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:

   Chad and Renee Martin
   535 Brennan Lane
   Franklin, TN 37067

2. Type of action: APPLICATION FOR BENEFICIAL WATER USE PERMIT NO. 41H 30164405. The Applicant has installed a well and proposes to appropriate up to 18 GPM gallons per minute (GPM) and up to 2.3 acre-feet (AF) of water per year for domestic from 1/1-12/31, stock from 1/1-12/31, and lawn and garden use from 4/1-10/31 within the Yellowstone Controlled Groundwater Area (YCGA). This water right will be associated with Provisional Permit 41H 30162614, as the water rights share a well.

3. Water source name: GROUNDWATER. The well is located on the Applicant's property and is approximately 340 ft from the Gallatin River.

4. Location affected by project: NENESWSE Section 28, Township 7 South, Range 4 East, Gallatin County. The well is located in Block 2 Lot 7 of the Rainbow Ranch Subdivision. This is private property owned by the Applicant in a rural neighborhood within the town of Gallatin Gateway. (See Figure 1 for a map on the next page.)

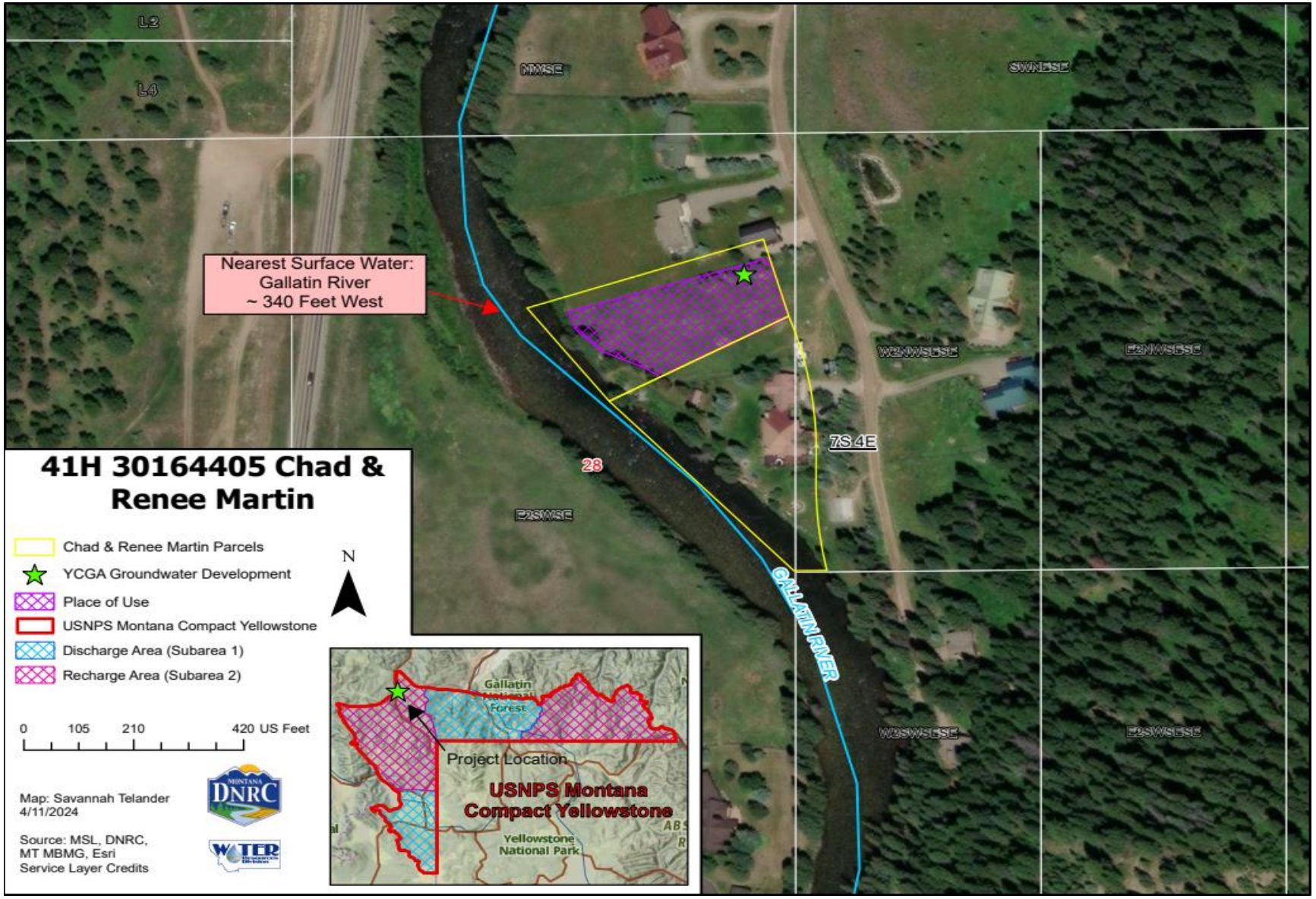

Figure 1. Map of YCGA area affected by project

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The Applicant proposes to pump a maximum of 18 GPM not to exceed 2.3 AF per year of water for domestic from 1/1-12/31, stock from 1/1-12/31, and lawn and garden use from 4/1-10/31. The well is located on private property in Gallatin Gateway, MT, and is located within the YCGA. The water from this well measured 50 degrees Fahrenheit at the wellhead. The water had a specific conductance of 1100 micromhos when measured later at Bridger Analytical Lab on March 22, 2024. This water right will be associated with Provisional Permit 41H 30162614, as the water rights share the same well. The total flow rate for the well will be 18 GPM up to 2.3 AF per year.

   The National Park Service (NPS) has received notification of this Application. If they do not object, a permit will be issued.

6. Agencies consulted during preparation of the Environmental Assessment:
   - Montana Department of Fish, Wildlife & Parks (DFWP) – Montana Fisheries Information System (MFISH)
     https://myfwp.mt.gov/fishMT/explore
   - Montana Department of Environmental Quality (DEQ) – Clean Water Act Information Center (CWAIC)
     https://clean-water-act-information-center-mtdeq.hub.arcgis.com/
   - Montana National Heritage Program (MTNHP) – Species of Concern:
     https://mtnhp.org/mapviewer/?t=7
   - U.S. Fish & Wildlife Service (USFWS) – National Wetlands Inventory Wetlands Mapper
     https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper
   - Natural Resource Conservation Service (NRCS) – Web Soil Survey (WSS)
     https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

