

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

**Part I. Proposed Action Description**

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

PATRICK R WALT & JENNIFER A ELLIOTT LIVING TRUST  
PO BOX 1921  
THOMPSON FALLS MT 59873-1921

**2. TYPE OF ACTION:**

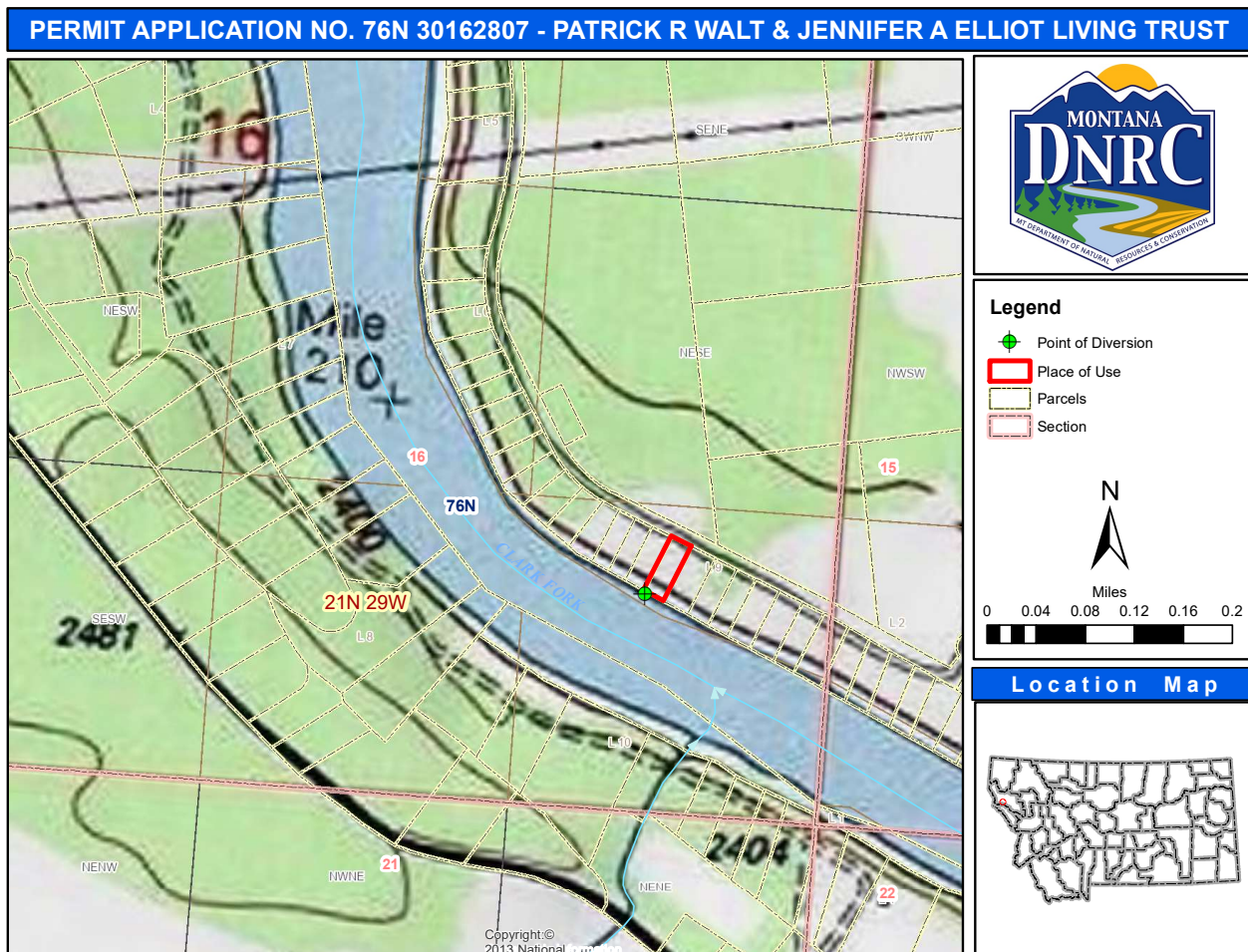
Surface Water Application for Beneficial Water Use Permit No. 76N 30162807

