

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:

Carol B. and Robert O. Senour
1000 East Balboa Boulevard, Apt. A
Newport Beach, CA 92661

2. Type of action: Surface Water Application for Beneficial Water Use Permit 76LJ
30162788

3. Water source name: Flathead Lake

4. Location affected by project: The place of use is located in the SESWSE Sec. 20 and
NENWNE Sec. 29, T25N, R20W, Lake County, Montana.

**5. Narrative summary of the proposed project, purpose, action to be taken, and
benefits:** The Applicants propose to divert and use water from Flathead Lake by means
of a submerged pump in the SWSWSE Section 20, T25N, R20W from January 1 –
December 31 for the domestic use of one household, and from April 15 – October 15 for
lawn and garden use over 0.24 acres. The maximum flow rate requested is 22 gallons per
minute (GPM) up to a volume of 1.6 acre-feet (AF) annually. 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:

Montana Department of Fish, Wildlife & Parks (DFWP)
Montana Department of Environmental Quality (DEQ)
Montana Natural Heritage Program Species of Concern Report
U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory
United States Department of Agriculture (USDA)
National Resource Conservation Service (NRCS) Web Soil Survey

Part II. Environmental Review

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.*

The Applicants propose to divert water from Flathead Lake, which has not been identified as chronically or periodically dewatered by the DFWP. The proposed appropriation of 22 GPM up to 1.6 AF per year has been determined to be both physically and legally available.

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.*

Flathead Lake has been assessed for beneficial uses by DEQ. Flathead Lake is identified by DEQ as fully supporting agriculture, drinking water, and primary contact recreation, and not fully supporting aquatic life. The Applicants' proposed pumping is not anticipated to have any impact on Flathead Lake.

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.*

This appropriation does not involve groundwater.

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 Applicants propose to pump water from Flathead Lake using a Goulds 18GS15, 1.5 horsepower 4-inch submersible pump that extends approximately 150 feet from the shoreline into Flathead Lake. The submersible pump will be located at a depth greater than 5 feet below the annual low water elevation and will include a plastic flow sleeve and check-valve. The pump will be controlled by an AQUAVAR SOLO variable frequency drive set to maintain a constant pressure of 50 psi. The water will be conveyed from the pump approximately 200 feet to the basement of the dwelling through a 1.25-inch high-density polyethylene (HDPE) pipe. The water appropriation shall be limited to 22 GPM up to 1.6 AF per year.

The proposed project shall not impact any channels, barriers, riparian areas, or dams.

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 website was reviewed to determine if there are any “threatened” or “endangered” fish, wildlife, plants, or aquatic species that could potentially be impacted by this project. “Species of special concern” were also included in this search.

According to the Montana Natural Heritage Program, 10 animal species and 1 plant species of concern are located in the area of potential impact. Two species are listed as “threatened” by the USFWS in this area: the Bull Trout (*Salvelinus confluentus*) and the Grizzly Bear (*Ursus arctos*).

Animal species of concern include:

Fisher (*Pekania pennanti*)

Grizzly Bear (*Ursus arctos*)

Bald Eagle (*Haliaeetus leucocephalus*)

Clark’s Nutcracker (*Nucifraga columbiana*)

Lewis’s Woodpecker (*Melanerpes lewis*)

Bull Trout (*Salvelinus confluentus*)

Pygmy Whitefish (*Prosopium coulterii*)

Westslope Cutthroat Trout (*Oncorhynchus clarkii lewisi*)

Plant species of concern include:

Columbia Locoweed (*Oxytropis campestris var. columbiana*)

This project is located on a developed shore of Flathead Lake and it is not anticipated that any of the species of concern will be impacted by the proposed project.

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.

No wetlands were identified within the project area.

Determination: No significant impact

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

No ponds exist within the project area.

Determination: No significant impact

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.*

According to the NRCS Web Soil Survey, the soil within the project area is Walstead-Rock outcrop complex, 15 to 30 percent slopes, lake effect. Soil in this area is well-drained, with a low water storage profile. Salinity properties of this soil are listed as non-saline to very slightly saline. The stability of the soil profile and moisture content will not be significantly altered. No degradation of soil quality shall occur.

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.*

Any impacts to existing vegetation will be within the range of current disturbances due to current land use practices. Noxious weeds are not expected to be established or spread due to the proposed project.

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 deterioration of air quality or adverse air quality impacts from increased air pollutants are expected due to this project. No air pollutants were identified as resulting from the Applicants' proposed use.

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. If it is not on State or Federal Lands simply state NA-project not located 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.*

No additional impacts to land, water, or energy have been identified and no further impacts are anticipated.

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.*

This project does not violate any known locally adopted environmental plans or regulations.

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.*

The proposed project will not inhibit, alter, or impair access to present recreational opportunities in the area. The project is not expected to create any significant pollution, noise, or traffic congestion in the area that may alter the quality of recreational opportunities. The proposed place of use and diversion do not exist on land designated as wilderness.

Determination: No significant impact

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

The proposed project creates no significant negative impact 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:

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: None identified

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: None identified

PART III. Conclusion

1. Preferred Alternative

Issue a water use permit if the Applicants prove the criteria in 85-2-311 MCA are met.

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:

No significant impacts related to the proposed project have been identified.

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

Name: Benjamin Thomas
 Title: Water Resource Specialist
 Date: 3/12/2024