

**FINDING OF NO SIGNIFICANT IMPACT  
FOR THE NINE MILE COUNTY WATER AND SEWER DISTRICT  
NEW WATER SYSTEM**

**TO: ALL INTERESTED PERSONS**

Date:	Feb 4, 2020
Action:	Funding Drinking Water System Installation
Location of Project:	Nine Mile County Water and Sewer, Toole County, Montana
DEQ DWSRF Loan:	\$3,499,400
DOC TSEP Grant:	\$ 750,000
USACE WRDA Grant:	\$ 295,000
Local Funds:	<u>\$ 1,000</u>
Total Project Cost:	\$4,545,400

An environmental assessment (EA) has been prepared by the Montana Department of Environmental Quality (DEQ) for proposed funding for Nine Mile County Water and Sewer District's new water distribution system. The proposed improvements include the installation of approximately 38 miles of water distribution pipe and 17 miles of water service pipe. The pipe will range in size from one to four inches and will be high density polyethylene (HDPE) or polyvinyl chloride (PVC) pipe. The project will include three primary connection points to the North Central Montana Rural Water Authority's (NCMRWA) water system. The District will purchase water from the NCMRWA. The project will also include all associated valves, fitting, meters, controls, appurtenances, and surface repair. The purpose of the project is to provide drinking water to the residents of the Nine Mile Water and Sewer District.

The Nine Mile Water and Sewer District is located due east of the Town of Sunburst, Toole County, along Interstate 15. The service area is approximately 130 square miles. The human environment affected will include residents of the District. Based on the EA, the project is not expected to have any significant adverse impacts upon terrestrial and aquatic life or habitat, including endangered species, water quality or quantity, air quality, geological features, cultural or historical features, or social quality.

As indicated above, this project will be funded in part with a low interest loan through the Montana Drinking Water State Revolving Fund (DWSRF) Program, administered by the Montana DEQ and the Montana Department of Natural Resources and Conservation. The loan will be repaid by a General Obligation Bond tax assessment.

The DEQ utilized the following references in completing its EA for this project: a Uniform Application and Uniform Environmental Checklist for Montana Public Facility Projects, a Nine Mile Water and Sewer District Preliminary Engineering Report (dated May 2016) and a Nine Mile Water Project Engineering Design Report (dated February 2019) all prepared by KLJ Engineering, the community's consulting engineer. In addition to these references, letters were sent to: Montana Department of Environmental Quality (MDEQ), Montana Department of Fish, Wildlife & Parks (FWP), Montana

Department of Natural Resources & Conservation (DNRC) Floodplain Management, Montana State Historic Preservation Office (SHPO), US Army Corp of Engineers (USACE), Montana Department of Transportation (MDOT), and the US Forest Service. Response letters have been received from the MDEQ, DNRC, SHPO and the USACE. These references are available for review upon request by contacting:

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Montana DEQ  
State Revolving Fund Program  
P.O. Box 200901  
Helena, MT 59620-0901  
Phone (406) 444-5316  
Email: rashton@mt.gov

or

Mike Wallewein, District Chairman  
Nine Mile County WSD  
P.O. Box 129  
Sunburst, MT 59482  
(406) 450-2775

Comments on this finding or on the EA may be submitted to DEQ at the address spelled out above. After evaluating substantive comments, DEQ may revise the EA or determine if an EIS is necessary. This finding will stand if no substantive comments are received during the 30-day comment period or if substantive comments are received and evaluated and the environmental impacts are still determined to be non-significant.

