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:

SPP Montana LLC
6304 Peake Road
Macon, GA 31210

2. Type of action:

Surface Water Application for Beneficial Water Use Permit 76LJ 30163655

3. Water source name:

Lazy Creek

4. Location affected by project:

(1) NE ¼ of the NE ¼ of Section 36, in Township 32N, Range 23W, Flathead County, Montana.
(2) E ½ of the SE ¼ of Section 25, in Township 32N, Range 23W, Flathead County, Montana.
(3) S ½ of the NE ¼ of Section 25, in Township 32N, Range 23W, Flathead County, Montana.

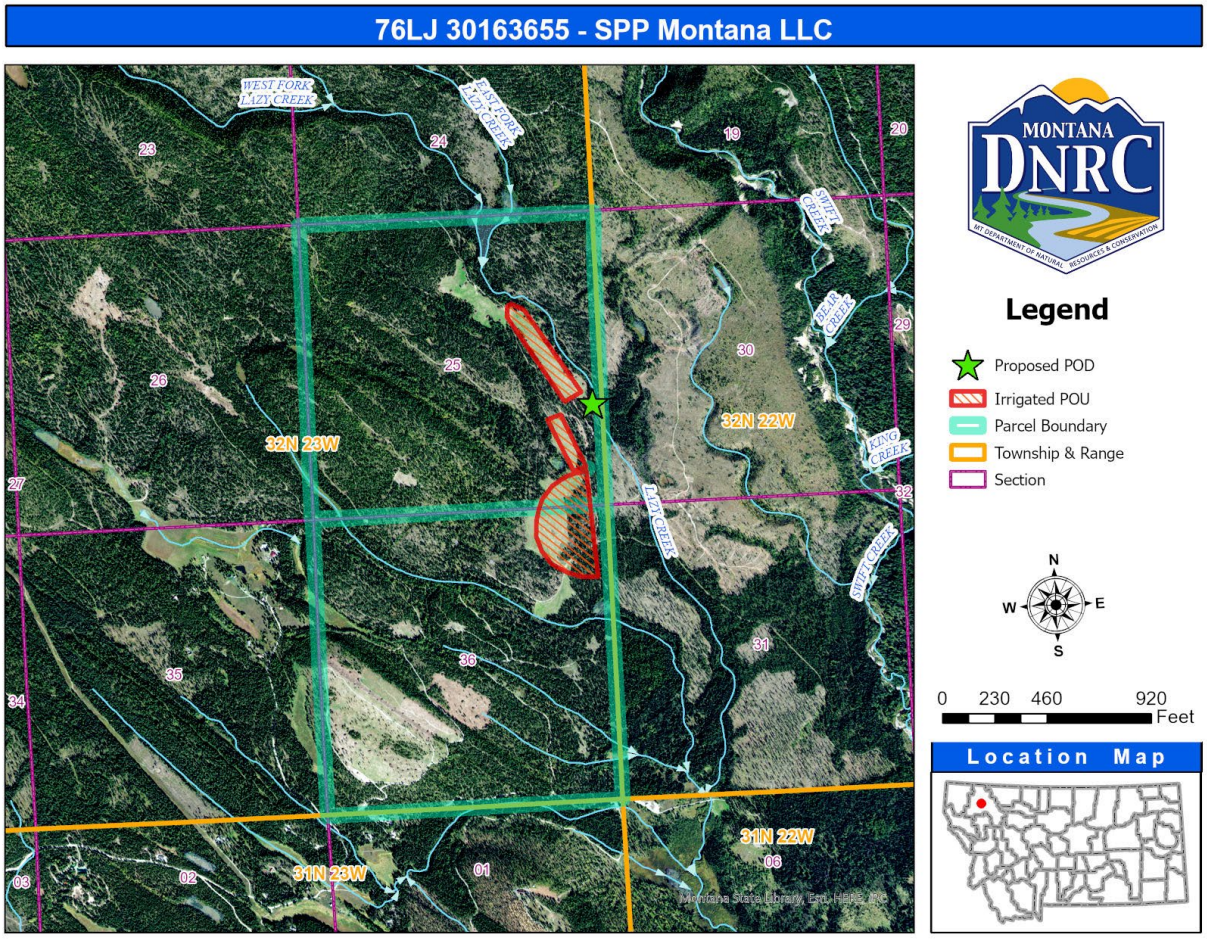

Figure 1. Map of the Applicant's proposed POD on the source and proposed place of use.

