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*: Gretchen von Rittberg, c/o Chrysler and Gordon CPA, PO Box 1439, Bigfork MT 59911

2. *Type of action*: Application for Beneficial Water Use Permit 76LJ-30046661

3. *Water source name*: Flathead Lake

4. *Location affected by action*: NW¼SW¼SE¼ of Section 1, Township 26N, Range 20W, 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.

   The Applicant proposes to divert surface water from the Flathead Lake, by means of a submersible pump, from April 15 through October 15 inclusive each year at a rate of 25 gpm up to 1.5 AF, from a point in the NW¼SW¼SE¼ of Section 1, Township 26N, and Range 20W, for 0.6 acres of irrigation for lawn and garden use from April 15 through October 15. The place of use is approximately 1.5 miles south of Bigfork, MT, generally located NW¼SW¼SE¼ of Section 1, Township 26N, and Range 20W and is approximately 11 miles north of the Flathead Reservation's northerly border in Flathead County, MT.

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: The source is not identified as chronically or periodically dewatered by DFWP.

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: Flathead Lake is listed by the DEQ as having aquatic life as an impaired use with further data needing to be collected. This impairment seems to be caused by a mixture of sources including upstream impoundments, atmospheric deposition, unspecified urban stormwater and municipal point source discharges. These probable sources bring mercury, nitrogen, phosphorus, polychlorinated biphenyls and sedimentation/siltation to the source. It would seem that this appropriation lawn/garden use of 25 gpm and 1.5 acre-feet of water from Flathead Lake would not likely increase impairment of the source.

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: N/A

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 diversion works will consist of a Goulds 18GS20 submersible pump inside a series of 2-foot diameter concrete rings buried above the high water level of the shoreline. A screened 3.5-inch PVC intake will be buried from the 2-foot diameter rings to the lake. A 1 1/2-inch transmission main connected to the Goulds pump will convey water to the control valves and buried irrigation piping within each zone. Thirty-six Rain Bird popup sprinkler heads will be used in the 4-zone system. Irrigation plan and pump specifications show that the system is capable of delivering and controlling the requested 25 gpm.

Installation of pump and distribution line should not impact the above. 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."*

Determination: The Montana Natural Heritage Program was contacted 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. They identified the following animal and plant species that are threatened, or have special status, that are located regionally: Gray Wolf, Canada Lynx, Wolverine, Fisher, Cassin's Finch, Brown Creeper, Black Tern, Pileated Woodpecker and Bald Eagle. These species are found throughout this region and not necessarily at this particular spot. 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.*

Determination: Proposed area is composed mainly of Winkler very gravelly loam, cool, 30 to 60 percent slopes. This soil is somewhat excessively drained with a high water transmissivity. This area also contains Wildgen gravelly loam, 8 to 30 percent slopes, lake effect. This soil is well drained with moderately high to high water transmissivity. 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: Grounds will be maintained with lawn and garden/natural landscaping. 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: This park appears to be in compliance with the Lake 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?* None

(c) *Existing land uses?* None

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

(e) *Distribution and density of population and housing?* None

(f) *Demands for government services?* None

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

(h) *Utilities?* None

(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: April 22, 2010