EA Form R 1/2007

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: LaBudde Family Trust
933 ACM Rd S
Libby, MT 59923

2. Type of action: Application for Beneficial Water Use Permit 76N 30104596

3. Water source name: Thompson River (Middle Thompson Lake)

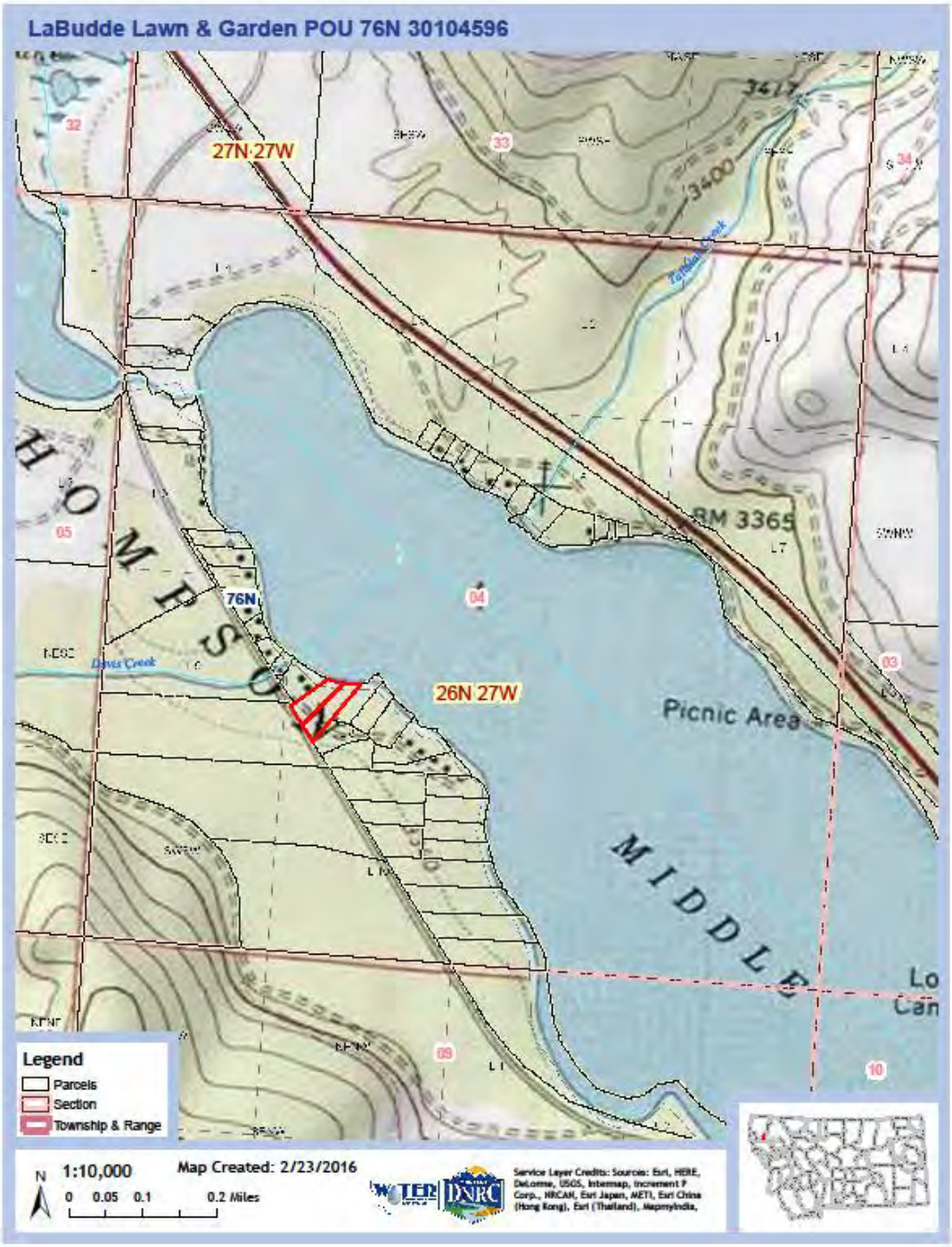
4. Location affected by project: Parcel A of Certificate of Survey 1990 and Lot 5B of the B-S Subdivision, both of which are located in the SWNESW Section 4, Township 26N, Range 27W, Lincoln County

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

   The Applicant is proposing to install a pump in Middle Thompson Lake, specifically located in the SWNESW Section 4, township 26N, range 27W, Lincoln County. The proposed appropriation is 25 gallons per minute (GPM) up to 1.75 acre-feet (AF) per year for lawn & garden irrigation of 0.7 acres. The proposed period of use is April 15-October 15.

   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
   National Wetlands Inventory
   USDA NRCS Web Soil Survey



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 supply is the Thompson River which has not been identified as chronically or periodically dewatered by the Montana Department of Fish, Wildlife, & Parks. The proposed appropriation is for 25 GPM up to 1.75 AF per year from the Thompson River; this flow and volume has been determined to be both physically and legally available from the 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 Thompson River has been assessed for beneficial uses by DEQ; it is identified by DEQ as fully supporting all beneficial uses. It is not anticipated that the Applicant's proposed pumping out of the Thompson River system at Middle Thompson Lake will have any impacts on water quality of the 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

This project does not involve pumping groundwater.

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 means of diversion is a submersible pump set in Middle Thompson Lake. It is not anticipated that there will be any channel impacts, flow modifications, barriers, dams, or riparian impacts to Middle Thompson Lake or the Thompson River related to installation of the diversion works.

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

The Montana Natural Heritage Program identified a list of 8 animal species of concern within the township and range that the project is in. None of the animal species are listed as "threatened" by the US Fish & Wildlife Service. No plant species of special concern were identified by the Montana Natural Heritage Program to potentially be in the project area. This project is located right on Middle Thompson Lake and it is not anticipated that any of the species of concern will be impacted by the proposed project.

Wolverine	Little Brown Myotis	Fisher	Great Blue Heron
Common Loon	Western Toad	Westslope Cutthroat Trout	Western Pearlshell

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 significant impact

There were no wetlands identified within the project area.

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

Determination: No significant impact

There were no ponds identified within the project area.

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 proposed beneficial use of this application is lawn & garden irrigation. It is not anticipated that this use will have an impact on the soil quality, stability, or moisture content. The soil in the project area is a Tamarack-Crystalex complex (0-4% slopes) which is well drained not identified as saline.

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

It is not anticipated that issuance of a water use permit will contribute to the spread of noxious weeds in the project area. Noxious weed prevention will be the responsibility of the landowner. The parcel has been developed as a residential property with landscaping.

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

There will be no impact to air quality associated with issuance of a water use permit.

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.*

Determination: No other potential impacts have been identified.

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 known environmental plans or goals will be impacted by this project.

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 access or recreational activities will be significantly impacted by this project.

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

Determination: This proposed project will have no significant impact on 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: No regulatory impacts are known.

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

(*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 significant impacts identified

Cumulative Impacts No significant impacts identified

3. ***Describe any mitigation/stipulation measures:*** None

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 only alternative to the proposed action would be the no action alternative. The no action alternative would not authorize the Applicant to use water from the Thompson River (Middle Thompson Lake) for lawn & garden irrigation of 0.7 acres.

PART III. Conclusion

1. ***Preferred Alternative***

Issue a water use permit if the Applicant proves 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: Nathaniel T. Ward
Title: Water Resource Specialist
Date: March 18, 2016