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

The Applicants propose to utilize water May 1st to September 30th from Lazy Creek at a rate of 1.67 CFS. 112.74 AF of water would be used throughout the period of diversion for irrigation on 25.72 acres in the NE ¼ of the NE ¼ of Section 36, 22.43 acres in the E ½ of the SE ¼ of Section 25, and 7.39 acres in the S ½ of the NE ¼ of Section 25, Township 32 North, Range 23 West, Flathead County, Montana.

The project (including Lazy Creek) is in the Flathead River Basin (76LJ); in an area that is not subject to water right basin closures or controlled groundwater area restrictions.

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

6. Agencies consulted during preparation of the Environmental Assessment:

- U.S. Fish and Wildlife Service (USFWS): National Wetlands Inventory Wetlands Mapper

- Montana Natural Heritage Program: Endangered, Threatened Species, and Species of Special Concern
- Montana Department of Fish Wildlife & Parks (MTDFWP): Dewatered Stream Information
- Montana Department of Environmental Quality (MTDEQ): Clean Water Act Information Center
- U.S. Natural Resources Conservation Service (NRCS): Web Soil Survey

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.*

The Applicant proposes to divert surface water from Lazy Creek, which is not on the MTDFWP list of chronically or periodically dewatered streams.

Determination: No significant 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.*

Whitefish Lake is the receiving waterbody that Lazy Creek flows into. Whitefish Lake is classified as oligotrophic, meaning the waters are clear, cold, and biodiverse with low nutrients and high oxygen levels.

In this assessment, Whitefish Lake was deemed fully supporting for agricultural, aquatic life, and primary contact / recreational water uses. Whitefish Lake has not yet been assessed for drinking water.

There is no data supporting whether Whitefish Lake is listed as water quality impaired or threatened by DEQ, according to the MDEQ Clean Water Act Information Center's 2020, 2018, or 2016 Water Quality Information, accessed August 7, 2025.

Whitefish Lake: MDEQ Clean Water Act Information Center's 2018 & 2020 Water Quality Information report lists Whitefish Lake as:

i. Water Quality Category 5: Waters where one or more applicable beneficial uses have been assessed as being impaired or threatened, and a TMDL is required to address the factors causing the impairment or threat;

ii. Use Class A-1: Waters classified as suitable for drinking, culinary and food processing purposes after conventional treatment for removal of naturally present impurities;
iii. "Fully Supporting" for: primary contact recreation, agriculture, and aquatic life;
iv. "Threatened," for: aquatic life with probably causes for these designations being Mercury and Polychlorinated Biphenyls (PCBs); and,
v. "Not Assessed" for: drinking water

There was a delisting for sedimentation/siltation on 11/20/2014. According to the delisting comment, "Re-assessment of Whitefish Lake sediment conditions has shown all beneficial uses are being supported with respect to sediment."

The diversion of water for irrigation is not anticipated to significantly affect the water quality of Lazy Creek and Whitefish Lake.

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.*

Determination: N/A; this project appropriates from a surface water source.

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 Applicant will divert water from Lazy Creek at a maximum rate of 1.67 CFS. The diversion will use a Cornell mode 3YH 50 HP pump (or equivalent). This is a pad mounted centrifugal pump, which will be installed at a pumping station adjacent to the POD at Lazy Creek. The pump is capable of delivering 1.67 CFS at an operating TDH of 169 feet. No losses are anticipated with conveyance as piping will be utilized throughout the place of use to deliver water. Note that all three sprinkler systems will be operating concurrently.

Water will be conveyed from the pump station via 6-inch diameter buried HDPE pipe to the center pivot and the junctions of the wheel line irrigation areas. 4-inch buried HDPE pipe will supply the irrigation wheel line. Water will be delivered within the place of use via a 1,000-foot Reinke Electrogator II center pivot and two 300-foot wheel lines with 7-foot diameter wheels and 4-inch pipe. Wheel lines will have six rotor heads at 60-foot intervals along the wheel line. Risers will be located every 60 feet along the main line to supply irrigation across the field.

Nine-hour irrigation sets are planned during peak irrigation season with up to five irrigation days per week. The center pivot and two wheel lines will operate concurrently. The center pivot requires a flow rate of 622 GPM. The rotors will operate at a flow rate of approximately 10.8 GPM individually. Each wheel line will operate at approximately 64 GPM (128 GPM for both wheel lines). A total flow rate of 750 GPM is required for site irrigation, which mirrors the requested flow rate of 1.67 CFS.

This project will not create any channel impacts, flow modifications, barriers, dams, or riparian impacts to Lazy Creek, nor will it affect any wells.