Signed,



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Mark Smith, DWSRF Program Manager  
Engineering Bureau

# NINE MILE COUNTY WATER AND SEWER DISTRICT – NEW WATER SYSTEM

## ENVIRONMENTAL ASSESSMENT

### I. COVER SHEET

#### A. PROJECT IDENTIFICATION

Applicant: Nine Mile County Water and Sewer District, Montana  
Address: P.O. Box 129, Sunburst, MT 59482  
DEQ E.Q. No. 19-1831

#### B. CONTACT PERSON

Name: Mike Wallewein, Chairman  
Nine Mile County Water and Sewer District  
Address: P.O. Box 129  
Sunburst, MT 59482  
Telephone: (406) 284-3235

#### C. ABSTRACT

The Nine Mile County Water & Sewer District (the District) does not currently possess any water facilities or infrastructure to provide drinking water to its residents and the residents do not have a reliable source of potable drinking water. The few residents that have hand dug water wells or natural springs have found the water to be highly contaminated with alkali and other constituents making the water unfit for both human and livestock consumption. Therefore, residents must purchase and haul water from the Town of Sunburst. Some residents haul as much as 6,000 to 7,000 gallons per week during the summer for domestic, livestock and agriculture use. The water is transported by trucks and tankers to resident's privately-owned cisterns.

The District, through a 2016 Preliminary Engineering Report (PER) prepared by KLJ Engineering, investigated the needs of their residents to obtain safe drinking water. The PER examined the current situation and potential alternatives to provide a source that can supply high quality water at sufficient quantities. The recommended alternative included in the 2016 PER was to install a new water distribution with a connection to the Town of Sunburst's water system. This alternative would require the addition of a booster station and at least one new well to meet the combined demand of the Town of Sunburst and the District.

Following the 2016 PER, North Central Montana Regional Water Authority (NCRMWA) announced planned construction of segment W5 which would connect the District to water supplied by the City of Shelby. The accelerated timeline for segment W5 meant that a reliable supply of water from NCRMWA would be available to the District without the addition of a booster station and well which would be required with a connection to the Town of Sunburst. With this new finding, an analysis was conducted to determine feasibility, cost and other factors all of which is detailed in the 2019 Engineering Design Report prepared by KLJ Engineering. Based on the analysis, the Engineer's recommendation and the selected alternative was to install a new water distribution system throughout the District and connect the new system to segment W5 of the NCRMWA water project. The District's new water system alternative includes the following improvements:

#### Distribution Main Installation

- Install approximately 38 miles of high density polyethylene (HDPE) or polyvinyl chloride (PVC) pipe ranging in size from 2 to 4 inches with all associated valves, meter pits, blow off hydrants, fittings and surface repair.

#### Service Line Installation

- Install approximately 17 miles of HDPE or PVC service lines ranging in size from 1 to 1.5 inches pipe with all associated fittings, pressure reducing valves and connecting the services to the existing private cisterns.

#### Connection to the NCMRWA

- The new District's distribution system will be connected to the NCMRWS water system at three primary points resulting in three water distribution lines (see Schedule A, B and C in Figure 1). This work will include all associated vaults, meters, pressure reducing valves and surface repair.

The project will be funded by a combination of federal and state grants as well as loans. This Environmental Assessment (EA) examines the proposed infrastructure and construction locations as described in the project Plans and Specifications and Design Report submitted in 2019. Based on this review, environmentally sensitive characteristics such as wetlands, floodplains and threatened or endangered species are not expected to be adversely impacted as a consequence of the proposed District project. No significant long-term environmental impacts were identified.

Under Montana law (75-6-112, MCA), no person, including a municipality or county, may construct, extend or use a public water system until the DEQ has reviewed and approved the plans and specifications for the project.

The DEQ Engineering Bureau has prepared this EA to satisfy the requirements of the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA).

#### D. COMMENT PERIOD

Thirty (30) calendar days.

## II. PURPOSE AND NEED FOR ACTION

The residents of the District do not have a reliable source of clean, potable water for domestic use. The few residents that do have access to a water source (either a hand dug water well or natural spring) have found the water to be highly contaminated with alkali and other constituents making it unfit for both human and livestock consumption.

Residents in the District purchase and haul water from the Town of Sunburst. The Town of Sunburst obtains its water from two groundwater wells located due west of town. Some District residents haul as much as 6,000 to 7,000 gallons per week during the summer for domestic, livestock and agriculture use. The water that is transferred by trucks and tankers is then gravity fed into cisterns which are privately-owned by the residents. With each transfer point (the Town of Sunburst water source/water truck/cistern) exposure to potential pathogens and other contaminants is increased.

