

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:* Shelter Bay Estates Landowners Association, Inc, PO Box 203, Rollins MT 59931
2. *Type of action:* Application for Beneficial Water Use Permit 76LJ-30046400
3. *Water source name:* Groundwater well
4. *Location affected by action:* SW $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 21, Township 25 N, Range 20 W, Lake 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 water from a 231' deep groundwater well that is screened between 188 and 208 feet, from January 1 through December 31, inclusive each year, at a rate of 70 GPM up to a volume of 21.32 AF, from a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 25N and Range 20W, for multiple domestic use from January 1 through December 31 and garden and landscaping irrigation - "lawn and garden" use on a 40-lot subdivision from April 18 through October 13. The place of use is Shelter Bay Estates and is generally located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 21, Township 25N and Range 20W, Lake County and located 1.5 miles north of the northerly boundary of the Flathead Indian Reservation. This well (Well #3) has been the primary source of water for a system that had two other wells and provides water for an additional 18 homes with lawn and garden and supplements water for the existing permit. Well #1 is permitted at 30 GPM while Well #2 is permitted at 10 GPM for a combined volume up to 16 AF as verified in DNRC permit 76LJ 66593 for 22 multiple domestic and small lawn and garden uses. Well #2 has been disconnected from the system and Well #1 is the back-up well for the system.

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:

<p style="text-align: center;">PHYSICAL ENVIRONMENT</p>
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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: 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 means of diversion was constructed by Liberty Drilling (MT license # WWC-52) to a depth of 231 feet, perforated from 188 to 208 feet and a static water level of 108 feet. Well was completed in August of 1989 and hooked-up to existing system. Shelter Bay Estates is a public water supply system (PWSID #MT0003376) and regulated by the Department of Environmental Quality (DEQ). Legal availability has been assessed through the Provisional Permit process.

The use of this public water supply system will likely reduce water to the near surface water sources of Flathead Lake.

Determination: Through the Provisional Permit process, it has been determined that adjacent surface source senior appropriators of Flathead Lake will not be adversely affected.

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 proposed means of diversion was constructed by Liberty Drilling (MT license # WWC-52) to a depth of 231 feet, perforated from 188 to 208 feet and a static water level of 108 feet. Well was completed in August of 1989 and hooked-up to existing system. Shelter Bay Estates is a public water supply system (PWSID #MT0003376) and regulated by the Department of Environmental Quality (DEQ). The water distribution system was originally designed by Stensatter-Druyvestein & Associates of Missoula, Montana. The water system currently consists of two active wells, a 28,000 gallon storage tank and mainline and connecting piping. The

system pressure is regulated by pressure switches that sense system pressure and activate the well pump when the pressure is low. Operating pressures range from 35 to 80 psi. A Berkley 7-stage, 7.5 hp submersible pump is installed. Individual water distribution components can be isolated and controlled through a number of valves at the wellhead and reservoir, along the mainline pipe, and various curb stops for each connection throughout the subdivision.

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, Bald Eagle, Northern Alligator Lizard, A Millipede, and Columbia Locoweed.

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.*

This area consists of Repp gravelly loam and Kingspoint very gravelly loam, which are both well drained and moderately high to high capacity to transmit water.

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 have designated areas within the supply area as being designated as an area of historical or archeological interest. No major impacts have resulted with the current building. 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 subdivision 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? Increase in tax revenues.
 - (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: May 17, 2010