**3. WATER SOURCE NAME:**

Clark Fork River

**4. LOCATION AFFECTED BY PROJECT:**

N2SESE of Section 16, Township 21N, Range 29W, Sanders 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 Clark Fork River water by means of a pump from April 1 – October 31 at 20.0 GPM up to 0.98 AF/year for irrigation of 0.39 acres of lawn and garden from April 1 – October 31. However, the Department finds that the Applicant may only divert water from May 1 – July 31 at 20.0 GPM up to 0.57 AF/year for irrigation of 0.39 acres of lawn and garden from May 1 – July 31. The proposed POD is in the NWSESE of Section 16, Township 21N, Range 29W, Sanders County, Montana (Figure 1). The proposed place of use is in Government Lot 9, N2SESE of Section 16, Township 21N, Range 29W, Sanders County, Montana, further described as Lot 13 of Block 001 of the Salish Shores Subdivision (Figure 1). The POD is in the Clark Fork River Below Flathead River Basin (76N) 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 Clark Fork River below the Flathead River (the Lower Clark Fork River). The Lower Clark Fork River is not identified in the MTDFWP list of chronically or periodically dewatered streams/waterbodies.

*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.

Clark Fork River (Flathead River to Thompson Falls Reservoir): MDEQ Clean Water Act Information Center's 2020 Water Quality Information report lists the Clark Fork River 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 B-1: Waters classified as suitable for drinking, culinary, and food processing purposes after conventional treatment; bathing, swimming, and recreation; growth and propagation of salmonid fishes and associated aquatic life, waterfowl and furbearers; and agricultural and industrial water supply;
- iii. "Fully supporting" for: agriculture, drinking water, and primary contact recreation; and,

- iv. “Not fully supporting” for: aquatic life, with the probable causes for impairment being fish passage barrier and dissolved gas supersaturation.

The diversion of water for lawn and garden use 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 Clark Fork River water at 20.0 GPM up to 0.98 AF/year for irrigation of 0.39 acres of lawn and garden area via an FPS VersaJet PRO model FVJ1CI-P 1.0-HP jet pump. The pump will be located on the bank of the Clark Fork River approximately two feet laterally and four feet vertically from the shoreline. The pump will draw water into 1.25-inch intake line and then convey it through 57-feet of 1.5-inch plastic line to the first valve box. There are four valve boxes total, the farthest of which is 435-feet laterally and 12-feet vertically from the pump.

From the valve boxes, the Applicant will irrigate 12 sprinkler and drip irrigation zones equipped with a total of 58 Hunter I-20 sprinklers. The individual sprinkler-emitter outputs will be set between 3.0 and 4.0 GPM depending on the number of sprinkler emitters in each zone to ensure that each zone’s demand is equal to 20.0 GPM. The 12 zones will be operated one at a time by the automated control system. The Applicant provided TDH analyses for each sprinkler/drip zone along with a pump performance specification table demonstrating that the pump is capable of diverting and conveying water at 20.0 GPM to all of the zones.

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 20.0 GPM and requested annual volume of 0.98 AF (though the Department ultimately finds the Applicant may only divert 0.57 AF annually).

This project will not have any channel or riparian impacts, nor will it create barriers or dams on the Clark Fork River.

*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. Six animal and zero plant species of concern (Table 1) were identified in the general vicinity of the project area. Of these species, the Grizzly Bear and the Bull Trout are listed as threatened by the USFWS. This entire general area is already developed, including a large hydroelectric dam. 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	Fringed Myotis	<i>Myotis thysanodes</i>
Mammals	Grizzly Bear*	<i>Ursus arctos</i>
Birds	Great Blue Heron	<i>Ardea herodias</i>
Reptiles	Northern Alligator Lizard	<i>Elgaria coerulea</i>
Fish	Westslope Cutthroat Trout	<i>Oncorhynchus lewisi</i>
Fish	Bull Trout*	<i>Salvelinus confluentus</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 lawn and garden use will not negatively impact the soil quality, stability, or moisture content. The soil type in the project area is Selon fine sandy loam, moist, 0 to 4 percent slopes, formed from Alluvium parent material. This soil has a high capacity to transmit water. Soils in this general area are not typically saline and thus not susceptible to saline seep.

*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 project site is a residential lot in an already developed subdivision. 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:* May 8, 2025