### III. ALTERNATIVES INCLUDING THE PROPOSED ACTION AND COSTS

Alternatives analyzed in the 2016 PER and the 2019 Engineering Design Report are discussed below.

#### A. NO ACTION

The “no action” alternative was not considered beyond the initial screening stage. This alternative will not remedy the problems currently experienced by District residents regarding lack of potable water.

#### B. ACTIONS CONSIDERED BUT NOT PURSUED

The 2016 PER presented the following alternatives:

- Utilize water supplied by a neighboring water district, such as the Oilmont County Water District (OCWD). This alternative was determined to not be a viable option as the OCWD does not have the source capacity to meet current demands for both its residents and the residents of the District.
- Utilize water supplied by the Town of Sunburst. It was determined that the Town of Sunburst did have the source capacity to meet both its residents and the residents of the District’s needs; however, the Town was just short of meeting the capacity with the largest producing well out of service (Circular DEQ 1 Standards for Water Works, 2018). Therefore, in addition to the implementation of a water distribution system with high pressure pipe and a booster station, this option would require drilling a new well to supplement the existing two wells. Another alternative when using the Town of Sunburst as a source was to have multiple booster stations and standard pressure pipe.

The 2016 PER examined the capital costs and net present worth costs of the viable alternatives to correct the water supply problems. In addition to cost analyses, the 2016 PER included an impact analysis of the alternatives based on technical feasibility, environmental impacts, financial feasibility, public health and safety, operation and maintenance and public comments. After consideration of these criteria, the 2016 PER recommended a connection to the Town of Sunburst which included installing a new well, a single booster station and distribution piping. However, after completion of the 2016 PER, another water source option for the District arose and connecting to the Town of Sunburst was no longer the preferred alternative.

#### C. PROPOSED ACTION

After completion of the 2016 PER, NCMRWA announced its plans to construct segment W5 which would provide water from NCMRWA to the City of Shelby. The accelerated timeline for segment W5 meant that a reliable supply of water from NCMRWA would be available to the District via the City of Shelby without the addition of a new booster station and a well. Based on this information, the preferred alternative was to connect the District distribution system to segment W5 of the NCMRWA project via the City of Shelby.

#### Cost

For the proposed new distribution system and connection to the NCMRWA system, the District has received the following funding commitments:

\$ 750,000	Grant – Montana Department of Commerce/Treasure State Endowment Program (TSEP)
\$ 1,000	Local funds
\$ 295,000	Grant – US Army Corps of Engineers Water Resource Development Act (WRDA)
\$3,499,400	Loan – Montana Department of Environmental Quality, Drinking Water State Revolving Fund Loan Program (DWSRF). This amount includes \$500,000 that may be forgiven.

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**\$4,545,400 Total Project Funding**

The District expects to complete all the proposed water system improvements with the committed funding. However, the District has applied for additional grant funds to help with project costs and this will lower the user rates.

User Rates

Due to pending applications for additional grant funds, the final rates and charges are unknown but expected to be between \$300 and \$400 per month per residence.

IV. AFFECTED ENVIRONMENT

A. STUDY AREA

The District is located in north central Montana, along I-15, approximately 8.5 miles south of the U.S./Canadian border and just east of the Town of Sunburst, Montana. The District lies within Toole County. The planning area considered in this report includes an area approximately 130 square miles, directly east of Sunburst. The District is generally positioned in 4 different Townships; 37N:2-1W and 36N:2-1W. The approximate latitude and longitude of the District center is 48°55' 18" N, 111°47' 35" W, respectively. An aerial photograph indicating the general location of the planning area and proposed distribution pipe alignment is included in Figure 1.

The community, including the District and surrounding areas, was founded in 1923 and shortly after grew as a result of the oil industry boom near the Kevin-Sunburst Oil field. Presently, most of the surrounding land remains contaminated by the Texaco Oil refinery, and is largely undeveloped. The major industry for the District and surrounding areas is agriculture, including livestock and farming operations.

