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 related to the proposed change have been identified.

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

Name: Nathaniel T. Ward
 Title: Water Resource Specialist
 Date: December 12, 2013