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: Lion Mountain Owners Association
   Attn: Ragnar Stoelzle, VP
   PO Box 734
   Whitefish, MT 59937-0734

2. Type of action: Surface Water Application for Beneficial Water Use Permit 76LJ 30162100

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

4. Location affected by project: NE1/4NE1/4SW1/4, Section 22, Township 31N, Range 22W, Flathead County

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

   The Applicant proposes to divert water from the Whitefish River (Whitefish Lake), hereafter Whitefish Lake, by means of a pump. The proposed use of this diversion is irrigation for 0.2 acres of lawn and garden during a period of April 15 to October 15. During the purposed period of diversion, the applicant requests a flow rate of 15 GPM for an annual volume of up to 0.5 AF. The point of diversion is in the NE¼NE¼SW¼ Section 22, Township 31N, Range 22W, Flathead County, Montana. The place of use is located at 750 Beach Lane Whitefish, MT in the NE¼NE¼SW¼ Section 22, Township 31N, Range 22W, Flathead County, Montana. The proposed diversion is in the Upper Flathead River Basin (76LJ), in an area not subject to water right basin closures or controlled groundwater area restrictions.

   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:

   - 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 (MTDFWP): Dewatered Stream Information

- Montana Department of Environmental Quality (MTDEQ): Clean Water Act Information Center
- U.S. Natural Resources Conservation Service (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.*

The Applicant proposes to divert water from Whitefish Lake, which is not on the MTDFW list of chronically or periodically dewater steams.

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.*

According to the MTDEQ 2020 Clean Water Act Information Center Water Quality Information, Whitefish Lake is listed as "fully supporting" for: primary contact recreation, agriculture, and aquatic life. The aquatic life use is "threatened," with the probable 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 the 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 proposes to divert water from Whitefish Lake at a maximum rate of 15 GPM using a Franklin Electric model FB15CI 1.5 HP Turf Boss Self Priming Pump. The intake is approximately 8 feet below the low-water elevation, and a 1.25-inch high density polyethylene (HDPE) supply line will convey water approximately 40-feet from the intake to the pump located in the storage building. A Hunter Pro-C Controller will control the coneyance of water to each of the three irrigation zones with a total of 13 Hunter PGP Red standard nozzle sprinkler heads. The controller will be programmed to irrigate on a set schedule, and only one zone will operate at time.

The total dynamic head (TDH) of the system during peak demand is 115 feet, based on:

i. The minimum system operating pressure of 42 psi (equivalent to 97.1 feet of head);
ii. An 8-foot suction lift from Whitefish Lake's surface to intake hose;
iii. An 8-foot elevation gain from the intake to the pump; and,
iv. The friction losses in the 1.25-inch HDPE supply line at 15 GPM (equivalent to 1.9 feet of head).

The pump can produce 15 GPM at 120-feet TDH based on the Applicant provided pump and system specifications. This flow rate will allow the Applicant to supply their irrigation system at peak demand at an adequate operating pressure. The Department finds that the proposed means of diversion and conveyance are capable of diverting and distributing the requested flow rate of 15 GPM and annual volume of 0.5 AF.

This project will not create any channel impacts, flow modifications, barriers, dams, or riparian impacts to Whitefish Lake, nor will it affect any wells.

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 were any threatened or endangered fish, wildlife, plants, aquatic species, or any "species of special concern" in Township 31N Range 22W Section 22 that could be impacted by the proposed project. Sixteen animals and five plant species of concern (Table 1 and 2, respectively) we identified within the township and range where the project is located. Of these species, the Grizzly Bear *(Ursus arctos)* and Bull Trout *(Salvelinus confluentus)* are listed as threatened by the USFWS. An adequate quantity of water will still exist in the surface water sources to maintain the existing population of Bull Trout, should they exist there currently. This area is already developed, and it is not anticipated that any species of concern will be further impacted by the proposed project.

Table 1. Animal Species of Concern			
Lewis's Woodpecker *(Melanerpes lewis)*	Bobolink *(Dolichonyx oryzivorus)*	Fisher *(Pekania pennanti)*	Pygmy Whitefish *(Prosopium coulteri)*
Long-legged Myotis *(Myotis volans)*	Brown Creeper *(Certhia americana)*	Grizzly Bear *(Ursus arctos)*	Evening Grosbeak *(Coccothraustes vespertinus)*
Common Loon *(Gavia immer)*	Bull Trout *(Salvelinus confluentus)*	Northern Alligator Lizard *(Elgaria coerulea)*	Varied Thrush *(Ixoreus naevius)*
Pileated Woodpecker *(Dryocopus pileatus)*	Cassin's Finch *(Haemorhous cassinii)*	Pacific Wren *(Troglodytes pacificus)*	Westslope Cutthroat Trout *(Oncorhynchus clarkii lewisi)*

Table 2. Plant Species of Concern				
Beck Water-Marigold *(Bidens beckii)*	Giant Helleborine *(Epipactis gigantea)*	Dense-flower Rein Orchid *(Piperia elongate)*	Nagoonberry *(Rubus articus)*	Gray Lungwort Lichen *(Lobaria hallii)*

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.

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.*

The proposed 0.2 acres of lawn and garden will not negatively impact the soil quality, stability, or moisture content. The soil type in the project area is an Andeptic Cryoboralfs-Andic Cryochrepts complex, hilly formed from glacial till and material derived from metasedimentary rocks. This soil has a moderately low to moderately high capacity to transmit water. Soils in this area 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.*

The proposed project is located in a developed area and the native vegetation has already been disturbed. The issuance of this water use permit should not contribute to the establishment or spread of noxious weeds in the 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 the 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. No further impacts are anticipated.

Determination: No significant 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 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 on human health.*

This proposed use will not adversely affect human health.

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 a no action alternative. With the no action alternative there would be no diversion of water out of Whitefish Lake.

PART III. Conclusion

1. Preferred Alternative

Issue a water use permit if the Applicants prove the criteria in 85-2-311 MCA.

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 were identified as a result of this proposed action.

Name of person(s) responsible for preparation of EA:

Name: Erin Wall
Title: Water Resource Specialist
Date: May 9, 2024