

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:

Tonia S. Gardner & Tyler L. Apgar
PO Box 9633
Kalispell, MT 59904

2. Type of action: Application for Beneficial Water Use Permit 76LJ 30116507

3. Water source name: Groundwater

4. Location affected by project: The place of use is Trumble Creek Acres Subdivision in the S2NW of Section 16, Township 29N, Range 21W, Flathead County, Montana

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

The Applicant proposes to divert groundwater for multiple domestic use January 1st thru December 31st and lawn and garden irrigation April 15th thru October 15th at a rate of 350 GPM up to 51.3 AF from two wells in the NESWNW of Sec 16, T29N, R21W, Flathead, Montana. This is a subdivision, a total of 31 lots will be developed and 20.2 acres will be irrigated. 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)**

- U.S. Fish and Wildlife Service and Montana Natural Heritage Program: Endangered, Threatened Species and Species of Special Concern, Wetland Mapper program
- Montana Department of Fish Wildlife & Parks (DFWP); Dewatered Stream Information
- Montana Department of Environmental Quality's (MDEQ) Clean Water Act Information and PWS Drinking Water Watch databases
- U.S. Natural Resource Conservation Service (NRCS); web soil survey
- Montana Historical Society

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.

The applicant proposes to divert groundwater; depletions to the following surface water sources could occur. The Stillwater River, Flathead River and Flathead Lake are not listed by DFWP as chronically or periodically dewatered. Upon analysis by the Department the source aquifer, Stillwater River, Flathead River, and Flathead Lake were found to have water in excess of that requested by the Applicant.

Determination: No 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.

According to the Montana Department of Environmental Quality's (MDEQ) Clean Water Act Information Center in 2018 the Flathead River was categorized as having insufficient data to assess any use. Flathead Lake fully supports drinking water, primary recreation, and agriculture. Aquatic life is not fully supported due to mercury, polychlorinated biphenyls, nitrogen and phosphorus. The Stillwater River fully supports drinking water, primary contact recreation, and agriculture. It was not fully supporting aquatic life due to alteration of riparian vegetation and sedimentation. The Applicant is proposing to utilize groundwater from two wells that potentially will reduce flow to the Stillwater River, Flathead River and Flathead Lake. The total volume of water potentially depleted from the two surface water sources is 19.1 GPM/month and is expected to have little or no effect on the water quality of these sources.

Determination: No 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 proposed use will reduce discharge from the source aquifer to the Stillwater River, Flathead River and Flathead Lake in an amount equivalent to their consumptive use. 30.8 AF of 51.3 AF of water that is diverted is consumed. Surface water was found to be legally available. Groundwater flow paths immediately surrounding the wells will be altered due to the proposed project. One water right is predicted to experience drawdown greater than 1 foot; after modeling the well is predicted to still have 85 feet of remaining water column. Groundwater and surface water quality will not be negatively impacted.

Determination: No 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 proposed appropriation will utilize two public water supply wells (PWS #1, GWIC # 295795 and PWS #2, GWIC# 295796). Both wells are completed in a confined gravel and sand aquifer referred to by the Montana Bureau of Mines and Geology (MBMG) as the Deep Aquifer. The two wells are 100 feet apart. According to well logs PWS #1 has a static water level of 23.9 feet below ground surface (bgs) and perforations from 320-332 ft bgs. PWS #2 has a static water level of 23.2 feet bgs. Perforations exist from 321-333 ft bgs. The wells were drilled by a licensed well driller (license # WWC-635) in accordance with MCA Title 37, Chapter 43 and ARM Title 36, Chapter 21. Each well will house a Peerless Pump Model 6HXB submersible pump with a Hitachi submersible 25-hp motor. Each pump is rated to produce 350 GPM at 212 feet of total dynamic head. The well pumps will run on an alternate schedule and never run simultaneously. Water from the wells will travel to a pump house which will house two pressure tanks. From the pump house water will travel through a 6-inch water main and then to 1-inch water lines which service each residence. The water system was designed by TD&H Engineering. The requested flow rate of 350 GPM is the maximum attainable flow rate of one well operating. Circular DEQ 1 requirements for public water supplies using groundwater require that a redundant well be completed so that systems can meet or exceed the peak instantaneous demand with the largest well out of service (See Circular DEQ 1 (3.2)). The proposed project shall not impact any channels, barriers, riparian areas and dams. Groundwater flow to surface waters will be modified; however, modeling done by Department hydrogeologists show that no significant negative impact will occur to existing water users and surface/groundwater resources.

Determination: No 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 and DFWP websites were reviewed 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.

According to the Montana Natural Heritage Program in Township 29N, Range 21W there are six plant species of concern. Deer Indian Paintbrush (*Castilleja cervina*), Latah Tule Pea (*Lathyrus bijugatus*), Spalding Catchfly (*Silene spaldingii*), Sparrow's-egg Lady's slipper (*Cypripedium passerinum*), Slender Cottongrass (*Eriophorum gracile*), and Short-beaked Aloe moss (*Aloina brevirostris*). Agriculture or human development has occurred on or around this parcel of land for many years; any impacts to sensitive plant species has most likely already occurred.

The Bull Trout (*Salvelinus confluentus*) is listed as threatened by the USFS. The Westslope Cuthroat Trout (*Oncorhynchus clarkii lewisi*) and Bald Eagle (*Haliaeetus leucocephalus*) are listed as sensitive by the USFS. The Pygmy Whitefish (*Prosopium coulteri*), Hoary Bat (*Lasiurus cinereus*), Little Brown Myotis (*Myotis lucifugus*), Great Blue-Heron (*Ardea Herodias*), Hooked Snowfly (*Isocapnia crinite*) and Alberta Snowfly (*Isocapnia integra*) are rated as S2 or S3 the state of Montana. Meaning their populations are potentially at risk because of limited and or declining numbers. An adequate quantity of water will still exist in all sources of water to maintain existing populations of fish should they exist there currently. Agriculture or human development has occurred on or around this parcel of land for many years; any impacts to sensitive mammal species most likely has already occurred. No impact.

Determination: No 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, project does not involve wetlands or critical riparian habitats

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

Determination: N/A, 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.*

According to soil survey data provided by the NRCS, soil within the place of use consists mostly of very fine sandy loam and silt loam. The soil drainage class is well drained; the capacity of the most limiting layer of soil to transmit water is moderately high (0.20 – 0.57 in/hour). Soils within the place of use are not susceptible to saline seep. The stability of the soil profile and moisture content will not be significantly altered with the use of groundwater within the subdivision. No degradation of soil quality shall occur.

Determination: No 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.*

The development of this subdivision will remove/disturb existing vegetation. Noxious weeds could be established or spread during construction. Grass yards are planned for each residence; eliminating any populations of noxious weeds that may have been established during construction.

Determination: No impact.

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

Adverse air quality impacts from increased air pollutants are not expected as a result of this project. No air pollutants were identified as resulting from the applicants proposed use of groundwater.

Determination: No 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 is not located on state or federal land.

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

Determination: No impact.

HUMAN ENVIRONMENT

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

The project is located in an area with no locally adopted environmental plans.

Determination: No 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 impact.

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

There should be no significant negative impact on human health from this proposed use.

Determination: No 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 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: 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: No reasonable alternatives were identified in the EA.

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: Melissa Brickl

Title: Hydrologist/Water Resource Specialist

Date: August 8, 2018