

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

Note: Instructions to DNRC staff for preparing this EA can be found at:  
[http://www.dnrc.state.mt.us/eis\\_ea.html](http://www.dnrc.state.mt.us/eis_ea.html)

**Part I. Proposed Action Description**

1. *Applicant/Contact name and address:* Donald M & Ruth Slabaugh  
135 Haskill Dr  
Whitefish, MT 59937
2. *Type of action:* Application for Beneficial Water Use Permit 76LJ-30019456
3. *Water source name:* Ashley Lake
4. *Location affected by action:* NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Section 6, Township 28N, Range 23W, Flathead County.
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*  
The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311, MCA are met. The applicants are seeking a domestic and lawn & garden water use permit from Ashley Lake. They propose to supply 1 home and irrigate .47 acre at a rate of 10 gpm. After the property is developed landscaping, re-vegetation will consist of native planting as well as ornamental planting and turf. The applicant will benefit from the domestic and irrigation use from Ashley Lake by increased aesthetic value to the property and a lake frontage home.
6. *Agencies consulted during preparation of the Environmental Assessment:*  
*(include agencies with overlapping jurisdiction)*

State Historic Preservation Office  
Montana Natural Heritage Program  
Department of Fish, Wildlife and Parks  
Department of Environmental Quality

## **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.

*Determination:* The source is Ashley Lake, which is not dewatered. Of the total lake volume this request is .000006 percent. (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.

*Determination* Ashley Lake is not on the State 303d list. It has a surface area of 3,244 acres. It is fed by several streams but is primarily spring fed and discharges Ashley Creek. It is estimated the volume of water in the lake is 348,730 acre-feet making this request .000006 percent of the lake volume. The water quality in Ashley Lake will not be impacted from this minor use of water.

**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:* The use of water from Ashley Lake will not impact groundwater.

**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:* Any lakebed disturbance requires a permit through the Flathead County Planning and Zoning Office. With proper installation there will be 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."

*Determination:* The domestic and lawn and garden use of water from Ashley Lake is an imperceptible amount of water when looking at physical impact to the source. The Montana Natural Heritage Program was contacted to determine proximity of threatened or endangered species, if any. Bull Trout are currently endangered throughout western Montana except the

Yaak River drainage above Yaak Falls. Contact was made with Fish, Wildlife & Parks to discuss possible impacts to Bull Trout. It was determined there will be no adverse impact because Bull Trout spawn in the headwaters of a drainage, which is within the National Forest Service ownership. They rear in these headwaters for two to three years at which time they reach 6 to 9 inches long before moving downstream to deeper water such as Ashley Lake. By the time they move in to the lake they are large enough the low velocity water intake does not pose a danger to this sub-adult size *Salvelinus Confluentus* Pop 2.

**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:* This development is not in a wetland area.

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

*Determination:* The 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.*

*Determination:* Saline seep is of no concern in this area. Many homes in the area currently irrigate turf.

**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:* The planting of grass will be a deterrent to the establishment of weeds.

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

*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.*

*Determination:* A search request for this property through the State Historic Preservation Office did not identify any archeological or historical sites within the project area. A cultural resource inventory would be up to the property owner because this is private 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 other impacts have been identified.

## **HUMAN ENVIRONMENT**

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

*Determination:* The project is consistent with the land uses of the area. Many private residential lots are developed around Ashley Lake.

**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:* There will be no impact to the quality of recreation or wilderness activities nor will access be denied to any established recreation areas except by Forest Service road closures that occur throughout public domain in Flathead County.

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

*Determination:* The project will have no effect on 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:* Private property rights are not impacted or regulated by this proposed action. The right to use water belonging to the State of Montana will become a property right if approved.

**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? No
- (b) Local and state tax base and tax revenues? No
- (c) Existing land uses? No
- (d) Quantity and distribution of employment? No
- (e) Distribution and density of population and housing? No
- (f) Demands for government services? No
- (g) Industrial and commercial activity? No
- (h) Utilities? No

(i) Transportation? No

(j) Safety? No

(k) Other appropriate social and economic circumstances? No

2. ***Secondary and cumulative impacts on the physical environment and human population:*** This area, on the north side of Ashley Lake has been developed for many years. Further developments are limited by the availability of residential lots, making secondary and cumulative impacts of little or no concern.
3. ***Describe any mitigation/stipulation measures:*** No mitigation measures are necessary for a project without impacts.
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 action would halt building and landscaping activities. A reasonable alternative would be a well; however no impacts have been identified, therefore an alternative is not necessary to consider.

### **PART III. Conclusion**

*Based on the significance criteria evaluated in this EA, is an EIS required? No*

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:* No significant impacts have been identified, therefore an EIS is not necessary.

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

*Name:* Rich Russell

*Title:* Water Resources Specialist

*Date:* May 3, 2006