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 website was reviewed on August 7, 2025 to determine if there are any threatened or endangered fish, wildlife, plants, aquatic species, or any "species of special concern" in Township 32N, Range 23W that could be impacted by the proposed project. 12 animal and three plant species of concern were identified within the township, range and sections where the project is located. Of these species, the Canada Lynx (*Lynx canadensis*), Grizzly Bear (*Ursus arctos*), Wolverine (*Gulo gulo*), Bull Trout (*Salvelinus confluentus*), and Whitebark Pine (*Pinus albicaulis*) are listed as threatened by the USFWS. It is not anticipated that any species of concern will be further impacted by the proposed project.

Table 1. Animal Species of Concern in and around Section 25 & 26, Township 32 N, Range 23 W, Flathead County.

United States Fish & Wildlife Service (USFWS) Animal Species of Concern			
Species Group	**Common Name**	**Scientific Name**	**USFWS Status**
Mammals	Canada Lynx	*Lynx canadensis*	Listed Threatened (LT); Critical Habitat (CH)
	Fisher	*Pekania pennanti*	N/A
	Grizzly Bear	*Ursus arctos*	Listed Threatened (LT)
	Wolverine	*Gulo gulo*	Listed Threatened (LT)
Birds	Brown Creeper	*Certhia americana*	Migratory Bird Treaty Act of 1918 (MBTA)
	Evening Grosbeak	*Coccothraustes vespertinus*	Migratory Bird Treaty Act of 1918 (MBTA); Birds of Conservation Concern, Region 10
	Pileated Woodpecker	*Drycopus pileatus*	Migratory Bird Treaty Act of 1918 (MBTA)
	Varied Thrush	*Ixoreus naevius*	Migratory Bird Treaty Act of 1918 (MBTA)
Fish	Bull trout	*Salvelinus confluentus*	Listed Threatened (LT); Critical Habitat (CH)
	Westslope Cutthroat Trout	*Oncorhynchus lewisi*	

Table 2. Plant Species of Concern in and around Section 25 & 26, Township 32 N, Range 23 W, Flathead County.

United States Fish & Wildlife Service (USFWS) Plant Species of Concern			
Species Group	**Common Name**	**Scientific Name**	**USFWS Status**
Vascular Plants	Whitebark Pine	*Pinus albicaulis*	Listed Threatened (LT)

Table 3. Animal Species of Concern in and around Section 36, Township 32 N, Range 23 W, Flathead County.

United States Fish & Wildlife Service (USFWS) Plant Species of Concern			
Species Group	**Common Name**	**Scientific Name**	**USFWS Status**
Mammals	Canada Lynx	*Lynx canadensis*	Listed Threatened (LT); Critical Habitat (CH)
	Fisher	*Pekania pennanti*	N/A
	Grizzly Bear	*Ursus arctos*	Listed Threatened (LT)
	Wolverine	*Gulo gulo*	Listed Threatened (LT)
Birds	Brown Creeper	*Certhia americana*	Migratory Bird Treaty Act of 1918 (MBTA)
	Evening Grosbeak	*Coccothraustes vespertinus*	Migratory Bird Treaty Act of 1918 (MBTA); Birds of Conservation Concern, Region 10
	Pileated Woodpecker	*Drycopus pileatus*	Migratory Bird Treaty Act of 1918 (MBTA)
Fish	Bull trout	*Salvelinus confluentus*	Listed Threatened (LT); Critical Habitat (CH)
	Westslope Cutthroat Trout	*Oncorhynchus lewisi*	
Invertebrates	Sheathed Slug	*Zacoleus idahoensis*	

Table 4. Plant Species of Concern in and around Section 36, Township 32 N, Range 23 W, Flathead County.

United States Fish & Wildlife Service (USFWS) Plant Species of Concern			
Species Group	**Common Name**	**Scientific Name**	**USFWS Status**
Vascular Plants	Beck Water-marigold	*Bidens beckii*	
	Adder's Tongue	*Ophioglossum pusillum*	
	Whitebark Pine	*Pinus albicaulis*	Listed Threatened (LT)

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.*

N/A- There are several wetlands in the immediate vicinity of the project location including:

Freshwater Emergent Wetland habitat (PEM1C)
Classification code: PEM1C
System **Palustrine (P)** : The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and (4) salinity due to ocean-derived salts less than 0.5 ppt.
Class **Emergent (EM)** : Characterized by erect, rooted, herbaceous hydrophytes, excluding mosses and lichens. This vegetation is present for most of the growing season in most years. These wetlands are usually dominated by perennial plants.
Subclass **Persistent (1)** : Dominated by species that normally remain standing at least until the beginning of the next growing season. This subclass is found only in the Estuarine and Palustrine systems.
Water Regime **Temporary Flooded (A)** : Surface water is present for brief periods (from a few days to a few weeks) during the growing season, but the water table usually lies well below the ground surface for the most of the season.
Water Regime **Seasonally Saturated (B)** : The substrate is saturated at or near the surface for extended periods during the growing season, but unsaturated conditions prevail by the end of the season in most years. Surface water is typically absent, but may occur for a few days after heavy rain and upland runoff.
Water Regime **Seasonally Flooded (C)** : Surface water is present for extended periods especially early in the growing season, but is absent by the end of the growing season in most years. The water table after flooding ceases is variable, extending from saturated to the surface to a water table well below the ground surface.

