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:
   Brent & Theresa Zubot
   292229 Butte Hills Ln
   Rockview County, AB T4A0N8

2. Type of action: Permit application to install a pump for domestic and lawn & garden use.

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

4. Location affected by project: The proposed point of diversion (POD) and place of use (POU) will occur in Government lot 2, NENWNE of Section 29, Township 25N, Range 20W, Lake County.

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: Applicants submitted Application 76LJ 30175577 on July 23rd 2026, to the Bozeman DNRC Water Resources Office. The Application proposes to add a pump to the Flathead River (Flathead Lake). The proposed POD is located in Government lot 2, NENWNE of Section 29, Township 25N, Range 20W, Lake County. The proposed POD is a pump site composed of one stationary pump that will divert water from the Flathead River (Flathead Lake). Water will be conveyed from the proposed POD to the POU via pipelines. The applicant proposes to pump surface water at a flow rate of 25 gallons per minute (GPM) for the purposes of domestic and lawn & garden at a volume of 0.50 acre-feet (AF). The DNRC shall issue a permit if an Applicant proves the criteria in 85-2-402 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:
   - Montana Department of Fish, Wildlife & Parks (FWP)- Dewatered Streams Page 3 of 4 FISHMT :: Waterbody Search
   - Montana Department of Environmental Quality (DEQ)- Clean Water Act Information Center (CWAIC) Clean Water Act Information Center
   - Montana National Heritage Program (MTNHP)- National Heritage Map Viewer NHP Generalized Observations
   - U.S. Fish & Wildlife Service (USFWS)- National Wetlands Inventory Wetlands Mapper Web Soil Survey

- Natural Resource Conservation Service (NRCS)- Web Soil Survey (WSS) National Wetlands Inventory

