

DEPARTMENT OF ENVIRONMENTAL QUALITY
Final Environmental Assessment

WATER QUALITY DIVISION
PUBLIC WATER SUPPLY ENGINEERING SECTION

EQ Number & Name of Project: Flathead Lake Alpine Coaster Public Water Supply System

The subject property is located on private property north of Lakeside, MT. The legal description is S07, T26N, R20W, C.O.S. 8633, ACRES 16, TR 7BC W OF HWY IN L1 & NW4NW4. Please see the attached map.

The project would authorize turning an existing well on the subject property into a public water supply well, and installation of a pressure tank and associated electrical and mechanical equipment within the mechanical room of an existing building. A public water supply well is defined as a system for the provision of water for human consumption from a community well, water hauler for cisterns, water bottling plant, water dispenser, or other water supply that has at least 15 service connections or that regularly serves at least 25 persons daily for any 60 or more days in a calendar year as found in Section 75-6-102, Montana Code Annotated (MCA).

Scope: The project under review by DEQ is limited to the public water supply system. Impacts from building construction, the overall project (construction of a recreational alpine coaster), traffic, water rights, and general land use issues are outside the scope of DEQ's review and approval and are not addressed in this EA. The analysis area for the EA is limited to the previously mentioned project features. The parcel is not subject to Sanitation Act review because it was exempt from Sanitation Act (76-4, MCA) review when it was created, and this action does not propose further subdivision. DEQ has no regulatory authority over the sewer service connection, other than to ensure the parent system has adequate capacity. The sewage connection is to the Lakeside Water and Sewer District, which uses spray irrigation at agronomic rates, so a discharge permit is not required. This EA is disclosing the direct, secondary, and cumulative impacts of the existing groundwater well becoming a public water supply, installation of a pressure tank into an existing building, and associated plumbing and electrical for this tank.

Project activities: The well has already been drilled, therefore there would be no physical impacts directly related to well drilling. Turning the well into a public water supply is limited to determining whether the well meets public water design standards as specified in 75-6, MCA. No additional work on the well is anticipated. As such, this EA is limited to impacts from converting the existing facilities into a public water system, which is the installation of a pressure tank inside an existing building along with the associated plumbing and electrical for this tank.

Other agencies may have additional authority. The authority for Planning, Zoning and Platting lies with the local authority, Flathead County. Legal water availability falls within the jurisdiction of the DNRC Water Rights Bureau. The applicant proposes to use a water rights exemption so a DNRC water right would not be required.

City: Lakeside

County: Flathead

Description of Project:

- ☐ New Well
 ☐ New subsurface wastewater system
☐ New Water Treatment Process
 ☐ New above-ground wastewater system
☐ Water System Modification
 ☐ Wastewater System Modification
☐ Water Main Extension
 ☐ Sewer Main Extension
☒ Other: Turn existing well into a public water supply well and installation of a pressure tank inside an existing building and plumbing and electrical installation for the pressure tank.

Agency Action:

Plan Review and approval for the above-mentioned project.

Other Agency Approvals:

- ☐ DNRC Water rights
 ☐ DEQ Subdivision Review
☒ Other: MDT encroachment permit
 ☐ DEQ Water Discharge Permit

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are soils present which are fragile, erosive, susceptible to compaction, or unstable? Are there unusual or unstable geologic features? Are there special reclamation considerations?	N - USDA Soils reports show the area of the well and existing building is gravelly silt loam with little slope. It is not anticipated these soils are fragile, erosive, susceptible to compaction or unstable, or would be impacted by use as a public water supply system. There are no known unusual or unstable geologic features. Flathead Lake is east of the project, on the east side of Highway 93 and Lakeside Blvd.
2. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?	N - USGS Stream Stats shows no surface water bodies are present on the property. The well is 500 feet deep, and groundwater was found at approximately 125 feet below the ground surface. The well was tested and was coliform-absent and had nitrogen levels of 3.6 mg/l, compared to the maximum contaminant level (MCL) of 10 mg/l. As bacteria and nitrogen are the only regulated contaminants for this transient, non-community water system, no MCL violations are anticipated at this time. DEQ has no independent regulatory authority over water rights or potential groundwater depletion of surrounding wells. The facilities would be connected to the Lakeside WSD for sewage treatment and disposal. Lakeside has stated they have adequate capacity to serve the facility. (see attached letter)
3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	N - DEQ Air Quality Bureau does not anticipate any issues with complying with the State Implementation Plan. There would be no impact to Class I airsheds due to the short duration of impacts and the distance to these types of airsheds.
4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative	N - The general area is Rocky Mountain Dry-Mesic mixed conifer forest. The area where the well is located, and the service lines