The proposed new distribution system will be located on private property with established utility easements for the approximate 55 miles of distribution main and service lines. The water supply pipeline, associated with the NCMRWA system, is discussed separately in NCMRWA environmental review documents.

B. POPULATION AND FLOW PROJECTIONS

Population Projections

Populations projections for the District are based on a design period of 20 years from 2016 to 2036. The District's water needs will depend on the rate of growth of the community. Since Toole County has seen a growth rate of 5.5 percent in the last 20 years, an annual growth rate of 1.0 percent will be assumed for the District as a conservative estimate for water facility planning. With a current population of 110 people (2016), this correlates to a design year (2036) population of 133 people.

### Flow Projections

The recently established District has no historical records regarding water use. For those members who have been purchasing water from the Town of Sunburst and hauling it to their private cisterns, no reliable records have been kept as to the quantity of water purchased. However, water use data from the Town of Sunburst provides a reasonable estimate for the average water use per capita in the area, and has been used to estimate the water demands of the District. The projected flows are shown in Table 3.2.

Table 3.2 – District Flow Projections

YEAR	POPULATION	AVG. <i>GPCD</i>	AVG. <i>GPD</i>	AVG. <i>GPM</i>
2016	110	131	14,415	10
2026	121	131	15,856	11
2036	133	131	17,442	12

AVG. *GPCD* – Average gallons per capita per day

AVG. *GPD* – Average gallons per day

AVG. *GPM* – Average gallons per minute

### C. NATURAL FEATURES

The District is located between the central part of the Rocky Mountain Front Range and the Sweet Grass Hills in the glaciated central groundwater region of Montana (Heath, 1984). The mean elevation for the 130 square miles the district encompasses is approximately 3,500 feet. The District is located in the Marias Watershed, U.S. Geological Survey (USGS) hydrologic unit code (HUC) Number 10030203. This hydrologic unit is located within the Lower Missouri River Watershed Management Region of Montana.

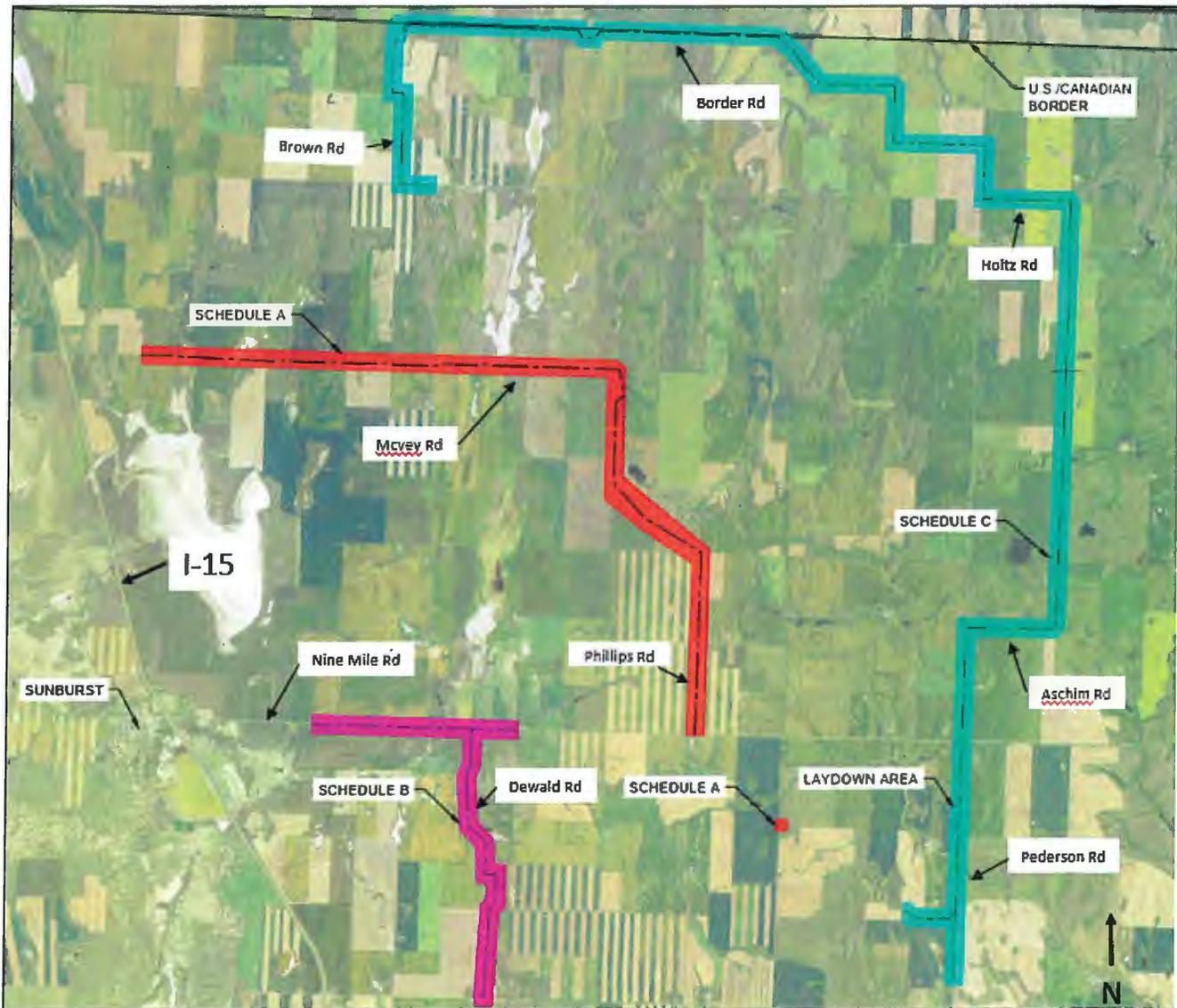
The Upper Milk Watershed hydrologic unit is the catchment basin for 140 square miles of northern Toole and Glacier counties. It includes numerous coulee drainages and seasonal lakes between (but not including) the Big Rock Coulee and the Sweet Grass Hills. The Marias Watershed hydrologic unit is the catchment basin for 14.2 square miles in primarily Toole, Liberty, Pondera, and Chouteau counties. It includes the Marias River and its tributaries from its origination north of Sunburst to the confluence with the Missouri River near Loma.

