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:

Driver Spoon LLC
PO Box 788
Lakeside, MT 59922

2. **Type of action:** Application for Beneficial Water Use Permit 76LJ 30069798

3. **Water source name**: Surface water

4. **Location affected by project:** The place of use is Lacon Subdivision, Parcel A COS 15790 and Block 1, Lot 3 COS 7299, NWNWNE Sec 18, T26N, R20W, Flathead, MT

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

The Applicant proposes to divert water from Flathead Lake by means of one pump, from April 15th – October 15th at 35 GPM up to 1.24 AF, from a point in Lacon Subdivision, Lot D, COS 7299, NWNWNE Sec 18, T26N, R20W, Flathead, MT for irrigation use from April 15th – October 15th. 0.59 acres of park will be irrigated. The park will be turned over to Flathead County. 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 surface water from Flathead Lake. Flathead Lake is not listed by DFWP as chronically or periodically dewatered. Upon analysis by the Department Flathead Lake was 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 2014 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. Lawn and garden use is 70% efficient meaning 30% of the water used for irrigation will return to Flathead Lake. The total volume of water consumed is 0.87 AF annually; this volume is expected to have little or no effect on the water quality of Flathead Lake.

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.*

Not applicable, this application does not divert 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.*

Water is pumped from Flathead Lake and transported 235 feet through a 3-inch intake line to the pump vault located on shore. At the lake, the 3-inch intake line is housed in a 6-inch perforated pipe. Located in the pump vault is a Goulds HSC20 multi-stage centrifugal pump with an AO Smith three phase 2-hp motor and a pressure tank. The system maintains 50 psi via a variable frequency drive. Based on the submitted pump curve, the pump will produce up to 35 GPM at 50 psi with a total dynamic head of 125.5 feet. From the pump vault, water is sent to various

distribution valve boxes via two-inch PVC mains. A Hunter Industries FCT-200 meter is installed, but will not be maintained. No measurements will be taken. The intake line, pump vault, variable frequency drive, pump, pressure tank, and 2-inch water line are associated with water right 76LJ 30046775; they share the same irrigation system. Just south of the proposed place of use is a T in the 2-inch water main. At this junction a new 2-inch mainline will be installed; it will service the parkland associated with this permit. The existing park sprinkler system on the north property line (76LJ 30046755) will be removed and reconstructed on the north property line of the proposed place of use. A large central area within the park will be irrigated with large rotor sprinklers; a small portion of the place of use (northern portion, Block 1, Lot 3 of COS 7299) associated with 76LJ 30046775 makes up this zone. The central area in the park has the largest irrigation zone; it will contain seven PGP Blue 5.0 rotor sprinklers. Each sprinklers' output is approximately 5 GPM. The total required flow for that zone is 35 GPM (7 heads × 5 GPM). Smaller zones associated with 76LJ 30046775 and this application will be irrigated on a rotational basis with PGP Blue 5.0 sprinklers. The proposed project shall not impact any channels, barriers, riparian areas and dams.

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 26N, Range 20W there are no plant species of concern. The Bull Trout (Salvelinus confluentus) is listed as threatened and the Westslope Cutthroat Trout (Oncorhynchus clarkia lewisi), Wolverine (Gulo gulo) and Fisher (Martes pennanti) are listed as sensitive species by the USFS. The Great Blue Heron (Ardea herodia), Brown Creeper (Certhia americana), Black Tern (Chlidonias niger), Pileated Woodpecker (Dryocopus pileatus) and Cassin's Finch (Haemorhous cassinii) are listed S3 to S3B by MFWP meaning their populations are at risk because their numbers are very limited. An adequate quantity of water will still exist in Flathead Lake to maintain existing populations of both threatened and sensitive species of fish. The 0.59 acres of parkland were historically disturbed, 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 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 ashy silt loam and gravely loam that drains moderately well. Soils within the place of use are not susceptible to saline seep. The proposed place of use will be converted to parkland, and managed by Flathead County. 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.*

Any impacts to existing vegetation will be within the range of current disturbances due to current development within the existing subdivision/park. Noxious weeds are not expected to be established or spread. Flathead County will take over the park in the future and manage noxious weeds.

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.

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 <u>why</u> 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 2, 2015