

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: Robert & Sandra Streit
340 Summit Ridge Dr
Kalispell, MT 59901
2. Type of action: Application to Change an Existing Irrigation Water Right 76LJ 30103966
3. Water source name: Ashley Creek
4. Location affected by project: NESW, SESW, SESWSW Section 36, Township 28N, Range 21W, Flathead County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant is proposing a change in the place of use of unperfected Provisional Permit 76LJ 97168-00. Under the proposed change, the new place of use will consist of one irrigated field consisting of 54.6 acres. The irrigation will occur on 19.5 acres in the NESW Section 36, 34.4 acres in the SESW Section 36, and 0.7 acres in the SESWSW Section 36, all located within Township 28N, Range 21W, Flathead County. The Applicant is proposing to divert 250 GPM from a point in the NWSESW Section 36, Township 28N, Range 21W, Flathead County, up to 115.76 AF annually for irrigation use. The proposed period of diversion and period of use is April 1- November 30.

The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:
Montana Natural Resource Information System (NRIS)
Montana Department of Fish, Wildlife, & Parks (DFWP)
Montana Department of Environmental Quality (DEQ)
Montana Natural Heritage Program
National Wetlands Inventory
USDA NRCS Web Soil Survey

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: No significant impact

Ashley Creek from the Kalispell airport road to the mouth (Flathead River) is listed as fully supporting agriculture and not supporting aquatic life or primary contact recreation. Municipal point source discharges, storm sewer discharges, and irrigated crop production are the main sources of impairment as identified by the Montana Department of Environmental Quality. No TMDL has been completed for Ashley Creek at this time. The Applicant's proposed change in place of use will reduce the total number acres of irrigation and reduce the total amount of water diverted from Ashley Creek. Therefore, it is not anticipated that authorization of the proposed change will have a significant impact on water quality of Ashley Creek.

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- proposed diversion is from surface water

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 significant impact

The means of diversion (pump) has already been installed. The only proposed change is in the place of use. There will be no channel impacts, flow modifications, barriers, dams, or riparian impacts to Ashley Creek associated with authorization of the proposed change.

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 significant impact

The Montana Natural Heritage Program identified a list of 8 animal species of concern within the township and range that the project is in. Of this list, the Bull Trout is listed as "threatened" by the US Fish & Wildlife Service. One plant species, the Pygmy Water-lily was identified by the Montana Natural Heritage Program to potentially be in the project area. It is not identified as endangered or threatened by the US Fish & Wildlife Service. This project area has already been developed as agricultural land and it is not anticipated that any of the species of concern will be impacted by the proposed project.

Hoary Bat	Little Brown Myotis	Fisher
Great Blue Heron	Veery	Westslope Cutthroat Trout
Pygmy Whitefish	Bull trout	Pygmy Water-lily

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 significant impact

One freshwater emergent wetland was identified within the project area; however the project area has already been developed as an agricultural field and has been farmed for a number of years. It is not anticipated that any additional impact to the identified wetland will occur upon authorization of the proposed change.

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

Determination: No significant impact

There were no ponds identified within the project area.

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 significant impact

The project area has already been developed as an agricultural field. The major soil types in the project area consist of 28% Somers silt loam (prime farmland if irrigated), 33% Somers silty clay loam (prime farmland if irrigated), 5% Blanchard fine sand (not prime farmland), 11% Kalispell fine sandy loam (prime farmland if irrigated), and 5% Muck and peat (not prime farmland). The majority of the soils in the project area are considered prime farmland if irrigated and are nonsaline to very slightly saline. It is not anticipated that there will be degradation of soil quality, alteration of soil stability, or moisture content associated with authorization of the proposed change.

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 significant impact

Noxious weed prevention will be the responsibility of the landowner. As the proposed change involves irrigation of agricultural crops, it is not anticipated that authorization of the proposed change will spread noxious weeds as it is in the best interest of the Applicant to prevent the spread of noxious weeds in their agricultural field.

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

Determination: No significant impact

There will be no impact to air quality associated with issuance of a water use permit.

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 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 potential impacts have been 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: No known environmental plans or goals will be impacted by this project.

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 access or recreational activities will be significantly impacted by this project.

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

Determination: This proposed project will have no significant impact on human health.

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 regulatory impacts are known.

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? No significant impacts identified
- (b) Local and state tax base and tax revenues? No significant impacts identified
- (c) Existing land uses? No significant impacts identified
- (d) Quantity and distribution of employment? No significant impacts identified
- (e) Distribution and density of population and housing? No significant impacts identified
- (f) Demands for government services? No significant impacts identified
- (g) Industrial and commercial activity? No significant impacts identified
- (h) Utilities? No significant impacts identified
- (i) Transportation? No significant impacts identified
- (j) Safety? No significant impacts identified
- (k) Other appropriate social and economic circumstances? No significant impacts identified

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts No significant impacts identified

Cumulative Impacts No significant impacts identified

3. *Describe any mitigation/stipulation measures:* None

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 to the proposed action would be the no action alternative. The no action alternative would not authorize the Applicant to irrigate their entire agricultural field.

PART III. Conclusion

1. *Preferred Alternative*

Issue a water use permit if the Applicant proves the criteria in 85-2-402 MCA are met.

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:

No significant impacts related to the proposed project have been identified.

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

Name: Nathaniel T. Ward

Title: Water Resource Specialist

Date: November 13, 2015