Soils within and around the District are primarily composed of a silty clay loam or a clay loam with a high pH. These geologic materials hinder or prevent the use of individual on-site water well systems. These soils are also conducive to the ponding of surface water. However, these surface ponds have excessively high levels of alkalinity that are unfit for livestock consumption.

### D. MAPS

Figure 1 shows the general location of the District and the new water distribution system (Schedules A, B, C).

Figure 1. General Location of the Proposed Distribution System (Connection to Shelby Not Shown)



V. DIRECT AND INDIRECT ENVIRONMENTAL IMPACTS OF PROPOSED PROJECT

No adverse impacts to the environment are anticipated by the installation of the proposed water distribution system.

A. DIRECT ENVIRONMENTAL IMPACTS

Soils Suitability, Topographic and Geologic Constraints

Soils in the area are suitable for the construction of the new District distribution system. Topography is appropriate for pipeline installation and concrete structures and will not result in environmental damage.

Land Use

Land use within the District has relatively little diversity, as it is predominately agriculture, including livestock and farming operations. Pipeline construction would disturb the land surface within the project area but would be short-term and would have minimal impacts. All of the vaults,

distribution mains, meter pits and service lines will be located within utility easements acquired for this project and existing roadway right-of-way's in which land use opportunities to residents within the project area are limited. Therefore, any restriction in surface or subsurface use associated with the pipeline would have a very minor and negligible effect on land use within the project area.

#### Floodplains and Wetlands

The Federal Emergency Management Agency (FEMA) has determined the District is outside the 500-year floodplain, with the exception of ephemeral lakes which are zoned as a "special flood hazard area." Due to the soil conditions, it is not uncommon for areas in the immediate vicinity of the District to experience higher levels of surface water in the spring as a result of rain and snow melt.

