

MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
WATER RESOURCES DIVISION
WATER RIGHTS BUREAU

ENVIRONMENTAL ASSESSMENT

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of action:** Water right change application no.
76LJ-Q(W)147167-00
2. **Applicant/Contact name and address:** Scott C. Levengood
PO Box 2334
Kalispell, MT 59903
3. **Water source name:** Ashley Creek
4. **Location affected by action:** SWSWNW, Section 33, Township 28N, Range 21W, Flathead Co.
5. **Narrative summary of the proposed project and action to be taken:** The DNRC shall issue an Authorization to Change if an applicant proves the criteria in §85-2-402 (2), MCA are met. The applicant is seeking a temporary change in the point of diversion, place of use and purpose of use. Ten acres of irrigated land will be taken out of irrigation to allow a consumptive use of water for the industrial purposes of dust control and roadbed compaction in sections 3 and 4 of Township 27N, Range 21W, and Section 33, Township 28N, Range 21W, both in Flathead Co. This change is based on a private contract agreement between Scott C. Levengood, owner of the water right and Schellinger Construction Co., Inc. who is rebuilding highway 93 south of Kalispell.
6. **Agencies consulted during preparation of the environmental assessment:** Montana Department of Transportation and Montana Department of Fish, Wildlife & Parks. No other agencies were contacted since Carter & Burgess from Denver, CO. completed an Environmental Impact Statement called Somers to whitefish in 1996. A copy of this document is available for review at the Flathead County Library.

PART II. ENVIRONMENTAL REVIEW

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

Soils/Geologic Features:

Degradation of soil quality or alteration of soil stability, moisture content, geologic substructure, unique geologic features, archeological sites?

Minor

Erosion:

Alteration of erosion or siltation patterns which modify stream beds or lake shores?

Any erosion or siltation will be blocked from Ashley Creek by silt fencing keeping any run off from entering Ashley Creek

Vegetation/Noxious weeds:

Change in or adverse affect on diversity and production of local plant species including any unique or endangered species (including trees, shrubs, grass, and aquatic plants)? Establishment or spread of noxious weeds?

NO

Air:

Deterioration of air quality, or adverse effects on vegetation due to increased air pollutants.

Minor temporary impact to air quality mitigated by dust control.

Water:

Alteration of surface water or groundwater quality including but not limited to temperature, dissolved oxygen or turbidity or quantity or distribution?

This is mitigated by silt fencing and any impact would be minor.

Floodplain:

Changes in drainage patterns, course or magnitude of flood flows, or exposure of people/property to hazards (flood)?

NO

Wildlife Habitat/Migration:

Deterioration of critical fish or wildlife habitat? Creation of a barrier to the migration or movement of fish or wildlife?

NO

Endangered Species:

Adverse effects on any unique or endangered species?

See EIS

HUMAN ENVIRONMENT

Existing Land Use:

Alteration of or interference with the productivity or profitability of the existing land use of an area?

The new roadway is a positive impact to the human environment.

Historical Significance:

Destruction or alteration of a natural area of scientific or educational value or prehistoric or paleontological importance?

Minor, removal of a historical railroad.

Populace:

Alteration of the location, distribution, density, or growth rate of the human population of an area? Alteration of social structure of community?

NO

Transportation:

Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?

Any impact will be positive.

Safety:

Creation of any health hazard or affect on existing emergency response or evacuation plans?

Impact will be positive.

Public Services:

Have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? Have an effect upon local or state tax base?

NO

Utilities:

Creates need for new or altered facilities for any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?

Minor

Aesthetics:

Alteration of any scenic vista or recreation opportunity or creation of an aesthetically offensive site to the public?

NO

Other:

See EIS

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2. **Secondary and cumulative impacts:** See EIS
 3. **Reasonable alternatives to the proposed action, including the no action alternative:** If the Authorization is not issued another water source will need to be found since highway construction is necessary to maintain a healthy infrastructure throughout the United States.

PART III. CONCLUSION

Based on the significance criteria evaluated in this EA, is an EIS required?
An EIS has been completed.

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: There will be no significant impacts, therefore no EIS is required.

PREPARED BY:

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TITLE: Water Resources Specialist
DATE: June 16, 2000