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 impact. The source of water is groundwater, which is not listed by DFWP. However, the well is located approximately 340 ft from the Gallatin River. As determined by a search of MFISH, conducted on December 11, 2024, the Gallatin River is not listed as chronically or periodically dewatered by DFWP. The well's proposed flow rate of 18

GPM and annual volumetric usage of 2.3 AF will not have a significant impact on nearby surface water flow or water users.

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 impact. The source of water is groundwater, which is not listed by the Montana Department of Environmental Quality (DEQ) on the CWAIC website. Adjacent surface water quality is not likely to be affected by the proposed well, as Donald Maxwell Jr. of Diamond M Drilling Inc, a licensed driller (license number WWC-597), has constructed the well in accordance with the rules of the Board of Water Well Contractors.

A December 11, 2024, search of the CWAIC website lists the nearby stretch of the Gallatin River, from the Yellowstone National Park boundary to the confluence with Spanish Creek, as multiple beneficial uses have been assessed as being impaired or threatened, and a TMDL is required to address the factors causing the impairment or threat. The DEQ 2020 assessment of the middle segment of the Gallatin River found excessive algae as the pollutant not fully supporting primary contact recreation and aquatic life beneficial uses. The assessment does fully support agricultural and drinking water uses. This well is unlikely to impact the 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: No significant impact. The source of water is groundwater. Groundwater quality is not likely to be affected by the proposed well, Donald Maxwell Jr. of Diamond M Drilling Inc., a licensed driller (license number WWC-597), has constructed the well in accordance with the rules of the Board of Water Well Contractors.

The well is located approximately 340 ft from nearby surface water in the Gallatin River. The proposed 18 GPM up to 2.3 AF per year are not likely to have a significant impact on surface water flows, nor are they likely to have a significant impact on nearby water right owners. Water use will be measured with a meter supplied by Montana Department of Natural Resources (DNRC).

The U.S. NPS has been notified of this application pursuant to the State of Montana/U.S. NPS Compact, Article II, Section B.2.b.ii.3.(b).

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. Water will be diverted using a well with a pump, and use will be measured using a meter supplied by DNRC. Donald Maxwell Jr. of Diamond M Drilling Inc, a licensed driller (license number WWC-597), has constructed the well in accordance with the rules of the Board of Water Well Contractors. The diversion works should not create

significant channel impacts, flow modifications, or barriers. No significant impacts to existing resources have been identified.

