

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:* Jon I. & Timory Kelly Peel, 6582 Bull Lake Road, Troy, MT 59935-9634
2. *Type of action:* Application for Beneficial Water Use Permit 30024986-76D
3. *Water source name:* Twin Creek
4. *Location affected by action:* W2 of section 20, T 30N, R 33W, Lincoln County
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*
The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311, MCA are met. The applicants propose to divert water from Twin Creek, tributary to Lake Creek, at a rate of 70 gpm up to 115.4 acre-feet annually for hydro power generation and lawn & garden irrigation. Only 2.5 acre-feet of the total volume will be used consumptively. The balance, 112.9 acre-feet, will pass through a pipeline to a small private hydro power plant and be returned to Twin Creek just above it's confluence with Lake Creek.
6. *Agencies consulted during preparation of the Environmental Assessment:*
(include agencies with overlapping jurisdiction) *The MT Natural Heritage Program, the MT Dept of F, W & P, the MT DEQ and the MT Historical Society.*

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: Twin Creek is not listed by the MT DWF&P.

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: Twin Creek is not on the DEQ list for water quality.

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: NA

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 applicants will apply for a 310 permit from the Lincoln County CD and will obey all rules and directives.

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: Lake Creek and Twin Creek both are habitat for Westslope Cutthroat Trout and this area is known to have a Canadian Lynx pass through from time to time. Once construction of this hydropower plant is completed, no species so special concern should be affected.

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: NA

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: NA

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: Minimal impacts to the area as a result of lawn & garden irrigation.

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: If the pipeline is buried, all disturbed soil will need to be replanted to prevent noxious weeds from taking over. The applicants will control any such weeds.

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

Determination: NA

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: No historic sites were identified on this property.

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 identified.

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 area was developed well over 10 years ago.

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: None

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

Determination: None

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:

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? Potential for slight increase.
 - (c) Existing land uses? Slight if any.
 - (d) Quantity and distribution of employment? None
 - (e) Distribution and density of population and housing? None. The applicants already live on the property.
 - (f) Demands for government services? Slight
 - (g) Industrial and commercial activity? None
 - (h) Utilities? This system will decrease the demand for commercially produced power.
 - (i) Transportation? None
 - (j) Safety? Slight
 - (k) Other appropriate social and economic circumstances? This system will save the applicants money for power.
2. ***Secondary and cumulative impacts on the physical environment and human population:*** No secondary or cumulative impacts were identified as a result of this action.
3. ***Describe any mitigation/stipulation measures:*** None were justified at this time.
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 only alternative other than the preferred one would be the No Action alternative which would prevent the applicants from installing their system and producing a portion of their power.

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 cumulative or secondary impacts were identified as a result of this action, the EA is the appropriate level of analysis for the action.

Name of person responsible for preparation of EA:

Name: Wes McAlpin

Title: Water Resources Specialist, Kalispell RO DNRC

Date: [Automatic date code removed]