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*: 93 & Church, LLC, 3154 Parkwood Lane, Bigfork MT 59911

2. *Type of action*: Application for Beneficial Water Use Permit 76LJ-30045405

3. *Water source name*: Groundwater well

4. *Location affected by action*: NW¼NE¼NW¼ of Section 13, Township 29N, Range 22W, Flathead County.

5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits*: DNRC shall issue a water use permit if the applicant meets the criteria in 85-2-311 MCA.

   This application is to obtain a water use permit for a well that will divert water for the purpose of irrigating the common landscaped area of 52.46 acres for the subdivision of Silverbrook Estates, which is located approximately two miles north of Kalispell. Diversion will be April 15 to October 15 inclusive each year at a rate of 1,000 gpm up to 125.9 AF.

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

   Montana Natural Heritage Program
   Montana State Historical Society
   Natural Resources and Conservation Service soil maps
   Montana Department of Environmental Quality
   United States Fish and Wildlife Wetland Mapper

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: 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: N/A

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.*

The proposed appropriation includes a well pumping up to 1,000 gpm and up to 125.9 acre-feet. This well has a 10-inch diameter casing and was drilled to a depth of 496 feet. It was abandoned from 496 to 296 with bentonite chips and gravel. The well has a 10-inch diameter, stainless steel screen with .000 to .100 size slots set in place from 269 to 296 feet. Physical and legal availability of water at the source has already been determined by the Permit Application process.

The use of this system will likely reduce water to nearby surface sources of the Stillwater River and the Whitefish River and ultimately Flathead Lake. Depletions from these sources have been taken into consideration with the Permit Application process.

Determination: Because of the aquifer source of these wells, it is unlikely this proposed appropriation will have a significant impact on the groundwater or surface water availability.

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.*

This well was drilled by a licensed, Montana State well driller (license #462) and completed on April 11, 2007. It was drilled to a depth of 496 feet but then abandoned from 296 to 496 feet. It has a 10-inch diameter casing. The screen is a 10-inch diameter stainless steel continuous unit with 0.000 – 0.100 -inch slots set in place from 269 to 296 feet.

Determination: 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."*

The Montana Natural Heritage Program's website was used to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern", that could be impacted by the proposed project. The following animals were identified on that list located regionally: Gray Wolf, Canada Lynx, Wolverine, Fisher, Golden Eagle, Black Tern, Pileated Woodpecker, Horned Grebe and Bull Trout.

Determination: No immediate impact.

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 property is not located within a designated wetland boundary.

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

Determination: No pond. No impact.

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 Natural Resources and Conservation Service (NRCS) shows a variety of soil types in this area associated with irrigable farm land. The soils are not heavy in salts and there is no known saline seep in this area. The location of the proposed place of use is made up of mostly the Tally, Blanchard and Flathead soils (Tb) series.

Determination: No impact to soil quality or alteration of soil stability is expected.

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 impact.

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 are anticipated.

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

Determination: The Montana Historical Society was contacted. They feel that there is a low likelihood cultural properties will be impacted. According to their records, there have been no previously recorded sites within the designated area. No impact.

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 were identified during this EA.

HUMAN ENVIRONMENT

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

Determination:n This subdivision appears to be in compliance with the Flathead County Planning Office.

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 impact expected

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

Determination: No impact expected.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*
Yes___ No_XX_. 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?* None identified

(*b)* *Local and state tax base and tax revenues?* Tax revenues should increase.

(c) *Existing land uses?* None

(*d)* *Quantity and distribution of employment?* None

(e) *Distribution and density of population and housing?* Standard growth impacts

(f) *Demands for government services?* Developmental/growth impacts

(g) *Industrial and commercial activity?* None identified

(h) *Utilities?* Greater demand for electricity and natural gas

(i) *Transportation?* Not significant.

(j) *Safety?* Not significant.

(k) *Other appropriate social and economic circumstances?* None identified

2. ***Secondary and cumulative impacts on the physical environment and human population:*** None expected

3. ***Describe any mitigation/stipulation measures:*** None identified

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 reasonable alternatives identified

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: Because no significant impacts were identified, this EA is the appropriate level of analysis.

Name of person responsible for preparation of EA:

Name: Kathy Olsen
Title: Water Resources Specialist
Date: February 18, 2010