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. A search of the MTNHP website on December 11, 2024, for Section 28, Township 7 South, Range 4 East, Gallatin County returned the following results:

- 4 animal Species of Concern: Brewer's Sparrow, Clark's Nutcracker, Evening Grosbeak, and Golden Eagle
- 2 animal Potential Species of Concern: Uinta Ground Squirrel and Broad-tailed Hummingbird
- 1 animal Special Status Species: Bald Eagle
- 0 Plant Species of Concern
- 0 Plant Potential Species of Concern
- 0 Plant Special Status Species

As this proposed project is to divert water from a well located on private property, the groundwater use should not influence surface water flows to significantly impact to threatened, endangered, or special concern species. The pumping of groundwater will not decrease surface water flows to significantly impact any of these 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: Not applicable. According to a December 11, 2024, search of the USFWS Wetlands Mapper, no wetlands exist in the area. No wetlands are involved in the project.

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

Determination: Not applicable. No ponds are involved in the 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: No significant impact. This well has been constructed by Donald Maxwell Jr. of Diamond M Drilling Inc, a licensed driller (license number WWC-597), in accordance with the rules of the Board of Water Well Contractors, so there should not be significant impacts on nearby streambanks and vegetative cover. Use of water will continue in a manner consistent with

locally accepted, historic practices and will not significantly impact soil quality. The NRCS Soil Survey website, queried on December 11, 2024, describes the project area as low surface salinization risk. The project is not expected to increase saline seeps 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: No significant impact. This well has been constructed by Donald Maxwell Jr. of Diamond M Drilling Inc, a licensed driller (license number WWC-597), in accordance with the rules of the Board of Water Well Contractors, so there should not be significant impacts on nearby streambanks and vegetative cover. A small area was disturbed by drilling the well, but this should have no significant impact on the surrounding area's vegetative cover, and neither should it allow the establishment of noxious weeds. Under Montana law, owners are responsible for noxious 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. No deterioration of air quality will result from the drilling of this well or diversion of water from it.

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: Not applicable. The project is not located on State or Federal Lands. Furthermore, the Applicant made no mention of significant historical or archeological sites on the property.

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 impact. No other demands on environmental resources of land, water, and energy are anticipated.

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 impact. Drilling wells for water supply and using water for domestic, stock, and lawn & garden are locally accepted practices within the state of Montana and the Gallatin Gateway 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: No significant impact. Significant recreational and wilderness activities exist in the area, but the proposed project is located on small parcel of private property in a rural neighborhood 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: No significant impact. The water will be used to supply one home for domestic purposes. A March 2011 DEQ Fact Sheet entitled "Individual Drinking Water Wells – Water Quality Monitoring & Treatment" notes that water quality from individual drinking water wells is monitored only by the owner and is generally not subject to any drinking water standards. The Applicant maintains sole responsibility for testing and treatment of water for any and all domestic purposes. The use of water for lawn and garden irrigation and stock will not impact 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: The project does not impact government regulations on private property rights.

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. This permit would allow the Applicant to water their lawn.

(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 have been identified.

Cumulative Impacts: No cumulative impacts have been identified.

3. ***Describe any mitigation/stipulation measures:***

Pursuant to the State of Montana/ NPS Compact, the Applicant will install a totalizing water use meter provided by the Department to measure the total volume of water used. The Applicant will report this volume to the Montana Bureau of Mines and Geology annually.

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:***

If the Applicant is not able to divert water from the existing well at the requested flow rate, they will be limited to diverting water under existing Permit 41H 30162614 at 10 GPM up to 2.3 AF. The no action alternative would be to not divert water from the well, which could leave the Applicant's house, stock, and lawn and garden without water.

Part III. Conclusion

1. ***Preferred Alternative:*** The preferred alternative is to obtain a water right permit to use the drilled well.

2. ***Comments and Responses:*** None 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: The EA is the appropriate level of analysis because the proposed project is to divert from an existing groundwater well in the YCGA for the domestic use of one house, stock

use for two horses, and seasonal lawn & garden watering of 0.5 acres, which are locally accepted practices. No significant impacts are anticipated. None of the identified impacts for any of the alternatives is significant as defined in ARM 36.2.524.

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

Name: Derek Rasmussen
Title: Water Resource Specialist
Date: 12/11/2024