

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:* John R. Enright
4080 Locke Lane
Lake Charles, LA 70605

2. *Type of action:* Permit to Appropriate Water 76LJ-30044583

3. *Water source name:* Flathead River

4. *Location affected by project:* SW¹/₄ NE¹/₄ NE¹/₄, Section 23, Township 29N, Range 21W, Lake County

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

This application is to obtain a water use permit for two points of diversions from Flathead River for irrigation purposes. The property will have a total of 13.9 acres of irrigated area resulting in the diversion of 26.6 AF/yr at a rate of 147 gpm. The proposed place of use is split into two areas by the Flathead River, with 2.5 and 11.4 acres on the west and east sides of the river respectively. The period of diversion for this purpose is April 20 to October 10 inclusive of each year.

6. *Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)*

Montana Natural Resource Program Species of Concern
 US Fish and Wildlife Service Wetlands Mapper
 Natural Resource Conservation Service Web Soil Survey

Part II. Environmental Review

1. Environmental Impact Checklist:

<h2>PHYSICAL ENVIRONMENT</h2>

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: N/A.

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 Flathead River, from Hungry Horse to Flathead Lake, has not been assessed for impairment. This application is proposed for irrigation and therefore should not significantly impact 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 appropriation is for surface water and therefore does not apply.

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.

There are two separate systems associated with this application, due to the Flathead River splitting the proposed place of use, and therefore two points of diversion are proposed. The west side of the river diversion works will consist of a 0.75 hp Franklin self-priming sprinkler pump (TYCI) capable of providing 37 gpm at 68 ft of total dynamic head, delivering 25 psi to the sprinkler heads. The pump will supply water to a 2-inch HDPE distribution line, which will then service eight sprinkler Rainbird heads.

The east side of the river diversion works will consist of a 5 hp Franklin self-priming sprinkler pump (SPC) capable of providing 110 gpm at 80 ft of total dynamic head, delivering 25 psi to the sprinkler heads. The pump will supply water to a 3 and 2-inch HDPE distribution line, which will then service 24 sprinkler Rainbird heads.

Determination: Installation of pumps and distribution lines will have slight impact on riparian area.

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 referenced to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern" in vicinity of Township 29N and Range 21W, that could be impacted by the proposed project. The US Fish and Wildlife Service identified the threatened Bull Trout (*Salvelinus confluentus*), and the delisted Gray Wolf (*Canis lupus*) and Bald Eagle (*Haliaeetus leucocephalus*). In addition the State of Montana, US Forest Service, and Bureau of Land Management identified the following species of special concern: Westslope Cutthroat (*Onchorynchus clarkii lewisi*); Maidenhair Spleenwort (*Asplenium trichomanes*); Deer Indian Paintbrush (*Castilleja cervina*); Short-styled Thistle (*Cirsium brevistylum*); Latah Tule Pea (*Lathyrus bijugatus*); Aloina Moss (*Aloina brevirostris*); and Amblyodon Moss (*Amblyodon dealbatus*).

Determination: This proposed project may have a slight impact on some of species listed above. Two pumps with a combined flow rate of 147 gpm will slightly reduce the flow in the Flathead River, however, given the normal flow conditions of the river and reserved in-stream water rights held by the MT FWP, it is expected this effect will be negligible.

Land use patterns will change as a result of this proposed appropriation, particularly the east portion of the property, which is currently a riverine island ecosystem populated with naturally occurring riparian vegetation. Portions of this area will be cleared and pasture/hay vegetation will be established. Due to limited information available for several of the species listed above, it is unclear what impact this proposed appropriation may have on these 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: There are no wetlands in the area of this proposed project.

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

Determination: N/A

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 location of the proposed place of use encompass the soil types of Banks Very Fine Sandy Loam (Bb) and Riverwash (Rc). Bb is an excessively drained soil that is nonsaline to very slightly saline. No detailed description is provided for Riverwash. No information is provided for either of these soils regarding irrigation capabilities.

Determination: No degradation of soil quality, stability, or moisture content is expected with proposed project.

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.*

Land use patterns will change as a result of this proposed appropriation, particularly the east portion of the property, which is currently a riverine island ecosystem populated with naturally occurring riparian vegetation. Portions of this area will be cleared and pasture/hay vegetation will be established.

Determination: Vegetation cover will change. The establishment of pasture/hay vegetation on the east portion of the property may encourage the establishment of noxious 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: This proposed project will not cause disturbance on a landscape scale, and therefore is not expect to degrade cultural sites in the vicinity.

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: None

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 planned land use.

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 should be no significant impacts on recreational activities from this proposed use.

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

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? No
- (b) Local and state tax base and tax revenues? No
- (c) Existing land uses? Slight impact
- (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:

Secondary Impacts: None

Cumulative Impacts: None

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 “no action” alternative to this proposed project will result in the landowner not having access to water for irrigating lawn and garden.

PART III. Conclusion

1. ***Preferred Alternative:*** As proposed

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 have been identified; therefore, no EIS is necessary.

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

Name: Tim Eichner

Title: Water Resources Specialist

Date: August 13, 2009