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*: Stillwater Land Company LLC, 1404 W. Lakeshore Drive, Whitefish MT 59937

2. *Type of action*: Application for Beneficial Water Use Permit 76LJ-30062762

3. *Water source name*: Stillwater River

4. *Location affected by project*: SE¼NE¼ of Section 10, Township 31N, Range 23W, Flathead 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 Applicant proposes to divert water from the Stillwater River, by means of a pump from April 15 through October 15 inclusive each year at 300 GPM up to 74.2 AF, from a point in the SE¼NE¼ of Section 10, Township 31N, Range 23W, for irrigation use from April 15 through October 15. The Applicant proposes to irrigate alfalfa on 30.3 acres. The place of use is generally located in the SW¼SW¼ of Section 2, SE¼SE¼ of Section 3, NE¼NE¼ of Section 10 and NW¼NW¼ of Section 11 all in Township 31N, Range 23W, Flathead County and is approximately 18 miles north of Kalispell, Montana.

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

Montana Natural Heritage Program
Natural Resources and Conservation Service soil maps
Montana Department of Environmental Quality
United States Fish and Wildlife Wetland Mapper
Department of Fish, Wildlife and Parks

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: The source is not identified as chronically or periodically dewatered by DFWP.

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: Stillwater River is listed by the DEQ as having aquatic life and drinking water as impaired uses with further testing needing to be done. These impairments seem to be caused by loss of riparian habitat through land development or redevelopment. It would seem that this appropriation of a pump set-up on the bank would not likely increase impairment of the source.

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: N/A

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.*

1. *Determination*: At the current time, there is no power to the proposed pump site. Therefore, the proposed water diversion will use a Berkeley 20 HP, portable diesel pumping unit that will be located above the riverbank. A 6-inch aluminum suction pipe with a wade rain suction strainer (3/32 mesh screen) well be coupled to the pump and extended down into the Stillwater River during irrigation season. A 6-inch aluminum pipe will continue to the water main where it will reduce to a 5-inch aluminum pipe and will provide water to a 4-inch diameter wheel line and to 3-inch diameter hand lines. A total of 47 standard, impact sprinkler heads with 11/64-inch nozzles will apply water to the crop. The wheel line will have a center feed and valves will be set every 60 feet. The sprinkler time could be set to either 12 hours or 24 hours and run approximately 10 – 12 days per harvest. The total dynamic head is 210 feet with a volume of 1.3 AF/day. Pump specifications included in the file show the proposed pump capable of delivering the requested 300 GPM. The irrigation system was designed by Swallow's Irrigation and included in the application.

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: Wolverine, Hoary Bat, Canada Lynx, Fisher, Brown Creeper, Pileated Woodpecker, Common Loon, Clark's Nutcracker, Pacific Wren, Northern Alligator Lizard, Western Toad, Westslope Cutthroat Trout, Bull Trout, Lake Trout, Arctic Grayling, Adder's Tongue, Beck Water-marigold, and Water Star-grass. 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: This property is not located within a designated wetland boundary.

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: Majority of the proposed place of use is composed mainly of Glossic Cryoboralfs, lacustrine substratum, 0 to 20 percent slopes and a moderately high water transmissivity. Good irrigation management will need to be implemented to avoid future saline seepage.

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: Good irrigation practices should help control the spread 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 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 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: No inconsistency noted.

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?* 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 identified.

(h) *Utilities?* None

(i) *Transportation?* Not significant

(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 identified

Cumulative Impacts None identified

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***

Project should be completed as explained in application.

2 ***Comments and Responses***

3. ***Finding:***

*Yes___ No**XX**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:

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

Name: Kathy Olsen
Title: Water Resource Specialist
Date: February 12, 2013