

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Revised 11-00

Note: Instructions to DNRC staff for preparing this EA can be found at:
http://www.dnrc.state.mt.us/eis_ea.html

Part I. Proposed Action Description

1. *Applicant/Contact name and address:* Glacier Ranch Holdings LLC
740 Dakota Ave
Whitefish, MT 59937
2. *Type of action:* Application for Beneficial Water Use Permit No. 41M-30044752
3. *Water source name:* Unnamed Tributary of South Fork Two Medicine River
4. *Location affected by action:* NWSWNE, Section 34, T27N, R41E, Valley County
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
This application is to enlarge an existing on-stream stock reservoir and add a fishery purpose. Water will be diverted January 1st through December 31st up to 62.6 AF from an Unnamed Tributary of the South Fork Two Medicine River (also known as Olas Creek) to be used for a fishery in the SESWSW of section 12, T30N, R13W, Glacier County. The reservoir was originally constructed in 1936 and requires restoration. The rehabilitated pond will have the same surface area but will be deepened to fifteen feet to support fish.

The DNRC shall issue a water use permit if the 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 Historic Preservation Office
Montana Natural Heritage Program
Montana Department of Environmental Quality Website (TMDL 303d Listing)

Part II. Environmental Review

1. Environmental Impact Checklist:

<h3>PHYSICAL ENVIRONMENT</h3>

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: Neither the unnamed tributary where the reservoir is located or the South Fork Two Medicine River are identified as a chronically or periodically dewatered streams by the Montana Department of Fish, Wildlife & Parks (FWP). The Montana FWP does have an water reservation of 16 CFS for the South Fork Two Medicine River for instream flow protection. Following initial fill after construction, water will continue to flow through the reservoir as it has in the past. The surface area of the reservoir will remain the same and the proposed purpose, fishery, is non-consumptive.

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 unnamed tributary that the reservoir is located on has not been assessed by the Montana Department of Environmental Quality. The South Fork Two Medicine River has been assessed and fully supports all uses. Reconstruction of the reservoir was completed in the late fall of 2009. The new fishery purpose will not have a significant impact on the 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 surface water appropriation should have no significant impact on groundwater in the area.

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 Applicant provided a surveyed drawing of all pond elevations (survey conducted 9/24/08). To rehabilitate the reservoir, the earthen dam will be constructed at the same location, to the same height. The reservoir will have the same surface area as it existed historically but will be dug deeper to be able to sustain a fish population. The dam will be built to the design specifications in Montana Department of Natural Resources and Conservation, Water Resources Division, Dam Safety Program guide, dated September 2004, titled "Small Earthen Dam Construction: A Guidebook for Planning and Construction of Small Earthen Embankments". The dam will be 8 feet tall and 12 feet wide at top for a driving surface. The

construction will include an impervious clay core/cutoff trench, a sluice gate with overflow spillway and an internal chimney drain. The Applicant provided drawings of the monk style sluice gate to be installed and cross-section of dam design plans. A professional engineer from Carver Engineering out of Kalispell, Montana will finalize design details and supervise the construction. The dam was reconstructed to the same historical height and the reservoir surface area was not increased. This project will have no significant impacts to the channel, flow modifications, and riparian areas and will not create additional barriers.

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: A report received from the Montana Natural Heritage Program indicates there are eight species of special concern within the general area of the project. The grizzly bear and Canada lynx are classified as threatened. The harlequin duck, westslope cutthroat trout, gray wolf, wolverine, fisher, and blunt-leaved pondweed are all classified as sensitive by the US Forest Service. The westslope cutthroat trout is located in the South Fork Two Medicine River downstream of the reservoir. The applicant has applied for a stocking permit with the Montana Dept. of Fish, Wildlife & Parks to stock the reservoir with rainbow trout. The blunt-leaved pondweed is located in an area approximately one and a half miles to the northwest of the reservoir. All of the rest of the species are distributed over numerous townships. The rehabilitation of this reservoir will not have a significant impact on the any species of special concern.

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: According to the National Wetland Inventory the only wetland within the project area is the applicant's reservoir.

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

Determination: The reconstruction of this dam will not have a significant impact on existing wildlife, waterfowl or fisheries. The new dam, constructed at the same location as the old dam, and the surface area of the reservoir will not change. The reservoir will be dug deeper than historically to support a fishery. The Applicant has submitted an application for a stocking permit to the Montana Dept of Fish, Wildlife & Parks.

GEOLGY/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: The soil will be temporarily disturbed during reconstruction of the dam and digging the reservoir deeper. The surface area of the reservoir will remain unchanged. No

permanent degradation to soil quality, stability or moisture content is anticipated due to the reconstruction of the dam. The soils in this area are not prone to saline seep.

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: Following the reconstruction of the reservoir the disturbed areas should be reseeded in native grasses. The control of noxious weeds is the responsibility of the property owner.

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

Determination: There will be no deterioration of air quality as a result of the reconstruction of this dam.

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) no cultural resource inventories have been previously conducted within the search area. As long as there will be no disturbance or alteration to structures over fifty years of age SHPO feels that there is a low likelihood cultural properties will be impacted. As the project is located on private property, any cultural resource inventory conducted would be at the property owner's discretion.

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: There are no known local environmental plans or goals in this area.

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: This project will have no significant impact on recreational or wilderness activities.

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

Determination: This project will have no significant impact on human health.

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: There are no additional government regulatory impacts on private property rights associated with this application.

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

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

Secondary Impacts: No secondary impacts have been identified.

Cumulative Impacts: No cumulative impacts have been identified.

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:*** Under the no action alternative, the applicant could rehabilitate the dam but would not be able to dig it deeper to support a fishery.

PART III. Conclusion

1. ***Preferred Alternative:*** Issue a water use permit if the applicant proves the criteria in 85-2-311, MCA are met.

2. ***Comments and Responses***

3. ***Finding:***
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: No significant impacts have been identified, therefore an EIS is not necessary.

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

Name: Denise Biggar

Title: Water Resources Unit Manager

Date: April 15, 2010