

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

**1. APPLICANT/CONTACT NAME AND ADDRESS:**

COLE FAMILY LIMITED PARTNERSHIP  
307 38TH AVE SW  
CALGARY, AB T2S 0V7  
CANADA

**2. TYPE OF ACTION:**

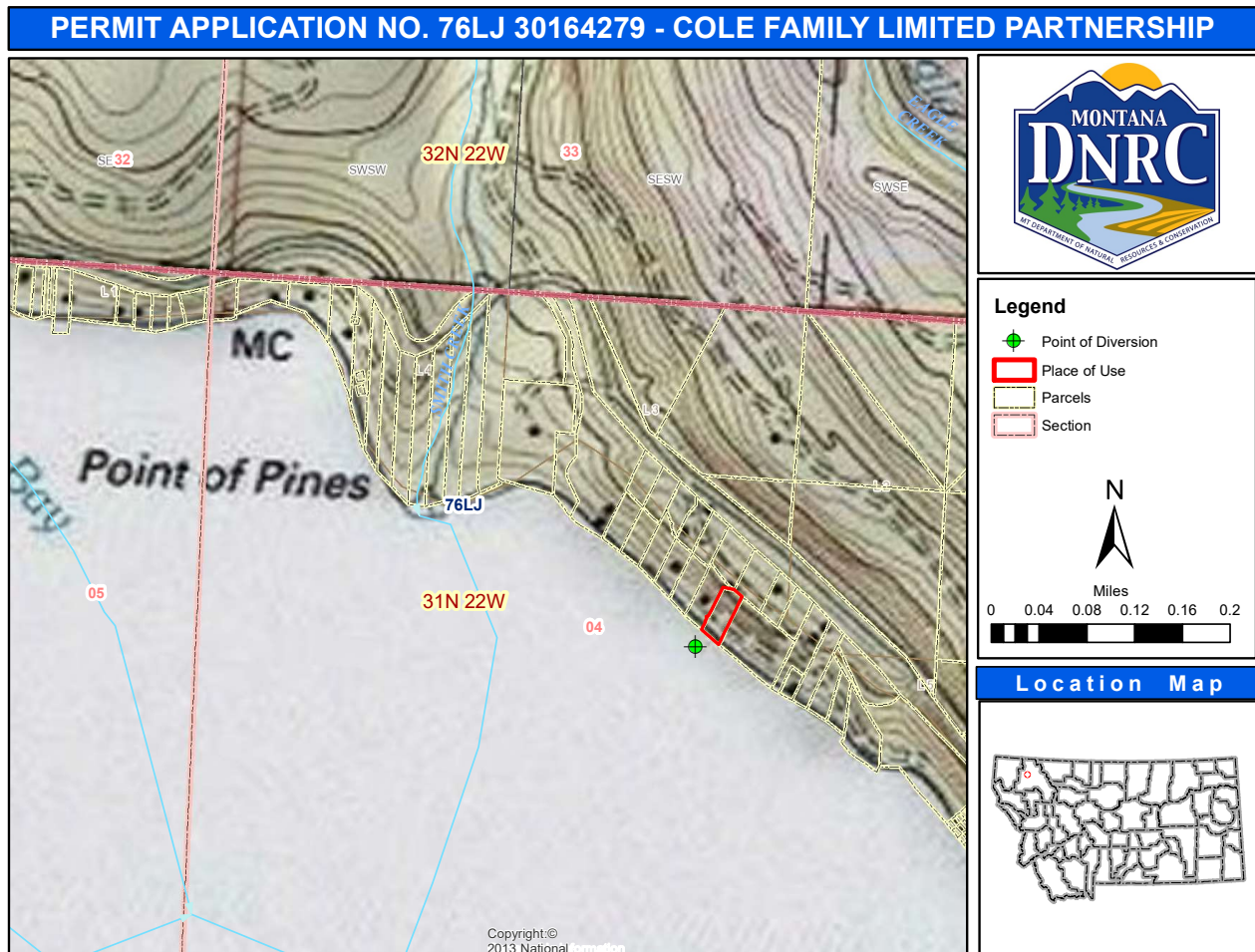
Surface Water Application for Beneficial Water Use Permit No. 76LJ 30164279

**3. WATER SOURCE NAME:**

Whitefish River (Whitefish Lake)

**4. LOCATION AFFECTED BY PROJECT:**

NESENW and E2E2NW of Section 4, Township 31N, Range 22W, Flathead County, Montana (Figure 1).



**Figure 1.** Map of the proposed place of use and point of diversion.

**5. NARRATIVE SUMMARY OF THE PROPOSED PROJECT, PURPOSE, ACTION TO BE TAKEN, AND BENEFITS:**

The Applicant proposes to divert Whitefish River (Whitefish Lake) water at 17.0 GPM up to 0.83 AF/year by means of a pump for domestic use (0.28 AF) from January 1 – December 31 and for irrigation of 0.27 acres of lawn and garden (0.55 AF) from April 25 – October 5. The proposed POD is in the NESENW of Section 4, Township 31N, Range 22W, Flathead County, Montana (Figure 1). The proposed places of use for the domestic and the lawn and garden purposes are in the NESENW and E2E2NW, respectively, of Section 4, Township 31N, Range 22W, Flathead County, Montana, further described as Tract 7A of Certificate of Survey No. 19795 (Figure 1). The POD 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 (DFWP): Dewatered Stream Information
- Montana Department of Environmental Quality (MDEQ): Clean Water Act Information Center
- U.S. Natural Resource Conservation Service (NRCS): Web Soil Survey

**Part II. Environmental Review**

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**1. ENVIRONMENTAL IMPACT CHECKLIST:**

*PHYSICAL ENVIRONMENT*

**1.1 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 will divert water from the Whitefish River (Whitefish Lake), which is a tributary of the Flathead River. Neither the Whitefish River (Whitefish Lake) nor the Flathead River are identified in 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: MDEQ Clean Water Act Information Center’s 2020 Water Quality Information report lists Whitefish Lake as:

- i. Water Quality Category 5: Waters here 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; and,
- iii. “Fully supporting” for: aquatic life, agriculture, and primary contact recreation. The drinking water beneficial use has not been assessed. The aquatic life beneficial use is also listed as “threatened” due to Mercury and Polychlorinated Biphenyls.

