

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:* Alan & Deirdre Coit
450 Sonstelie Rd
Kalispell, MT 59901

2. *Type of action:* Application for Change of Appropriation Water Right 76LJ 30045489

3. *Water source name:* Flathead River

4. *Location affected by project:* NW¹/₄ NE¹/₄ NE¹/₄, Section 29, Township 28N, Range 20W, Flathead County

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

This application is to change the point of diversion (POD) for statement of claim 76LJ 30048129, an irrigation use from the Flathead River for 76.8 acres. Currently, the POD for this claim and the means of conveyance is shared with multiple users and is not on the Applicant's property. The Applicant proposes to move the POD approximately 250 feet downstream onto the Applicant's property and install a 30 horsepower (hp) pump capable of producing 500 gallons per minute (gpm) for the given conditions to supply water to two center pivot systems. The amount of water associated with this proposed change in diversion is a flow rate of 500 gpm up to an annual volume of 174.3 acre-feet (AF).

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

Montana Natural Resource Program Species of Concern
 Montana DEQ..... MT Clean Water Act Information Center
 Montana Historical Society Cultural Records Search
 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: 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 moving the location from which water will be diverted, 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 new point of diversion works will consist of a 6-inch screened intake steel pipe in the river. The intake will attach to a 30 hp Cornel 3YH series centrifugal pump on the adjacent riverbank. The 30 hp pump will attach to the existing 8-inch mainline, which will serve to supply water to two existing center pivots; a 500 gpm and a 220 gpm Reinke center pivot.

Determination: Installation of pump and distribution line will have slight impact on riparian area and shoreline habitat.

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 28N and Range 20W, 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*). In addition the State of Montana, US Forest Service, and Bureau of Land Management identified the following species of special concern: Gray Wolf (*Canis lupus*); Wolverine (*Gulo gulo*); Fisher (*Martes pennanti*); Great Blue Heron (*Ardea herodias*); Bald Eagle (*Haliaeetus leucocephalus*); Great Gray Owl (*Strix nebulosa*); Westslope Cutthroat Trout (*Onchorhynchus clarkia lewisi*); Pygmy Water-lily (*Nymphaea leibergii*); Flat-leaved Bladderwort (*Utricularia intermedia*); Beaked Spikerush (*Eleocharis rostellata*); Water Star-grass (*Heteranthera dubia*); Water Bulrush (*Schoenoplectus subterminalis*); Tufted Club-rush (*Trichophorum cespitosum*); Columbia water-meal (*Wolffia columbiana*); Scorpidium Moss (*Scorpidium scorpioides*).

Determination: This proposed project will not change land use characteristics and therefore should not impact the above listed species. The flow rate and volume associated with this application is already authorized under a statement of claim, and therefore, no new depletion of water from Flathead River will occur.

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: The proposed new point of diversion and is not within the boundaries of wetlands mapped by the national wetlands inventory program.

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

Determination: No pond is associated with 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 degradation of soils 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: There will be no change in land-use characteristics associated with this application so there will be no significant 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 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: There will be no change in land-use characteristics associated with this application so there will be no significant 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: 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 or wilderness 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 domestic purposes.

PART III. Conclusion

1. Preferred Alternative: As proposed

2. Comments and Responses: None

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: 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: February 18, 2010