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| 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

Applicant/Contact name and address: Iron Horse at Whitefish, LLC
2116 Iron Horse Dr
Whitefish, MT 59937

1. *Type of action:* Permit to Appropriate Water 76LJ 30048762
2. *Water source name:* Groundwater
3. *Location affected by project:* NW¹/₂ SE¹/₄ NE¹/₄ of Section 13, Township 3N, Range 22W, Flathead County
4. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*

The Applicant proposes to divert water from groundwater by means of a public water supply well that is 725 feet deep, from January 1 through December 31 at 270 GPM from a point in the NW¹/₂ SE¹/₄ NE¹/₄ of Section 13, Township 31 north, Range 22 west, Flathead County, for multiple domestic use, including lawn and garden, from January 1 through December 31. The proposed appropriation does not request volume as it is supplemental to previously approved, unperfected water rights, including: 76LJ 104098-00; 76LJ 111084-00; and 76LJ 114097-00 (which shares the well and flow rate used for 76LJ 111084-00 but is for fish and wildlife purpose). Total proposed (270 GPM from new well) and permitted (200 and 350 GPM from two existing wells) use for the entire Iron Horse Subdivision public water supply system from three wells is 820 GPM up to 650.5 AF. The combined system will provide water to approximately 316 residences, each having an average irrigated lawn size of approximately 0.55 acres. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

5. *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
 US Fish and Wildlife Service Wetlands Mapper
 Natural Resource Conservation Service..... Web Soil Survey

Part II. Environmental Review

1. Environmental Impact Checklist:

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| PHYSICAL ENVIRONMENT |
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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 appropriation includes the use of a well pumping at a maximum of 270 gpm completed in an unconfined fractured bedrock aquifer. This well has a total depth of 725 feet, and are screened from 378 to 420 ft, 580 to 620 ft, and 680 to 700 ft.

Determination: The applicant does not include the request for additional volume; therefore, it is not expected to impact ground or surface water availability.

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 Applicant is requesting a groundwater appropriation using a well drilled by a licensed well driller (license # WWC-458) in accordance with MCA Title 37, Chapter 43 and ARM Title 36, Chapter 21. The well was completed in 2009 to a depth of 725 ft below ground surface, has a minimum casing diameter of six-inches, has a static water level of 122.99 ft, and contains 1/8 inch x 1 inch slot perforations from 378 to 420 ft, 580 to 620 ft, and 680 to 700 ft. The well contains a 25 horsepower (hp) Goulds 250L submersible pump capable of supplying 268 GPM at a total dynamic head of 257 feet. A copy of the pump specifications and pump curve is provided in the application.

The proposed new point of diversion will be manifold into an existing water supply system containing two other wells, with a total system flow rate of 820 GPM. All three wells are designed to operate to satisfy the peak demand of 820 GPM during the month of July, when irrigation demands are greatest. A 4 inch ductile iron pipe will run from the wellhead to a new pump house. Inside the pump house a 4 inch ball valve will regulate flow from the well into a backflow preventer. Water will then connect to a 6 inch PVC pipe to an existing 10 inch ductile steel pipe, which then connects to a 300,000 gallon storage tank from where it is distributed to

individual residential lots. The engineer's technical memorandum contains as an addendum to the application that states the system was designed for a flow rate at full build-out of 820 GPM.

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 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 31N and Range 22W, that could be impacted by the proposed project. The US Fish and Wildlife Service identified the endangered Gray Wolf (*Canis lupus*), and 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: Wolverine (*Gulo gulo*); Fisher (*Martes pennanti*); Golden Eagle (*Aquila Chrysaetos*); Great Blue Heron (*Ardea herodias*); Pileated Woodpecker (*Dryocopus pileatus*); Common Loon (*Gavia immer*); Bald Eagle (*Haliaeetus leucocephalus*); Northern Alligator Lizard (*Elgaria coerulea*); Westslope Cutthroat Trout (*Onchorhynchus clarkia lewisi*); Pygmy Whitefish (*Prosopium coulteri*); Sheathead Slug (*Zacoleus idahoensis*); Creeping Sedge (*Carex chordorrhiza*); Crested Shieldfern (*Dryopteris cristata*); Giant Helleborine (*Epipactis gigantean*); Slender Cottongrass (*Eriophorum gracile*); and Gray Lungwort Lichen (*Lobaria hallii*).

Determination: This proposed project is associated with the use of groundwater and includes no additional volume; therefore, should not impact the above listed species.

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: 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.*

The proposed appropriation will be used to support water use in an existing, and growing subdivision. The issuance of this water right in and of itself will not create changes in land use patterns.

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 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: NA-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: None

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| HUMAN ENVIRONMENT |
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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? Slight impact
- (c) Existing land uses? Slight impact
- (d) Quantity and distribution of employment? No
- (e) Distribution and density of population and housing? Slight impact
- (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 **X** 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: January 25, 2011