

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:

JBV Water Company
68 Indian Ridge Road
Kalispell, MT 59901

2. Type of action: Application for Beneficial Water Use Permit 76LJ 30065600

3. Water source name: Groundwater

4. Location affected by project: The place of use is generally located in Juniper Bay Villas, SWNENW Sec 35 Township 27 north, Range 21 west, Flathead County.

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The applicant proposes to divert groundwater, by means of a 158 foot deep well (GWIC 226186) and a 355 foot deep well (GWIC 226190), from January 1st to December 31st at 50 GPM up to 7.56 AF, from a point in Lot 1, Juniper Bay Villas, SWNENW Sec 35, Township 27 north, Range 21 west, Flathead County for multiple domestic use. It is a public water supply, one well is redundant. The Applicant is requesting enough water to accommodate 27 units that have year round residents. The Applicant currently uses water from Flathead Lake for multiple domestic use under water right 76LJ 30025439. Water right 76LJ 30025439 will be withdrawn after issuance of this permit

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

- U.S. Fish and Wildlife Service and Montana Natural Heritage Program: Endangered, Threatened Species and Species of Special Concern, Wetland Mapper program
- Montana Department of Fish Wildlife & Parks (DFWP); Dewatered Stream Information
- Montana Department of Environmental Quality's (MDEQ) Clean Water Act Information and PWS Drinking Water Watch databases
- U.S. Natural Resource Conservation Service (NRCS); web soil survey
- Montana Historical Society

Part II. Environmental Review

1. Environmental Impact Checklist:

<h2>PHYSICAL ENVIRONMENT</h2>

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.

Flathead River and Flathead Lake are not listed by DFWP as chronically or periodically dewatered. Upon analysis by the Department of Natural Resources (Department) the source aquifer and Flathead River/Lake were found to have water in excess of that requested by the Applicant.

Determination: No impact.

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.

According to the Montana Department of Environmental Quality's (MDEQ) Clean Water Act Information Center in 2012 Flathead Lake was listed as having one or more uses impaired due to one or more of the following probable causes: mercury, nitrogen (total), phosphorous (total), polychlorinated biphenyls and sedimentation/siltation. Flathead River was categorized as having insufficient data to assess any use. The Applicant is proposing to utilize groundwater. The well is within 1,000 feet of Flathead Lake and hydraulically connected to the Lake. Waste water will be discharged to the Lakeside County Water Sewer District; therefore all 7.56 AF that is diverted will be consumed, no return flows will occur. Multiple domestic water use is expected to have little or no effect on the Lakes water quality.

Determination: No significant impact.

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 use will reduce discharge from the source aquifer to Flathead Lake in an amount equivalent to their consumptive use. Groundwater flow paths will be altered due to the proposed project. Groundwater quality will not be significantly impacted.

Determination: No significant impact.

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 proposed appropriation will utilize two wells; the South well (GWIC 226190) and the North well (GWIC 226186) to provide water to Juniper Bay Villas. The supply system consists of two wells, several pressure tanks and associated 2-inch poly pipe and 1-inch feeder lines. This is a DEQ permit public water supply, one well is redundant. Each well was drilled by a licenses well driller (license # WWC-521) in accordance with MCA Title 37, Chapter 43 and ARM Title 36, Chapter 21. Both wells were drilled in 2006, abandoned by filling with bentonite chips and subsequently drilled out in 2012 and redeveloped. The South well is 355 feet below ground surface. The well casing is 8 inches from 0-116 feet. Between 116-355 feet the well is open hole. The North well is 100 feet from the South well, is 158 feet deep and has a static water level of 63.65 feet. The well casing is 8 inches from 0-78 feet. Between 78-158 feet the well is open hole. Both wells are lined with 6 inch Sch 40 Certa-Loc PVC with 10 feet of 0.100 slot PVC screen. Each well will contain a 4-inch Berkeley MGS Stainless Steel Pump with 5HP 230 volt single phase motor. The wells will operate on an alternating schedule; only one well will be pumped a day. Each well will supply the water system via 2-inch HDPE pipeline that will be manifold together just before the system of pressure tanks in the pump house. 1-inch feeder lines will transport water to future and existing structures. Before the manifold each pipe will be equipped with a Badger Model 170 2-inch nutating disc flow meter equipped with a totalizer. Juniper Bay Villas water supply system is a public water supply permitted by the MDEQ under PWSID # MT004576. Flow paths to surface waters and within the aquifer will be modified; however modeling done by Department hydrogeologists show that no significant negative impact will occur to existing water users and surface/groundwater resources.

Determination: No significant 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 and DFWP websites were reviewed 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.

According to the Montana Natural Heritage Program in Township 27N, Range 21W there are no plant species of concern. The Wolverine (*Gulo gulo*), Fisher (*Martes pennant*) and Westslope Cutthroat Trout (*Oncorhynchus clarkia lewisi*) are species of concern; the Bull Trout (*Salvelinus confluentus*) is listed as threatened. An adequate quantity of water will still exist in the Flathead Lake to maintain existing populations of Bull Trout and Westslope Cutthroat Trout. Development has existed on this section of lakeshore for sometime; any impacts to sensitive mammal species most likely has already occurred. The proposed project will not impact any threatened or endangered fish, wildlife, plants and aquatic species or any species of special concern.

Determination: No significant 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: N/A, project does not involve wetlands or critical riparian habitats

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

Determination: N/A, project does not involve ponds.

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.

According to soil survey data provided by the NRCS, soil within the place of use consists mostly of very gravelly silt loam. Soils around Flathead Lake are not susceptible to saline seep. Using water from Flathead Lake for domestic use will not cause degradation of soil quality and stability.

Determination: No impact.

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.

Any impacts to existing vegetation will be within the range of current disturbances due to current development within the subdivision. No land will be disturbed due to this application, therefore noxious weeds are not expected to be established or spread.

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.

Adverse air quality impacts from increased air pollutants are not expected as a result of this project. No air pollutants were identified as resulting from the applicants proposed use of Flathead Lake water.

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 if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.

Determination: N/A, project is not located on state or federal land.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - Assess any other impacts on environmental resources of land, water and energy not already addressed.

All impacts to land, water and energy have been identified and no further impacts are anticipated.

Determination: No impact.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

The project is located in an area with no locally adopted environmental plans.

Determination: No impact.

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.

The proposed project will not inhibit, alter or impair access to present recreational opportunities in the area. The project is not expected to create any significant pollution, noise, or traffic congestion in the area that may alter the quality of recreational opportunities. The proposed place of use and diversion do not exist on land designated as wilderness.

Determination: No impact.

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

There should be no significant negative impact on human health from this proposed use.

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? None identified.
- (b) Local and state tax base and tax revenues? None identified.
- (c) Existing land uses? None identified.
- (d) Quantity and distribution of employment? None identified.
- (e) Distribution and density of population and housing? None identified.
- (f) Demands for government services? None identified.
- (g) Industrial and commercial activity? None identified.
- (h) Utilities? None identified.
- (i) Transportation? None identified.
- (j) Safety? None identified.
- (k) Other appropriate social and economic circumstances? None identified.

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 were identified in the EA.

PART III. Conclusion

1. Preferred Alternativ: None identified.

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:

An EA is the appropriate level of analysis for the proposed action because no significant impacts were identified.

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

Name: Melissa Brickl

Title: Hydrologist/Water Resource Specialist

Date: April 29, 2013