Forested / Shrub Wetland habitat (Rp1FO)
Classification code: Rp1FO
System **Riparian (Rp)** : Plant communities contiguous to and affected by surface and subsurface hydrologic features of perennial or intermittent lotic and lentic water bodies (rivers, streams, lakes, or drainage ways). Riparian areas have one or both of the following characteristics: 1) distinctively different vegetative species than adjacent areas, and 2) species similar to adjacent areas but exhibiting more vigorous or robust growth forms. Riparian areas are usually transitional between wetland and upland.
Modifier **Broad-leaved Deciduous (1)** : Broad-leaved deciduous trees
Class **Forested Wetlands (FO)** : Areas dominated by woody vegetation (trees) that are typically 6 meters (20 feet) or taller.

Riverine habitat (R5UBH)
Classification code: R5UBH

System **Riverine (R)** : The Riverine System includes all wetlands and deepwater habitats contained within a channel, with two exceptions: (1) wetlands dominated by trees, shrubs, persistent emergents, emergent mosses, or lichens, and (2) habitats with water containing ocean-derived salts of 0.5 ppt or greater. A channel is an open conduit either naturally or artificially created which periodically or continuously contains moving water, or which forms a connecting link between two bodies of standing water.
Subsystem **Unknown Perennial (5)** : This Subsystem designation was created specifically for use when the distinction between lower perennial, upper perennial, and tidal cannot be made from aerial photography and no data is available.
Class **Unconsolidated Bottom (UB)** : Includes all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 cm), and a vegetative cover less than 30%.
Water Regime **Permanently Flooded (H)** : Water covers the substrate throughout the year in all years.

Determination: No significant impact.

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

N/A: the proposed project includes freshwater pond habitats.

Determination: Potential for significant impact.

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.*

Soils in the area are primarily dominated by gravelly silt & clay loam and slightly decomposed plant material. Silt loam and cobbly sand & loam are less, albeit somewhat prevalent as well. These soils are classified by Hydrologic Soil Groups A, B, C & D according to the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) web soil survey. Most of the soils in the area are classified by Group C. Percent slopes range from 0 to 40 percent. Most of the soils in the area have a moderately low to moderately high capacity to transmit water, however slightly over 27% of the area has a moderately high to high capacity to transmit water. The parent materials of the soil groups are organic material, glacial till and material derived from metasedimentary rocks, silty till, till, outwash, and volcanic ash. Volcanic ash-derived soils are heavy in salts. Thus, they are considered saline and could cause saline seep.

Determination: No significant impact given the history of the area. While volcanic ash-derived soils have the potential to cause saline seep, there is no recorded incidence of 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.*

According to the Montana Natural Heritage (MNHP) Map Viewer, the land cover within the project area is featured by forest & woodland systems (58%), recently disturbed or modified – harvested forest (25%), wetland and riparian systems (12%), human uses (3%), grassland systems (1%), and shrubland, steppe and savanna systems (1%).

It is not anticipated that issuance of a water use permit will contribute to the establishment or spread of noxious weeds in the project area. Noxious weed prevention and control will be the responsibility of the landowners, who must follow local noxious weed regulations.

Determination: Potential for significant impact.

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

There will be no impact to air quality associated with issuance of the proposed permit for beneficial use of surface water.

Determination: No significant 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.*

NA – project is not located on State or Federal Lands

Determination: No significant impact.

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. No further impacts are anticipated.

Determination: No significant 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 consistent with planned land uses. It shall be the landowners' responsibility to comply with all local county & city planning and zoning regulations.

Determination: No significant 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 land surrounding this area of Lazy Creek is owned & managed by Montana State Trust Lands. 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 significant impact.

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

This proposed use will not adversely impact human health.

Determination: No significant 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?* The land will be arable during the irrigation season.

(*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:***

It is the responsibility of the landowner and developer to mitigate any environmental risks in development and use of this property in accordance with applicable local, state, and federal regulations.

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 appropriation of water from Lazy Creek for irrigation purposes.

PART III. Conclusion

1. Preferred Alternative

Authorize a water right change if the Applicant proves the criteria in 85-2-311 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: Joseph Howerton
Title: Water Conservation Specialist
Date: 08.07.2025