Surface water in the area consists of mostly intermittent streams and lakes. Since most of the proposed water distribution system is located within private farm land, it is anticipated the implementation of the distribution system will not impact existing wetlands. However, in areas where the new water mains will cross wetlands, the contractor will be required to install the pipe using trenchless methods (a boring machine will be used, and pipe will be pulled under the wetland areas).

#### Historical/Cultural Resources

The Montana State Historic Preservation Office (SHPO) was contacted to complete a cultural resource file search for the project area. A letter from SHPO stated that, "if the new distribution systems and service connections will be occurring in previously disturbed ground, or with in previously disturbed right-of-way, we feel there is a low likelihood cultural properties will be impacted."

The project construction specifications will require the contractor to notify SHPO, through the project engineer, in the event cultural materials are discovered during construction.

#### Biological Resources and Vegetation

The District lies in the Sweet Grass Hills of North-Central Montana. These hills are habitat for a variety of birds and small mammals; including badgers, antelope, deer, foxes, and coyotes. The only threatened or endangered species are known to or believed to occur within the Toole County Regions is the black-footed ferret. FWP has been contacted to provide additional input.

A letter from the United States Department of the Interior Fish and Wildlife Service said that "we do not anticipate adverse effects to threatened, endangered, proposed or candidate species or critical habitat to result from the project alternatives as proposed."

#### Surface Water and Groundwater

Surface water in the area consists of mostly intermittent streams and lakes. The proposed project will have no impacts on surface water/water quality, quantity or distribution. Likewise, the project will have no impact on groundwater resources.

#### Socio-Economic/Environmental Justice and Public Health

The population served by the proposed water distribution system is not considered to be disadvantaged either by minority or income status based on Federal and State guidelines. Based on data from the Department of Housing and Urban Development, Toole County has a low or moderate income (LMI) percentage of 39.5 percent according to the most recent 2010 census. The human health and environmental effects are not expected to be disproportionate to the benefits received by improvements to the proposed water distribution system.

### Air Quality

Short-term negative impacts on the air quality will occur from heavy equipment, dust and exhaust fumes during project construction. Proper construction practices and dust abatement measures will be implemented during construction to control dust, thus minimizing this problem.

### Energy

During construction of the proposed project, additional energy will be consumed resulting in a direct short-term increased demand on this resource. There will also be an increase in long-term energy use from the water supply pumps owned by NCMRWA that will pump water to the District. However, the increase is minimal and will not have a long-term impact on this resource.

### Noise

Short-term impacts from increased noise levels will occur during construction of the proposed project improvements. Construction activities are anticipated to last three to six months and will occur only during daylight hours. No long-term effects are anticipated.

## B. UNAVOIDABLE ADVERSE IMPACTS

Short-term construction related impacts, such as noise, dust and traffic disruption, will occur but should be minimized through proper construction management. Energy consumption during construction cannot be avoided.

## C. CUMMULATIVE IMPACTS

This project addresses the needs of the District and will have no subsequent negative cumulative effects on resources, ecosystems or human communities. The projected growth of District over the next 20 years is not expected to cause cumulative effects beyond the capacity of the resources. Further environmental analysis would be required for any discussion of cumulative impacts beyond this scope and time frame.

## VI. PUBLIC PARTICIPATION

The community planning process is led by a District Council consisting of four members elected by members of the District. The District meetings are held the first Thursday of every month at 7 P.M. and are open to the public.

In 2016, KLJ participated in the District board meetings in January, February and March and provided updates regarding the layout and preliminary routing of the proposed distribution system. KLJ received valuable feedback from the District residence and, when appropriate, incorporated those comments into the design of the water distribution system. A presentation was given by KLJ staff at a public meeting on April 21<sup>st</sup>, 2016 that explained the findings of the PER and recommendations for a path forward for the project.

## VII. AGENCY ACTION, APPLICABLE REGULATIONS AND PERMITTING AUTHORITIES

All water system improvements will be designed to meet Montana DEQ requirements. Proper State regulatory review and approval of the project plans and specifications will be obtained. All applicable local, federal and state permits will be acquired including, but not limited to, a stormwater discharge permit and a construction-dewatering permit, if needed.

