

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:
Peak Health Management Company LLC
3565 Pattee Canyon Road
Missoula, MT 59803-1826
2. Type of action: Groundwater Application for Beneficial Water Use Permit No. 76H 30150412 & Application to Change an Existing Irrigation Water Right No. 76H 30150414
3. Water source name: Groundwater & Bitterroot River, respectively
4. Location affected by project: Township 12N, Range 20W, Missoula County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The Applicant proposes to divert water from groundwater by means of two wells, GWIC ID # 67088 in the NWNWSE Section (Sec) 2, Township (T) 12N, Range (R) 20W, Missoula County, and GWIC ID #67089 in the SWNWSE Sec 2, T12N, R20W, Missoula County. The proposed period of diversion is from January 1 to December 31 at the currently issued flow rate of 120 GPM up to 19.86 AF, for commercial use from January 1 to December 31. The proposed place of use is generally located at Peak Health Management Company Facilities, including the Peak Main Facility and Peak Racquet Club, and at Watson's Children Center, in the NESW Sec 2, T12N, R20W, Missoula County. The permit application is for additional volume to supplement existing Provisional Permit 76H 62593-00 and Groundwater Certificate 76H 65902-00. The irrigation change application is to mitigate depletions to the Bitterroot River caused by the proposed additional volume being requested. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met. 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:

Montana Natural Heritage Program - Species of Concern
Montana Department of Fish, Wildlife and Parks - 2005 Dewatered Stream List, 2022 Dewatered Streams Map
Montana Department of Environmental Quality – 303(d) List of Impaired Streams, Montana Impaired Waters 2020 Maps, 2022 Draft Bitterroot River Nutrient Protection Plan

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.*

Large portions of the Bitterroot River are identified as chronically dewatered. In the proposed project area, FWP has not classified the Bitterroot River as chronically dewatered, however, the Bitterroot River basin is closed to any new surface water appropriations or depletions to surface water. FWP co-owns large instream flow rights on the portion of the Bitterroot River in the proposed project vicinity. The proposed groundwater permit results in small depletions to the Bitterroot River. The proposed change application is meant to mitigate these depletions to the Bitterroot River so that there is no net impact on this waterway. Because this portion of the Bitterroot River is not identified as chronically dewatered in this stretch of the river due to the large instream flow rights, the proposed use cannot enhance a nonexistent dewatering situation.

Determination: No significant 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.*

The Bitterroot River is not listed by DEQ as having impaired water quality. In 2022, DEQ released a draft Bitterroot River Nutrient Protection Plan, explaining that there is no nutrient impairment in the Bitterroot River, but that growing development in the region make this a key river to watch. The proposed additional volume from a preexisting groundwater development and proposed water left instream would not affect water quality negatively.

Determination: No significant impact.

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.*

The DNRC determined in their mitigation and depletion report that there is plenty of groundwater availability. The DNRC also identified depletions to the Bitterroot River, but there is physical availability of water in this region of the Bitterroot River and proposed mitigation water.

Determination: No significant impact.

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.

The diversion works already exists. No new construction is set to occur.

Determination: No significant impact.

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.”

The Montana Natural Heritage Program was used to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern”, that could be impacted by the proposed project.

The Montana Natural Heritage Program identified the following species with habitat in Township 12N, Range 20W, Missoula County.

Species Group:	Species Names:
Mammals	Fisher, Grizzly Bear
Birds	Black-backed Woodpecker, Bobolink, Brewer’s Sparrow, Brown Creeper, Cassin’s Finch, Clark’s Nutcracker, Evening Grosbeak, Flammulated Owl, Golden Eagle, Great Blue Heron, Great Grey Owl, Lewis’s Woodpecker, Pacific Wren, Pileated Woodpecker, Varied Thrush, Veery
Reptiles	Western Skink
Fish	Bull Trout, Westslope Cutthroat Trout
Invertebrates	Suckley Cuckoo Bumble Bee, Monarch, Hooked Snowfly, Western Pearlshell, A Subterranean Amphipod
Vascular Plants	Alpine Collomia, Short-pointed Flatsedge, Spiny-spore Quillwort, Stalk-leaved Monkeyflower, Annual Muhly, Toothcup, Columbia Water-meal

The proposed project is using additional groundwater from existing wells in existing facilities. Because the proposed additional volume would deplete the Bitterroot River, there is a joint change application to change an existing irrigation water right to mitigation water and leave that water instream. The irrigation water right is no longer utilized to irrigate because a public school was built where the irrigated land had been. Given that all the development related to this project has already occurred, and the proposed project is alongside a busy highway, any impacts to sensitive species have likely already occurred. No new impacts to sensitive species are anticipated.

Determination: No significant impact.

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: N/A this project does not involve wetlands.

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

Determination: N/A this 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.*

No new construction or development is proposed to occur. This application is strictly for additional volume from an existing well for existing facilities and mitigation of depletions to the nearby Bitterroot River caused by the additional volume.

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.*

No new construction or development is proposed to occur. More water is proposed to be diverted from an existing well, which would not have an impact on vegetative cover or noxious weeds.

Determination: No significant impact.

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

No impacts to air quality are anticipated from the proposed increase in water volume used.

Determination: No significant impact.

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.*

Determination: N/A 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.*

All impacts have been identified and discussed.

Determination: No significant impact.

HUMAN ENVIRONMENT

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

Peak Health Management Company LLC facilities are not located in an area with any adopted zoning or land use plans.

Determination: No significant 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.*

N/A – the proposed project is to provide additional water supply to an indoor recreational facility. No negative recreational access impacts are projected to occur if additional water is authorized for this facility.

Determination: No significant impact.

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

The proposed additional volume of water from an existing well is unlikely to have any negative impacts on human health.

Determination: No significant impact.

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? None identified.
- (b) Local and state tax base and tax revenues? None identified.
- (c) Existing land uses? None identified.
- (d) Quantity and distribution of employment? None identified.
- (e) Distribution and density of population and housing? None identified.
- (f) Demands for government services? None identified.

- (g) Industrial and commercial activity? None identified.
- (h) Utilities? None identified.
- (i) Transportation? None identified.
- (j) Safety? None identified.
- (k) Other appropriate social and economic circumstances? None identified.

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

Secondary Impacts: None identified.

Cumulative Impacts: None identified.

3. Describe any mitigation/stipulation measures:

No reasonable alternatives were identified in the EA.

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:

Not applicable.

PART III. Conclusion

1. Preferred Alternative: None identified.

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:

AN EA IS THE APPROPRIATE LEVEL OF ANALYSIS FOR THE PROPOSED ACTION BECAUSE NO SIGNIFICANT IMPACTS WERE IDENTIFIED.

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

Name: Caitlyn Stevens
Title: Water Resource Specialist
Date: July 18, 2024