

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  
PO Box 1330  
Columbus, MT 59019
2. *Type of action:* Application for Beneficial Water Use Permit
3. *Water source name:* Groundwater
4. *Location affected by project:* SENE and NESE Sec. 27, NWSW and SWNW Sec. 26, T2S, R20E, Stillwater County.
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*  
Stillwater Mining Company is requesting a beneficial water use permit to divert 385 GPM flow up to 115.2 acre-feet per year from groundwater by means of two wells to use for industrial purposes in the S2S2NE, N2N2NESE Sec. 27, and in the NWSW and SWSWNW Sec. 26, T2S, R20E, Stillwater County. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.
6. *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)  
Montana Sage Grouse Habitat Conservation Program  
United States Fish and Wildlife Service  
United States Natural Resource and Conservation Service

**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 Department analysis shows that the proposed groundwater appropriation will deplete the Yellowstone River downstream of the southeast corner of Sec. 27, T2S, R20E, Stillwater County. The Yellowstone River is listed as periodically dewatered from Hunters Creek in Sec. 15, T1S, R12E, Park County, to Government Lot 8 (SWSW) Sec. 22, T5N, R34E, at the Yellowstone-Treasure County line. Department analysis of physical and legal availability shows that there is water in the Yellowstone River in excess of this request and all legal demands within the area of potential impact throughout the proposed period of diversion and use. The use of 385 GPM up to 115.2 AF/YR should not worsen the periodic dewatering of this source.

**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 depleted surface water source, Yellowstone River, from Bridger Creek to the City of Laurel's public water supply intake is listed as water quality category 2 by DEQ. This category is for waters where some, but not all of the beneficial uses are supported. This source is listed as fully supporting aquatic life, agriculture and primary contact recreation. The assessment says there was insufficient information for drinking water. The proposed use of groundwater for industrial use is expected to be 100 percent consumed and therefore, should not further impair water quality on the depleted surface water source.

**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 aquifer test data shows there is enough water in the source aquifer to support the existing use as well as the proposed use. There should be no significant impact to the quality of groundwater due to the proposed use. Department analysis shows that there will be no significant impact on surface water flows due to the proposed use.

**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 diversion would be two groundwater wells. The wells will be drilled by a licensed water well contractor. Department analysis of groundwater and surface water availability indicate there should be no impact to the channel, flow modification, barriers, riparian areas dams or well construction.

## **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 Impact

The Natural Heritage Program identified the following species of concern, potential species of concern or special status species within the project area: Western Milksnake, Black-tailed Prairie Dog, Rocky Mountain Cutthroat Trout, Great Blue Heron, Cassin’s Finch, Yellow-billed Cuckoo, Black-billed Cuckoo, Pinyon Jay, Bald Eagle, Golden Eagle, Northern Hoary Bat, Evening Grosbeak, Bobolink, and Spiny Softshell. The place of use is already industrialized, the use of groundwater for industrial use should not affect any species of concern or create a barrier to the migration or movement of fish or wildlife.

**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:* No Impact

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:* No impact

There are no ponds associated with this water right application.

**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 Impact

The soils in the proposed place of use are mainly Lardell clay loam, which are somewhat poorly drained, and strongly saline. The use of this groundwater for industrial purposes and for dust abatement on roads should not cause saline seep.

**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 Impact*

The land owner is expected to prevent the establishment or spread of noxious weeds 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 Impact*

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: 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 Impact*

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: No Impact*

This proposed use is not inconsistent with locally adopted environmental plans and goals for Stillwater County.

**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 Impact*

The project is located on private land; this project should have no new impact on recreational or wilderness activities.

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

*Determination:* No significant Impact

The project would have no impact on public 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:* 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    None identified.

Cumulative Impacts    There are no other pending applications on this source of water.  
There should be no significant cumulative impacts.

**3. *Describe any mitigation/stipulation measures:*** There are no mitigation or stipulation

measures required.

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 reasonable alternatives are to grant the application, to advise the Applicant to propose a different application, or the no action alternative. Granting the application would allow the Applicant to use groundwater for industrial purposes. The Applicant has historically used treated water from the Town of Columbus for their industrial process, they could continue that practice if the permit were denied. The no action alternative would prevent the Applicants from using groundwater in their industrial process.

### ***PART III. Conclusion***

1. ***Preferred Alternative*** To authorize the beneficial water use permit.

2. ***Comments and Responses***

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 Schweigert

*Title:* Hydrologist

*Date:* May 6, 2025