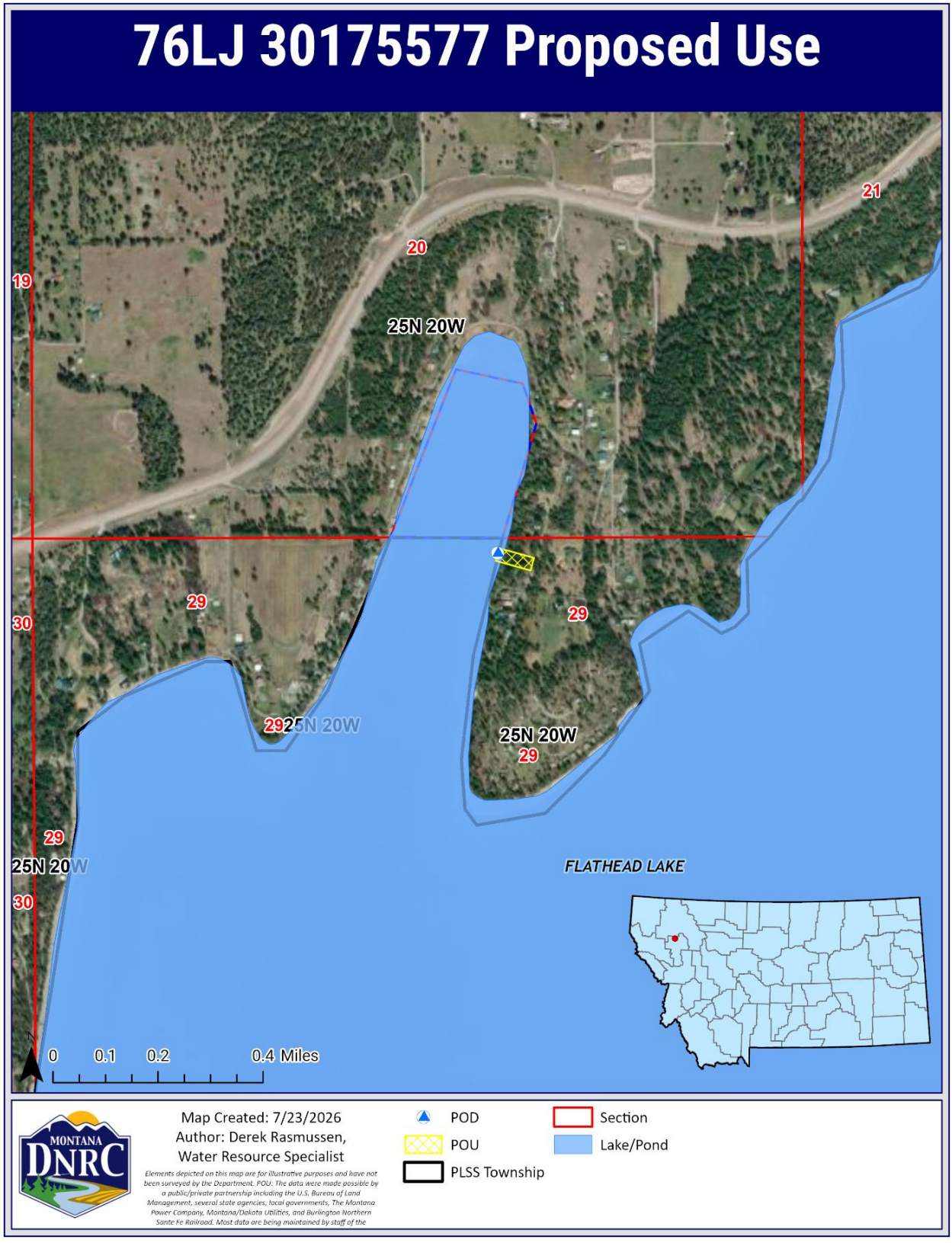


Figure 1. Proposed use for Permit Application 76LJ 30175577

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.*

Determination: No significant impact.

A July 8, 2026 search of DFWP data does not list the Flathead River (Flathead Lake) as periodically or chronically dewatered. No impact to water quantity is expected as a result of this permit.

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.*

Determination: No significant impact.

A July 8, 2026, search of DEQ Impaired Waters 2020 data on the CWAIC identified the Flathead River, was assessed for impairments. The search showed the source to be fully supporting Agriculture, Drinking Water, and Primary Contact Recreation use. The search showed that Aquatic Life is not fully supported. The impairment is suspected to be caused by the following:

- Mercury
    - Atmospheric Deposition - Nitrogen
    - Impacts from Hydrostructure Flow Regulation/modification
    - Municipal Point Source Discharges
    - Silviculture Harvesting
    - Source Unknown
    - Dam or Impoundment
    - Unspecified Urban Stormwater
- Polychlorinated Biphenyls (PCBs)
    - Atmospheric Deposition - Nitrogen
    - Dam or Impoundment
    - Impacts from Hydrostructure Flow Regulation/modification
    - Municipal Point Source Discharges
    - Silviculture Harvesting
    - Source Unknown
    - Unspecified Urban Stormwater
- Nitrogen, Total
    - Atmospheric Deposition - Nitrogen

    - Municipal Point Source Discharges
    - Unspecified Urban Stormwater
- Phosphorus, Total
    - Atmospheric Deposition - Nitrogen
    - Municipal Point Source Discharges
    - Unspecified Urban Stormwater

The proposed project involves adding the POD and diverting water by a pipeline to the POU. The proposed application is not likely to affect water quality because the household wastewater will be disposed of via a permitted septic system.

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: No significant impact.

The proposed use does not involve a groundwater component.

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.*

Determination: No significant impact.

The proposed project involves installing a pump with pipelines to supply domestic and lawn & garden use. The proposed POD will convey water from the pump site by means of a pipeline. There will be a small disturbance of native soils during construction, but no significant impact to the channel, flow regime, or riparian areas are expected by using the diversion works.

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."*

Determination: No significant impact identified.

