

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:
Boyne USA, Inc.
PO Box 160001
Big Sky, MT 59716

2. Type of action: Application for a beneficial water use permit # 30026441-41H

3. Water source name: West fork, Middle fork, Gallatin River

4. Location affected by project: SENENE Sec. 30, T6S, R3E, Madison, Co.

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The applicant is applying to enlarge Lake Lavinsky from a permitted 100 acre-feet to 221 acre-foot. Water is to be appropriated during High Spring Flows when flows exceed 10,000 cfs at Cochrane Dam.

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)
MONTANA STATE HISTORICAL PRESERVATION OFFICE
MONTANA NATURAL HERITAGE PROGRAM
MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS
MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY

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: Water will be diverted during high spring flows when PPL's Cochrane dam is spilling in excess 10,000 cfs. DFWP has a reservation on the West fork, Middle fork, Gallatin River. An agreement has been arranged between the two parties for this project.

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: The project should have no affect to water quality.

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: This project does not include 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: The diversion is a dam and creates Lake Lavinsky. Diversion will occur during high spring when PPI's water rights have been fulfilled for power generation at Cochrane reservoir.

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: According to a report from the Montana Natural Heritage Program, there are two species of special concern within the project area. The Lynx and the Grizzly Bear are listed under the Endangered Species Act as Threatened. The occurrence of both of these species covers multiple townships and it is unlikely that this permit would have

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 project does not include wetlands.

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

Determination: This application is applying for a water right to identify the whole volume of Lake Lavinsky and identify the area for snowmaking. MTFWP has signed off on 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 saline seeps have been identified in the area.

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: As this is an application to recognize the existing size, no construction will occur to take on the spread 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 impacts to air quality are expected due to this project

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.

Determination: According to the Montana State Historic Preservation Office (SHPO), there are no previously recorded cultural sites or previous cultural resource inventories within the area. SHPO recommends that a cultural resource inventory be conducted due to the lack of any previous inventory. As this project is located on private property, no reconnaissance survey is required and any cultural resource inventory conducted would be at the discretion of the property owner.

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 additional impacts on other environmental resources were 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: Big Sky has no regulation against this project.

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: The project is located at the base of Big Sky ski hill. This is not an issue.

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

Determination: No Impacts identified.

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: N/A

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 Impacts Identified.
- (b) Local and state tax base and tax revenues? No Impacts Identified.
- (c) Existing land uses? No Impacts Identified.
- (d) Quantity and distribution of employment? No Impacts Identified.
- (e) Distribution and density of population and housing? No Impacts Identified.
- (f) Demands for government services? No Impacts Identified.
- (g) Industrial and commercial activity? No Impacts Identified.
- (h) Utilities? No Impacts identified
- (i) Transportation? No Impacts Identified.
- (j) Safety? No Impacts Identified.
- (k) Other appropriate social and economic circumstances? No Impacts Identified.

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

Secondary Impacts : No secondary impacts have been identified at this time

Cumulative Impacts: No Cumulative Impacts have been identified at this time.

3. Describe any mitigation/stipulation measures:

No Measures have been identified at this time.

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:**

PART III. Conclusion

1. **Preferred Alternative:** No Alternative at this time.

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

3. **Finding:**

Yes___ No___ 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:

An "EA" is appropriate form a project of this scope.

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

Name: Porter Dassenko

Title: WRS

Date: 3/2/2006