

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:* Essex County Water & Sewer District, PO Box 643, Essex MT 59916
2. *Type of action:* Application to Change A Water Right 76I-30048743
3. *Water source name:* Ground water well
4. *Location affected by project:* NE¼ of Section 14, Township 29N, Range 16W, Flathead County
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
The DNRC shall issue change authorization if an applicant proves the criteria in 85-2-402 MCA are met.

Applicant seeks to change Water Right Claim, 76I-142605, by adding a point of diversion in the NW¼ of Section 14, Township 29N, Range 16W. Added diversion is from a ground water well 240' deep. Underlying right has a priority date of January 1, 1918, for municipal use from Essex Creek for 500 GPM and 560 AF annually. Flow rate and volume from new POD will be 59 GPM up to 16.12 AF annually. Historic point of diversion is described in the NE¼ of Section 21, Township 29N, Range 16W, Flathead County of the claim. A Motion to Amend the claim has been filed with the Montana Water Court to correct the POD to the NW¼ of Section 22, Township 29N, Range 16W. Place of use is the W½ of Section 14, Township 29N, Range 16W. Period of use is January 1 to December 31. Water is used by Essex, a small unincorporated community located along the southern border of Glacier National Park.

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

Montana Natural Heritage Program
Montana Department of Environmental Quality
Natural Resources and Conservation Service Soil Maps
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 Ground water

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 Ground water

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: Depletions to nearby Middle Fork of the Flathead River have been assessed in the application. Because of the low consumption of the change, there should be no significant impacts. Water previously taken from Essex Creek will remain instream.

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 new diversion is a 240' well in a 6-inch casing and perforations from 208 to 216 feet. These perforations are Mills Knife, 3/8" x 2" in size. Static water level is 176.3 feet below top of casing. The system pressure is regulated by a variable frequency drive pump and two water tanks. Based on flow demands and pressure requirements, the system will provide a minimum normal working pressure of 35 psi. A Goulds model 45J10 submersible pump with a 10 horsepower motor is installed. The water main will be 6-inches in diameter reducing to a 3-inch line branching to user sections. Design of the system was done by Robert Peccia & Associates.

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, Grizzly Bear, Golden Eagle, Pileated Woodpecker, Harlequin Duck, Clark's Nutcracker, Pacific Wren, Westsloope Cutthroat Trout, Lake Trout, A Stonefly, Western Screech-Owl and Short-flowered Monkeyflower. 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: The proposed place of use 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: N/A

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: The majority of soils in this area is Dystric Eutrochrepts, outwash substratum, with moderately high to high capacity to transmit water with no frequency of flooding. Saline seep is not a concern in this area.

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: N/A

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

Determination: N/A

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands.

Determination: N/A – project not located on State or Federal Lands.

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 change.

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 change is DEQ mandated.

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: N/A

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

Determination: N/A

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 impacts.

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
- (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
- (h) Utilities? None
- (i) Transportation? None
- (j) Safety? None

(k) Other appropriate social and economic circumstances? None

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

Secondary Impacts

None expected

Cumulative Impacts

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

1. Preferred Alternative

2. Comments and Responses

3. Finding:

Yes___ NoXX_ 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:

AN EA IS THE APPROPRIATE LEVEL OF ANALYSIS FOR THE PROPOSED ACTION BECAUSE NO SIGNIFICANT IMPACTS WERE IDENTIFIED.

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

Name: Kathy Olsen

Title: Water Resource Specialist

Date: February 10, 2011