A July 8, 2026, search of the Montana Heritage Programs website for Section 29, T25N, R20W, Lake County returned the following results:

- 7 Animal Species of Concern: Common Loon, Golden Eagle, Horned Grebe, Pileated Woodpecker, Northern Alligator Lizard, Northern Pikeminnow, Peamouth
- 3 Animal Potential Species of Concern: Barrow's Goldeneye, Hooded Merganser, Rufous Hummingbird

- 1 Animal Special Status Species: Bald Eagle
- 1 Invertebrate Potential Species of Concern: A Millipede
- 1 Plant Species of Concern: Columbia Locoweed
- 0 Plant Potential Species of Concern
- 0 Plant Special Status Species

The proposed pump diversion is not expected to create a barrier to the migration or movement of aquatic species. The proposed project is not anticipated to have a significant impact on endangered or threatened species.

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: No significant impact.

A July 8, 2026 search on the National Wetlands Inventory Mappers shows a lake near the project area (**Figure 2**). No significant impact on wetlands in the area are expected as a result of the proposed permit.

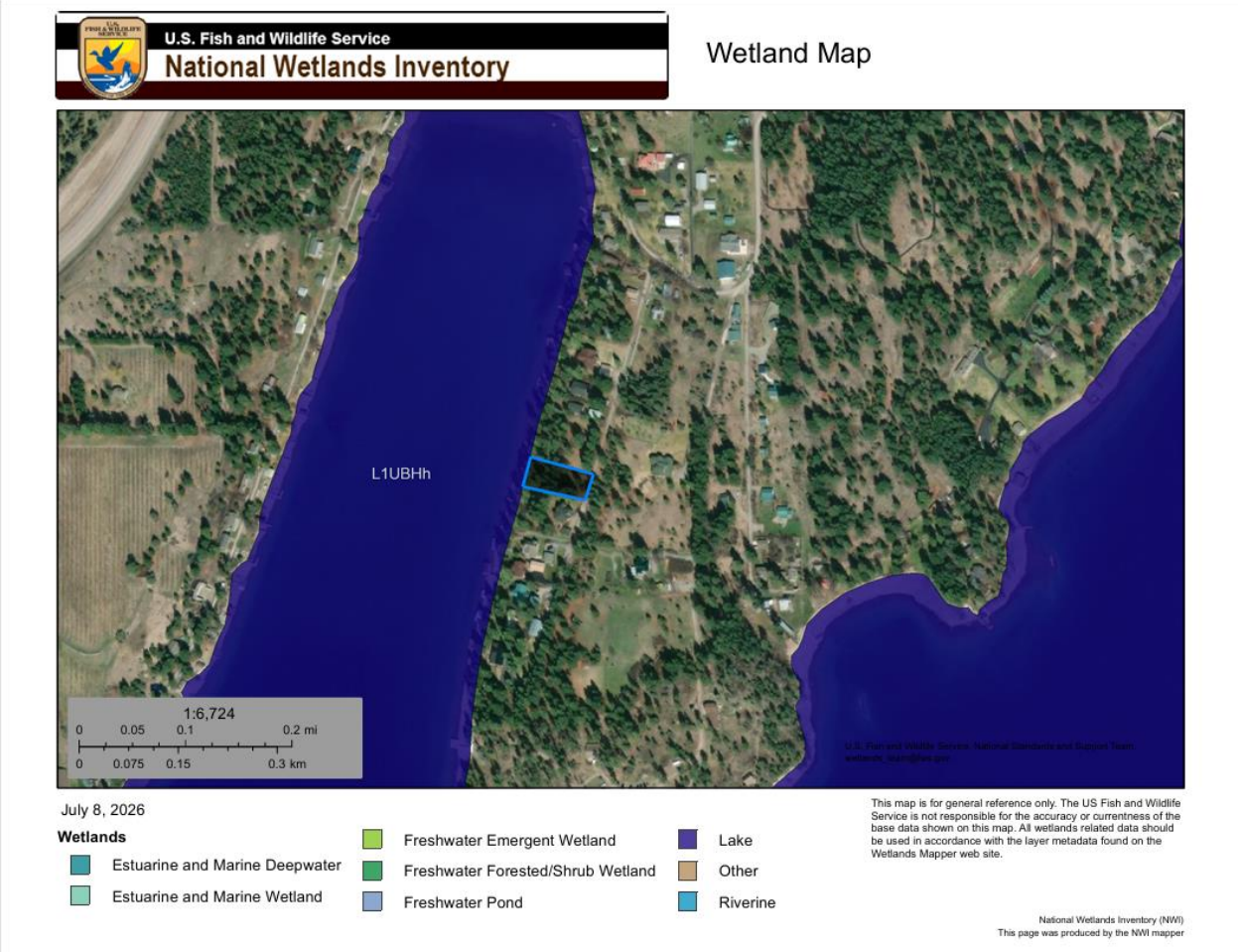


Figure 2. Wetlands surrounding the proposed project area

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

Determination: No significant impact.

No ponds are involved with this project.

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.*

Determination: No significant impact.

A July 8, 2026, search of the NRCS Web soil Survey identified low surface salinization risk in the project area. The proposed project is not predicted to increase soil salinization risk. The installation of the pump diversion may cause temporary and minor disturbance to the soil but is not anticipated to have 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.*

Determination: No significant impact.

The disturbance associated with construction of the pumps and pipeline structure in the Flathead River should be minimal and should not promote the establishment of noxious weeds. Under Montana law, private landowners are responsible for noxious weed control on their property.

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

Determination: No significant impact.

The proposed project will not impact air quality.

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: No significant impacts.

The proposed project is not located on State or Federal Lands. The Applicant did not mention significant historical or archeological sites on the property.

Demands on environmental resources of land, water, and energy - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: No significant impact identified.

No impacts on environmental resources of land, water, or energy not already addressed.

HUMAN ENVIRONMENT

Locally adopted environmental plans and goals *- Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: No significant impact identified.

This permit application is to add a POD and the POU for domestic and lawn & garden use which is recognized beneficial use of water within the State of Montana (§85-2-102(5), MCA).

