

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**

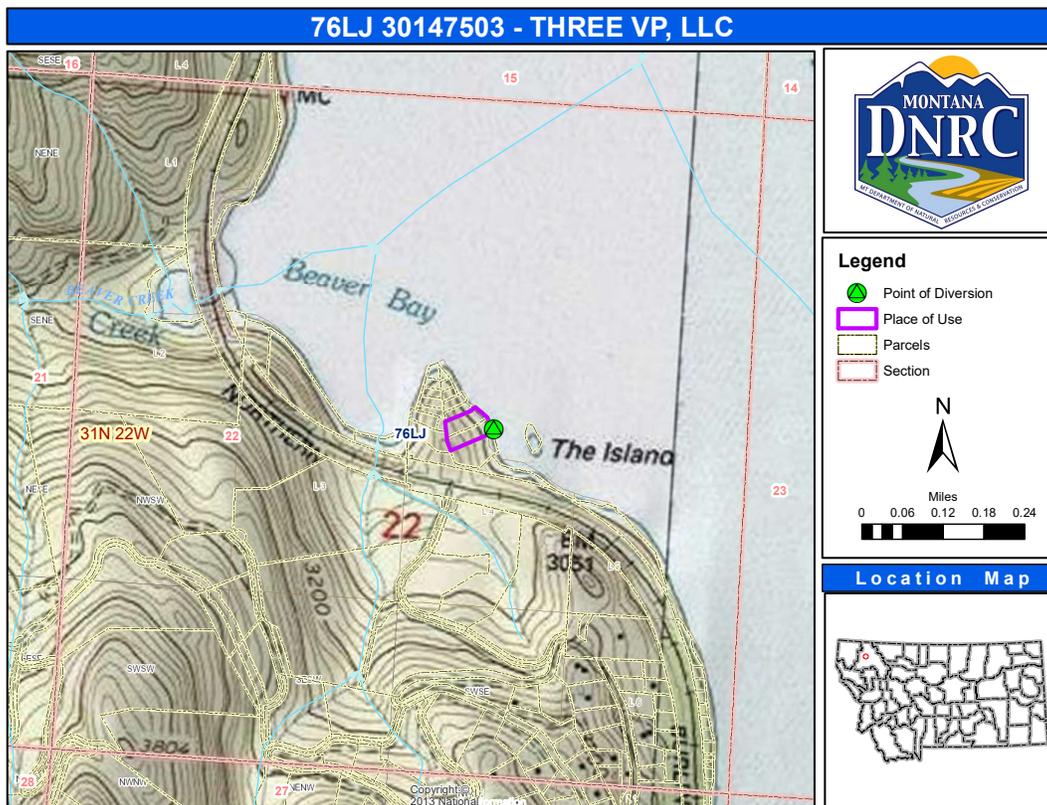
1. **Applicants/Contact names and addresses:**

Three VP, LLC  
415 Shoreland Drive SE  
Bellevue, WA 98004

2. **Type of action:** Application to Change an Existing Non-Irrigation Water Right 76LJ 30147503. Water right proposed to change is 76LJ 30117109.

3. **Water source name:** Whitefish River (Whitefish Lake)

4. **Location affected by project:** Tract 2DG in Government Lot 4, S2SWNE and N2NWSE Section 22, Township 31N, Range 22W, Flathead County, Montana.



**Figure 1.** Map of the proposed place of use and point of diversion.

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

The Applicant's proposed change to unperfected provisional permit 76LJ 30117109 involves: changing the place of use for L/G irrigation to reflect the reconfigured 0.4 acres of L/G irrigation proposed on the aggregated lot; removing the domestic purpose (which will subsequently reduce the period of diversion from 1/1 – 12/31 to 4/15 – 10/15 annually due to the removal of the domestic purpose); and, reducing the total diverted volume from 1.29 AF to 0.81 AF due to the removal of the 0.48 AF Domestic use.

No additional flow rate or volume is requested in this application; in fact, the total diverted volume will be reduced by this change.

The DNRC shall authorize a water use change if the applicant proves the criteria in 85-2-402 MCA are met.

**6. Agencies consulted during preparation of the Environmental Assessment:**

- U.S. Fish and Wildlife Service (USFWS): National Wetlands Inventory Wetlands Mapper
- Montana Natural Heritage Program: Endangered, Threatened Species, and Species of Special Concern
- Montana Department of Fish Wildlife & Parks (DFWP): Dewatered Stream Information
- Montana Department of Environmental Quality (MDEQ): Clean Water Act Information Center
- U.S. Natural Resource Conservation Service (NRCS): Web Soil Survey

**Part II. Environmental Review**

**1. Environmental Impact Checklist:**

<b>PHYSICAL ENVIRONMENT</b>
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**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 plans to divert water from the Whitefish River (Whitefish Lake), which is not on the DFWP list of chronically or periodically dewatered streams.

*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.*

The change application pertains to an unperfected permit. No additional flow or volume is authorized; water quality of adjacent streams will not be impaired.

According to the MDEQ Clean Water Act Information Center's 2018 Water Quality Information, the beneficial uses for which Whitefish Lake has been assessed are: primary contact recreation, agriculture, and aquatic life. It is listed as "fully supporting" for these uses, although the aquatic life use is "threatened," with the probably causes being mercury and polychlorinated biphenyls. Whitefish lake has not been assessed for the drinking water beneficial use. The lake's Use Class is "A-1," meaning the waters are classified as suitable for drinking, culinary, and food processing purposes after conventional treatment for removal of naturally present impurities. The Water Quality Category is "5," meaning the lake's waters have one or more beneficial use impaired or threatened, and a total maximum daily load (TMDL) plan is required to address the factors causing the impairment or threat. The proposed project will not affect water quality of Whitefish 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.*

*Determination:* N/A, this project diverts from a surface water source.

