

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:*

Lakeside County Water and Sewer District
 253 Bierney Creek Rd
 Lakeside, MT 59922

2. *Type of action:* Application to Change an Existing Non-Irrigation Water Right 76LJ 30122044

3. *Water source name:* Groundwater

4. *Location affected by project:* The NE & N2N2SE of Section 13, the SE & E2SESW of Section 12, Township 26N, Range 21W, and the N2 & NWNESE of Section 18, the W2W2SW of Section 17, and the SW, E2E2NW & W2W2NE of Section 7, Township 26N, Range 20W, Flathead, Montana.

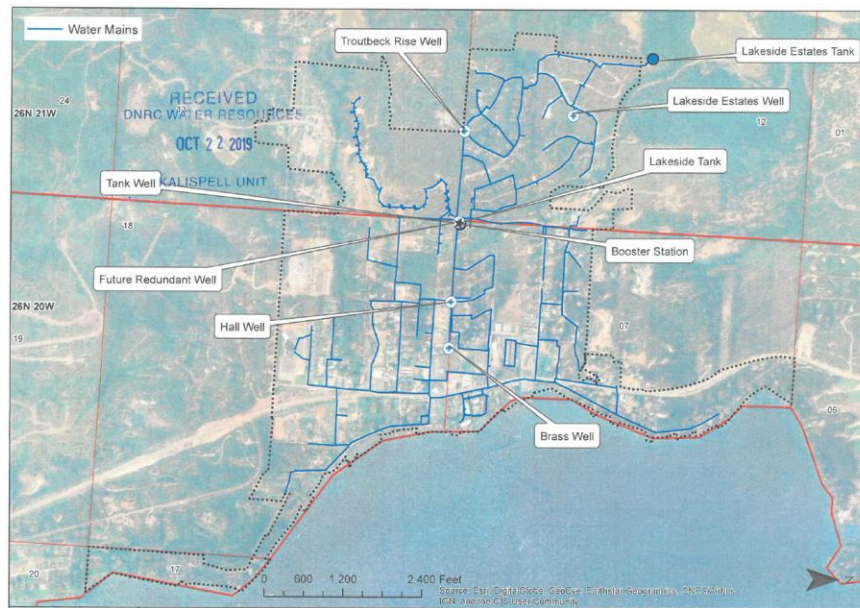


Figure 1: Proposed Place of Use and Six Points of Diversion

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

The Applicant seeks authorization to change the place of use of Statement of Claim No's. 76LJ 129007-00 and 76LJ 129006-00, Beneficial Water Use Permit No's. 76LJ 61905-00, 76LJ 103956-00, 76LJ 105373-00, and 76LJ 30062687 and Groundwater Certificate No. 76LJ 9256-00 to reflect current service areas and to add (include) all six points of diversion to each right and change the purpose of each right to municipal. The DNRC shall approve the change if the 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 Application is for groundwater, no additional volume or flow is authorized with Change Application 76LJ 30122044. The Applicant is proposing to change the place of use and add (include) all six points of diversion to each right and change the purpose of each right to municipal. The proposed change will not create new depletions to the Flathead River.

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 2019 Flathead Lake was listed as having one or more uses impaired due to one or more of the following probable causes: mercury, nitrogen (total), phosphorous (total), polychlorinated biphenyls and sedimentation/siltation. The Application is for groundwater, no additional volume or flow is authorized with Change Application 76LJ 30122044. The Department found that the proposed use will not affect water quality.

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 Application is for groundwater, no additional volume or flow is authorized with Change Application 76LJ 30122044. No new depletions to Flathead Lake or Stoner Creek will occur from the proposed change. The Department found that the proposed use will not affect the quality of surface waters or groundwater.

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.

At full build out the public water supply system will consist of six wells (Brass well GWIC No. 79812, Hall well GWIC No. 79859, Tank well GWIC No.160594, Troutbeck Rise well GWIC No. 79933, Lakeside Estates Well GWIC No. 156694, and a redundant well yet to be drilled), two storage tanks (186,000-gallon and 120,000-gallon), one booster station and approximately 19.5 miles of various sized distribution piping ranging from 1.0 to 10.0 inches. All wells divert water from a bedrock aquifer and are manifold together into the same distribution system. Based on supplied pump curves and pump specifications each well is capable of diverting its permitted flow rate. Each well was drilled by a licensed well driller. The water system is a permitted public water supply (No. MT0000266) under regulation of the MDEQ. The system was designed by a licensed engineer and approved by the DEQ. The Applicant maintains in-line flow meters with totalizers near each well head. The records will be recorded and made available to the Department. The Applicant is held to the condition originally put on Provisional Permit No. 76LJ 30062687,76LJ 105373-00, and 76LJ 103956-00.

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 website was reviewed to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern” in Township 26N, Range 20W and 21W that could be impacted by the proposed project.

Plants:

The Howell’s Quillwort (*Isoetes howellii*), Many-headed Sedge (*Carex sychnocephala*), and Panic Grass (*Dichanthelium acuminatum*, are listed by MFWP meaning their populations are at risk because their numbers are very limited.

Animals:

The Bull Trout (*Salvelinus confluentus*) and Grizzly Bear are listed as threatened and the Westslope Cutthroat Trout (*Oncorhynchus clarkia lewisi*), and Fisher (*Martes pennanti*) are listed as sensitive species by the USFS. The Great Blue Heron (*Ardea herodias*), Brown Creeper (*Certhia americana*), Great Gray Owl (*Strix nebulosa*), Evening Grosbeak (*Fringillidae*), Pileated Woodpecker (*Dryocopus pileatus*), Common Tern (*Sterna hirundo*), Cassin's Finch (*Haemorhous cassinii*), Little Brown Myotis (*Myotis lucifugus*), Pygmy Whitefish (*Prosopium coulteri*), Northern Alligator Lizard (*Elgaria coerulea*), and Western Skink (*Plestiodon skiltonianus*) are listed by MFWP meaning their populations are at risk because their numbers are very limited. This is a change application; historic diverted volumes and flow rates will not increase. An adequate quantity of water will still exist in Flathead Lake to maintain existing populations of both threatened and sensitive species of fish. Any impacts to sensitive mammal species or plants most likely have already occurred. The proposed project will not impact any threatened or endangered fish, wildlife, plants and aquatic species or any species of special concern

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.

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 ashy silt loam and gravelly silt. The capacity of the silt loam to transmit water is moderately high to high (0.57 to 1.98 in/hr). The capacity of the gravelly silt to transmit water is moderately high to high (0.57 to 1.98 in/hr). Soils within the proposed place of use are not susceptible to saline seep. The use of groundwater will not cause degradation of soil quality and stability.

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 proposed place of use will have its vegetation disturbed. Revegetation will occur for soil stability. Noxious weeds will be managed according to Flathead County policies.

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.*

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.*

NA-project not located on State or Federal Lands.

Determination: No impact.

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 human health.*

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

Determination: No impact.

PRIVATE PROPERTY - *Assess whether there is 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

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***

4. ***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: January 13, 2020