

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:* Bill Koenig
2. *Type of action:* Application for Beneficial Water Use Permit 76LJ-30041576
3. *Water source name:* Groundwater from two drilled wells.
4. *Location affected by action:* SESW and SWSE of Sec 11-29N-22W and NENW and NWNE of Sec 14-29N-22W, Flathead 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.

Bill Koenig applied for a Beneficial Water Use Permit from two wells at depths of 314 feet and 387 feet from the same aquifer for domestic usage and lawn and garden irrigation of a 45-lot subdivision at a rate of 165 gpm and 33.26 acre-feet from January 1 through December 31 inclusive of each year. The wells are located in the NWNWNE of Section 14-29N-22W. Place of use is the SESW and SWSE of Sec 11-29N-22W and NENW and NWNE of Sec 14-29N-22W, Flathead County, Harvest View Subdivision.

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

Montana Natural Heritage Program
Montana State Historical Society
NRCS Soil Survey of the Flathead Valley
Natural Resources and Conservation Service soil maps

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 the appropriation is for groundwater. Immediate dewatering is not a concern.

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 the appropriation is for groundwater with no impact to 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: No impact. The applicant used a zone of influence to substantiate water availability with no adverse impact to prior groundwater appropriators. The applicant then addressed the potential for adverse impact to senior surface-water users by evaluating consumptive use from this appropriation. This annual consumptive use of 21.92 ac-ft annually from the deep aquifer was shown to have an impact time span of years to decades on the surface-water users.

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: No impact. The wells were designed by a professional engineering firm and installed by a licensed well drilling company.

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: No impact. 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, Black Tern and Bull Trout. The Black tern is located in a seasonal body of water located away from the project. Bull Trout are found in the Stillwater River which flows nearby. Impact on these surface sources of water would be minimal and not immediate. The Gray Wolf roams throughout this region, but is not necessarily known, and unlikely to be found at the proposed project site.

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: No impact. No wetland.

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

Determination: No impact. No pond.

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 impact. The Natural Resources and Conservation Service (NRCS) shows a variety of soil types in this area associated with irrigable farm land. The soils are not heavy in salts and there is no known saline seep 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: No impact. This parcel of land was historically used as irrigated cropland. Infrastructure, buildings and manicured lawns will replace most of this historic use. Since these will become private lots, those homeowners are responsible for containment of noxious weeds.

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: No impact. The Montana Historical Society was contacted. They feel that there is a low likelihood cultural properties will be impacted. According to their records, there have been no previously recorded sites within the designated area.

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 Flathead 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? Tax revenues should increase with the sale of these lots.
- (c) Existing land uses? Land use will go from irrigated property to residential
- (d) Quantity and distribution of employment? Changes during construction
- (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? Increased traffic to that area
- (j) Safety? Impact based on increased traffic
- (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: September 15, 2008