

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:* Flathead County Road and Bridge Department  
1249 Willow Glen Road  
Kalispell, MT 59901

2. *Type of action:* Permit to Appropriate Water 76LJ-30045863

3. *Water source name:* Flathead River

4. *Locations affected by project:*

- POD 1 - NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Section 19, Township 30N, Range 20W, Flathead County
- POD 2 - SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Section 11, Township 29N, Range 21W, Flathead County
- POD 3 - NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Section 10, Township 28N, Range 21W, Flathead County
- POD 4 - SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Section 23, Township 27N, Range 20W, Flathead 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 four points of diversion from Flathead River for the purpose of road dust abatement. The Flathead County Road and Bridge Department utilizes four 3,500 gallon trucks for dust abatement, which over the period requested appropriation, April 1 – November 1, will result in the use of 6.44 acre-feet (AF) at a rate of 800 gallons per minute (GPM). The requested flow rate was determined by each truck having the ability to divert water at a rate of 400 gpm, and there being a possibility of two trucks pumping simultaneously, thus totaling a diversion rate of 800 gpm.

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><b>PHYSICAL ENVIRONMENT</b></h2>
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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 Flathead River is not listed as a chronically or periodically dewatered stream by DFWP, therefore this is not applicable.

**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 dust abatement 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.

The diversion works consist of four 3,500 gallon capacity trucks containing a 400 gpm PTO shaft driven pump; a Berkeley B4ZRKSG171297 water pump and a Commercial M51A897FEAB12-25 hydraulic pump. This flow rate will allow each of the four trucks to be filled in less than 10 minutes, approximately four times per day. These trucks will access the Flathead River through existing Department of Fish, Wildlife and Parks fishing access sites, therefore, no new disturbance within the riparian areas will occur. No permanent infrastructure will be in place, therefore, there will be no obstructions to the natural flow nor obstacles for wildlife.

*Determination:* There will not be significant impacts.

### **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 30N and Range 20W, Township 29N and Range 21W, and Township 28N and Range 21W that could be impacted by the proposed project. The US Fish and Wildlife Service identified the threatened Canada Lynx (*Lynx canadensis*), Grizzly Bear (*Ursus arctos*), and Bull Trout (*Salvelinus confluentus*); and the delisted Gray Wolf (*Canis lupus*), Bald Eagle (*Haliaeetus leucocephalus*), and Peregrine Falcon (*Falco peregrines*). In addition the State of Montana, US Forest Service, and Bureau of Land Management identified the following species of special concern: Wolverine (*Gulo gulo*); Fisher (*Martes pennant*); Western Toad (*Bufo boreas*); Westslope Cutthroat (*Onchorynchus clarkii lewisi*); Smoky Taildropper (*Prophyaon humile*); Maidenhair Spleenwort (*Asplenium trichomanes*); Deer Indian Paintbrush (*Castilleja cervina*); Short-styled Thistle (*Cirsium brevistylum*); Latah Tule Pea (*Lathyrus bijugatus*); Aloina Moss (*Aloina brevirostris*); Amblyodon Moss (*Amblyodon dealbatus*); Ambiguous Ditrichum Moss (*Ditrichum ambiguum*); Britton’s Dry Rock Moss (*Grimmia brittoniae*).

*Determination:* This proposed project may have a slight impact on some of species listed above. The request flow rate of 800 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 not change as a result of this proposed appropriation as it will utilize existing fishing access sites, therefore, terrestrial species will not be impacted.

**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.*

There will be no soil alteration as a result of this proposed project. This project is for dust abatement on county roads and will therefore result in less wind erosion from these roads.

*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.

*Determination:* No land use changes will occur because this proposed project is using existing fishing access sites.

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

*Determination:* Air quality will likely be improved due to dust abatement activities resulting from this proposed 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:* This proposed project will not cause site disturbance, 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

<b>HUMAN ENVIRONMENT</b>
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**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? 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:**

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:* November 3, 2009