The diversion of water for domestic use and lawn and garden irrigation is not anticipated to significantly affect water quality in this source.

*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, project does not involve groundwater.

**1.2 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 proposes to divert Whitefish River (Whitefish Lake) water at 17.0 GPM up to 0.28 AF/year for domestic use and up to 0.55 AF/year for irrigation of 0.27 acres of lawn and garden area (0.83 AF/year total) using a Goulds model 18GS07 submersible pump with a 0.75 horsepower motor. The pump is located on the bed of the Whitefish River (Whitefish Lake) approximately 45-feet from shore.

The pump will convey water through a 1.25-inch HDPE main supply line approximately 135 feet to a Well-x-Trol WX-255 hydropneumatic pressure tank equipped with a 40-60 PSI pressure control switch in the Applicant's residence. The pump will turn on when the system pressure drops to 40 PSI and will run until system pressure has returned to 60 PSI. From the pressure tank, water will be conveyed to domestic fixtures after filtration and ultraviolet disinfection and to an automated sprinkler system and two hose bib connections. The highest demand lawn and garden irrigation zone will consist of five Hunter PGP and MP rotor sprinklers requiring 13.0 GPM, which will leave 4.0 GPM available for use by domestic fixtures during times of overlapping irrigation.

The Applicant provided a fixture count analysis, a pump curve, and minimum- and maximum-demand TDH calculations. At the maximum-demand TDH of 142-feet, the pump curve demonstrates that the pump is capable of producing 17.0 GPM. Based on the system design and specifications, the Department finds that the diversion and conveyance system is adequate to supply the requested flow rate of 17.0 GPM (0.04 CFS) up to an annual volume of 0.83 AF.

This project will not have any channel or riparian impacts, nor will it create barriers or dams on the Whitefish River (Whitefish Lake).

*Determination:* No significant impact.

**1.3 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, 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 to determine if there are any threatened or endangered fish, wildlife, plants, aquatic species, or any "species of special concern" in the project area that could be impacted by the proposed project. Fourteen animal and one plant species of concern (Table 1) were identified in the general vicinity of the project area. Of these species, the Canada Lynx, Grizzly Bear, Wolverine, and Bull Trout are listed as threatened by the USFWS. This general area is developed, and it is not anticipated that any species of concern will be further impacted by the proposed project. This project will not create any barriers to the migration or movement of fish or wildlife.

<b>Table 1. Species of Concern</b>		
<b>Species Group</b>	<b>Common Name</b>	<b>Scientific Name</b>
Mammals	Canada Lynx*	<i>Lynx canadensis</i>
Mammals	Fisher	<i>Pekania pennanti</i>
Mammals	Grizzly Bear*	<i>Ursus arctos</i>
Mammals	Wolverine*	<i>Gulo gulo</i>
Birds	Brown Creeper	<i>Certhia americana</i>
Birds	Cassin's Finch	<i>Haemorhous cassinii</i>
Birds	Evening Grosbeak	<i>Coccothraustes vespertinus</i>
Birds	Pacific Wren	<i>Troglodytes pacificus</i>
Birds	Pileated Woodpecker	<i>Dryocopus pileatus</i>
Birds	Varied Thrush	<i>Ixoreus naevius</i>
Fish	Bull Trout*	<i>Salvelinus confluentus</i>
Fish	Pygmy Whitefish	<i>Prosopium coulterii</i>
Fish	Westslope Cutthroat Trout	<i>Oncorhynchus lewisi</i>
Invertebrates	Sheathed Slug	<i>Zacoleus idahoensis</i>
Vascular Plants	Beck Water-marigold	<i>Bidens beckii</i>

\* Listed Threatened by the US Fish and Wildlife Service.

*Determination:* No significant impact.

Wetlands and Ponds - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted. For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

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

- 1.4 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.

The proposed domestic and lawn and garden uses will not negatively impact the soil quality, stability, or moisture content. The soil type in the project area is Rock outcrop, structural breaklands.

*Determination:* No significant impact.

- 1.5 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.

This area is already developed. Any existing native vegetation has likely already been disturbed. 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:* No significant impact.

- 1.6 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.

- 1.7 **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.

- 1.8 **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 significant impact.

### *HUMAN ENVIRONMENT*

- 1.9 **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.

*Determination:* No significant impact.

- 1.10 **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 significant impact.

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

This proposed use will not adversely impact human health.

*Determination:* No significant impact.

- 1.12 **PRIVATE PROPERTY** - *Assess whether there are any government regulatory impacts on private property rights. If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

No government regulatory impacts on private property rights.

*Determination:* No impact.

- 1.13 **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.

**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 diversion of surface water at this location.

**Part III. Conclusion**

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**1. PREFERRED ALTERNATIVE:**

Issue a water use permit if the Applicant proves the criteria in 85-2-311 MCA are met.

**2. COMMENTS AND RESPONSES:**

None.

**3. FINDING:**

*Based on the significance criteria evaluated in this EA, is an EIS required?* \_\_\_Yes \_\_\_**X**No

*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.

**4. NAME OF PERSON(S) RESPONSIBLE FOR PREPARATION OF EA:**

*Name:* Travis Wilson

*Title:* Water Resource Specialist

*Date:* February 17, 2025