All appropriate easements and access will be addressed with regards to the water system infrastructure. Land acquisition or long-term agreements will be established for the land requirements associated with the new water distribution system.

## VIII. REFERENCE DOCUMENTS

The following documents were utilized in the environmental review of this project and are considered to be part of the project file:

- A. Nine Mile County Water and Sewer District, Toole County, Montana – Preliminary Engineering Report (PER), May 2016, prepared by KLJ, Helena, Montana.
- B. Nine Mile County Water and Sewer District, Toole County, Montana – Engineering Design Report, February 2019, prepared by KLJ Engineering, Helena, Montana.
- C. Nine Mile County Water and Sewer District, Toole County, Montana – Uniform Application Form for Montana Public Facility Projects, August 2017, Prepared by the District.
- D. Uniform Environmental Checklist for Montana Public Facility Projects, April 2016, prepared by KLJ Engineering, Helena, Montana.

## IX. AGENCIES CONSULTED

Several federal and state government agencies were sent letters in March 2016 requesting a review of the proposed distribution system project. The agencies that provided comments include the following:

- A. Department of the Army – U.S. Corps of Engineers reviewed the project and a comment letter dated March 23, 2016 stated, “The mission of the Corps Regulatory Program is to protect the Nation’s aquatic resources while allowing reasonable development through fair, flexible and balanced permit decisions. In particular, under Section 404 of the Clean Water Act, we work to protect the biological, physical, and chemical integrity of the Nation’s aquatic resources.” The District will apply for all applicable permits and will minimize impacts to aquatic resources by using trenchless pipe installation methods when crossing area wetlands.
- B. Montana Department of Natural Resources and Conservation (DRNC) reviewed the project and a comment letter dated March 19, 2016 stated “In the event portions of the proposed project are located within a 100-year floodplain, I recommend you contact Darrel Stafford, the Toole County Floodplain Administrator for verification.” The majority of the project area lies within an area that is unmapped by FEMA and no impact on floodplains is anticipated from the project.
- C. Montana Historical Society’s Historic Preservation Office (SHPO) reviewed the project and a comment letter dated March 3, 2016, stated “If the new distribution systems and service connections will be occurring in previously disturbed ground, or within previously disturbed right-of-way, we feel there is a low likelihood cultural properties will be impacted. However, if there is to be new ground disturbance we would ask that you let us know the locations of the ground disturbance, so we can run a proper search of our database and inform you of any concerns we may have regarding disturbance of archaeological or historic properties.” The District design engineer will review the final pipe installation routing and request any needed inventory surveys by SHPO.
- D. Montana Department of Environmental Quality (MDEQ) responded with a letter dated March 11, 2016 stated, “Since the Department of Environmental Quality (DEQ) will be reviewing environmental documents, the preliminary engineering report, plans and specifications for the proposed project and issuing a permit to construct the new facilities, those reviews will

serve as DEQ's comments." The District will apply for all applicable permits and receive all necessary DEQ approvals before constructing the water distribution system

X. RECOMMENDATION FOR FUTURE ENVIRONMENTAL ANALYSIS

EIS

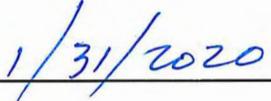
More Detailed EA

No Further Analysis

Rationale for Recommendation: Through this EA, the Montana DEQ has verified that none of the adverse impacts of the Nine Mile County Water and Sewer District Water Distribution System Project are significant. Therefore, an environmental impact statement is not required. Based on this EA, a Finding of No Significant Impact (FONSI) will be issued and legally advertised in the local newspaper and distributed to a list of interested government agencies. Comments regarding the project will be received for 30 days before final approval of the EA is granted. This environmental review was conducted in accordance with the Administrative Rules of Montana (ARM) 17.4.607 thru 17.4.610.

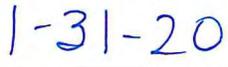
EA Prepared By:

  
\_\_\_\_\_  
Robert Ashton

  
\_\_\_\_\_  
Date

EA Reviewed By:

  
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Sandie Koeing, P.E.

  
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Date