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.*

Determination: No significant impact identified.

The proposed application is located entirely on private property and will not affect access to recreational activities or the quality of recreational and wilderness activities.

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

Determination: No significant impact identified.

The project will not impact human health.

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 significant impact identified.

This project does not impact government regulations on private property rights.

Other human environmental issues *- For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

1. Impacts on:

(a) Cultural uniqueness and diversity? No significant impact identified.

(*b) Local and state tax base and tax revenues?* No significant impact identified.

(c) Existing land uses? No significant impact identified.

(*d) Quantity and distribution of employment?* No significant impact identified.

(e) Distribution and density of population and housing? No significant impact identified.

(f) Demands for government services? No significant impact identified.

(g) Industrial and commercial activity? No significant impact identified.

(h) Utilities? No significant impact identified.

(i) Transportation? No significant impact identified.

(j) Safety? No significant impact identified.

(k) Other appropriate social and economic circumstances? No significant impact identified.

2. Secondary and cumulative impacts on the physical environment and human population:

Secondary Impacts No significant secondary impacts identified.

Cumulative Impacts No significant cumulative impacts identified.

3. Describe any mitigation/stipulation measures: Water will be diverted via a pump site and conveyed via a pipeline. For the permit to be granted by the DNRC, the Applicant must prove the criteria in §85-2-402 MCA are met.

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 "no action" alternative would be to not construct a pump site at the proposed point of diversion. The Applicant stated it is not possible to drill a well on this property due to DEQ restrictions. The applicant may be able to haul water in and store it in a cistern.

PART III. Conclusion

1. ***Preferred Alternative:*** The preferred alternative is to grant the permit application if the Applicant has proven the criteria of §85-2-402, MCA.

2. ***Comments and Responses:*** None at this time.

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: The EA is the appropriate level of analysis because the proposed project is to add the POD for the uses described in the POU above. The Applicant proposes to use the water right for domestic and lawn & garden use and will use a maximum diverted volume of 0.50 AF and up to a maximum 25 GPM flow rate. Domestic and lawn & garden use is consistent with state and local plans. None of the identified impacts for any of the alternatives are significant as defined in ARM 36.2.524.

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

Name: Kendrew Ellis
Title: Water Resource Specialist
Date: October 8, 2026