**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 Applicant will divert water from Whitefish Lake via a Grundfos 25S10-7 (or equivalent) 1.0-hp submersible pump with a variable frequency drive at a flow rate of 24.0 GPM. The pump will be set in Whitefish Lake approximately five feet below the low water mark and will be mounted within a five-foot section of six-inch diameter pipe affixed to a steel sled. From the pump, water will be conveyed to a pressure control point via 98-feet of 1.5-inch HDPE pipe. The variable frequency drive will be programmed to maintain a constant operating pressure of 50 pounds per square inch (PSI) at the control point during operation of the irrigation system. The total dynamic head at 50 PSI at the control point is 138 feet.

From the control point, water will be distributed to three irrigation zones. A 113-foot 1.5-inch transmission line will deliver water from the control point to a distribution box from which Zones 1 and 2 will be supplied by 1.25-inch distribution lines. Zones 1 and 2 will consist of Rainbird U15 sprayer sprinkler heads with U-15H nozzles and PRS Dial Valve Pressure Regulators to reduce the operating pressure to 15 PSI (18 heads per zone). At 15 PSI, each sprayer head will deliver 1.3 GPM for a total of 23.4 GPM per zone. Zone 3 will be supplied directly from the control point by a 1.25-inch distribution line. Zone 3 will utilize Rainbird 3500 rotor sprinkler heads with "1.5" nozzles at a 45 PSI operating pressure (16 heads per zone). At 45 PSI, each rotor head will deliver 1.48 GPM for a total of 23.7 GPM.

The system is designed to operate each irrigation zone independently with an average duration of 20 minutes per zone per day throughout the irrigation season. These set run-time durations will be adjusted as needed to meet crop water needs. Sprinkler irrigation is assumed to be 70 percent

efficient. As such, excess project water will infiltrate to the subsurface and discharge as return flows to Whitefish Lake.

It is not anticipated that this project will create any channel impacts, flow modifications, barriers, dams, or riparian impacts to the Whitefish River (Whitefish Lake).

*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, aquatic species, or any “species of special concern” in Township 31N, Range 22W that could be impacted by the proposed project. 13 animal and 10 plant species of concern (Tables 1 and 2, respectively) were identified within the township and range where the project is located. Of these species, the Grizzly Bear (*Ursus arctos*), Canada Lynx (*Lynx canadensis*), and the Bull Trout (*Salvelinus confluentus*) are listed as threatened by the USFWS. An adequate quantity of water will still exist in the surface water source to maintain existing populations of Bull Trout, should they exist there currently. This area is already highly developed, and it is not anticipated that any species of concern will be further impacted by the proposed project.

<b>Table 1: Animal Species of Concern</b>				
<i>Wolverine (Gulo gulo)</i>	<i>Hoary Bat (Lasiurus cinereus)</i>	<i>Canada Lynx (Lynx canadensis)</i>	<i>Little Brown Myotis (Myotis lucifugus)</i>	<i>Fisher (Pekania pennanti)</i>
<i>Grizzly Bear (Ursus arctos)</i>	<i>Pileated Woodpecker (Dryocopus pileatus)</i>	<i>Common Loon (Gavia immer)</i>	<i>Northern Alligator Lizard (Elgaria coerulea)</i>	<i>Westslope Cutthroat Trout (Oncorhynchus clarkii lewisi)</i>
<i>Pygmy Whitefish (Prosopium coulteri)</i>	<i>Bull Trout (Salvelinus confluentus)</i>	<i>Sheathed Slug (Zacoleus idahoensis)</i>		

<b>Table 2: Plant Species of Concern</b>				
<i>Crested Shieldfern (Dryopteris cristata)</i>	<i>Beck Water-marigold (Bidens beckii)</i>	<i>Coville Indian Paintbrush (Castilleja covilleana)</i>	<i>Kalm's Lobelia (Lobelia kalmii)</i>	<i>Nagoonberry (Rubus arcticus)</i>
<i>Creeping Sedge (Carex chordorrhiza)</i>	<i>Panic Grass (Dichanthelium acuminatum)</i>	<i>Giant Helleborine (Epipactis gigantea)</i>	<i>Slender Cottongrass (Eriophorum gracile)</i>	<i>Gray Lungwort Lichen (Lobaria hallii)</i>

*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.

*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.

It is not anticipated that the proposed domestic use will have a negative impact on the soil quality, stability, or moisture content. The soils in the project area are Andeptic Cryoboralfs-Andic Cryochrepts complex, hilly formed from glacial till and material derived from metasedimentary rock parent material. These soils have moderately low to moderately high capacity to transmit water. Soils within the place of use are not likely susceptible to saline seep.

*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.

Some of the existing vegetation on the property will be impacted for building construction and landscaping. It is not anticipated that issuance of a water use permit will contribute to the establishment or spread of noxious weeds in the project area. Noxious weed prevention and control will be the responsibility of the landowners, who must follow local noxious weed regulations.

*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.*

There will be no impact to air quality associated with issuance of the proposed permit for beneficial use of surface water.

*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.*

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

*Determination:* No significant impact.

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

The project is consistent with planned land uses.

*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 human health.*

No negative impact on human health is anticipated from this proposed use.

*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: 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:**

The only alternative to the proposed action would be the no action alternative. The no action alternative would not authorize the changes sought under this application.

### **Part III. Conclusion**

**1. Preferred Alternative**

Issue a change authorization if the Applicant proves the criteria in 85-2-402 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:* Travis Wilson

*Title:* Water Resource Specialist

*Date:* September 23, 2020