IMPACTS ON THE PHYSICAL ENVIRONMENT	
communities be significantly impacted? Are any rare plants or cover types present?	would be installed, has no vegetation. The proposed project is located in an already disturbed area, therefore further impacts would be short-term and negligible. No impacts to vegetative communities are anticipated.
5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds, or fish?	N –See item 6 for species of concern.
6. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?	There are no endangered species present within the parcel according to the NRIS Environmental Summary report. There are no wetlands or floodplains present. According to the NRIS report, the project is not within 2000 feet of a bald eagle nesting site. The following species of concern are present on or near the site: bull trout, pygmy whitefish, western cutthroat trout, little brown myotis, grizzly bear, and pileated woodpecker. The Proposed Project would have no impact bull trout or grizzly bears. The Proposed Action occurs within the footprint of previously disturbed or already existing structures. These species may be present in the vicinity of the project, but due to the existing human activity on the parcel, and the small footprint of the project, DEQ does not expect any impact to these threatened and endangered species.
7. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological, or paleontological resources present?	N - No known historical or archaeological areas were identified by the State Historic Preservation Office. The project is located on private property. The Proposed Action occurs within the footprint of previously disturbed or already existing structures. Impacts to cultural resources would be unlikely to occur from this project.
8. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?	N - The wellhead and the small building for the pressure tank would be in are already existing features on the property and are not located on prominent landscape features. No excessive noise or light is anticipated from turning the existing well into a public water supply system.
9. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project? Will new or upgraded powerline or other energy source be needed)	N –There are no projects under concurrent review by DEQ that are anticipated to affect the project. A new power pole would be installed within the subject property. The applicant proposes to use a water rights exemption, so a DNRC Water Right is not required.

IMPACTS ON THE PHYSICAL ENVIRONMENT	
10. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	N - There are no known activities nearby that would affect conversion of existing facilities into a public water system.

IMPACTS ON THE HUMAN ENVIRONMENT	
11. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	N –Operation of a public water system with regular sampling is anticipated to decrease public health and safety risks, as opposed to an unregulated water source.
12. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	N - No industrial, commercial, or agricultural impacts are anticipated from the conversion to a public water system.
13. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move, or eliminate jobs? If so, estimated number.	N - Conversion to a public water system would not create, move, or eliminate any long-term positions.
14. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	Y - There may be a slight economic benefit to the local tax base by improving this property with a public water supply system.
15. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?	N - An MDT encroachment permit was granted. Conversion to a public water system is not anticipated to increase traffic or the need for local services.
16. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	N – This area is an “unspecified zoning use” per Flathead County. DEQ is not aware of any locally adopted environmental plans or goals for the area.
17. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	N - No wilderness impacts are anticipated from converting to a public water system. The project would be located on private property, so no recreational areas are accessed through the tract.
18. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the	N – No population impacts are anticipated from converting to a public water system. No additional housing needs are anticipated from converting to a public water system.

IMPACTS ON THE HUMAN ENVIRONMENT	
project add to the population and require additional housing?	
19. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	N – No disruption of native or traditional lifestyles or communities is anticipated from converting to a public water system.
20. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	N – Converting to a public water system would not cause a shift in the unique quality of the area.
21. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	N – No social impacts are anticipated by converting to a public water system. There may be a slight economic benefit to the business contracted to complete the construction work.
22(a). PRIVATE PROPERTY IMPACTS: Are we regulating the use of private property under a regulatory statute adopted pursuant to the police power of the state? (Property management, grants of financial assistance, and the exercise of the power of eminent domain are not within this category.) If not, no further analysis is required.	N – Approval of a public water system within the subject property is not under a regulatory statute adopted pursuant to the police power of the state. The action was entirely voluntary on behalf of the property owner.

23. Summary of Magnitude and Significance of Potential Impacts: *No significant impacts are applicable to the action under review by the agency.*

24. Cumulative Effects: *DEQ has approved two other public water supply projects in the Lakeside area in the past year. DEQ does not anticipate cumulative impacts between this project and the other public water supply wells that fall within the independent regulatory authority of DEQ. No other projects for this property are under concurrent consideration by DEQ, but the project did require an MDT Encroachment permit.*

25. Preferred Action Alternative and Rationale: *Approve*

26. Other Alternatives: *DEQ considered the No Action Alternative. In addition to the proposed action, DEQ analyzes a "no-action" alternative in this EA. If chosen, the "no-action" alternative would result in a denial of the public water system and none of the identified potential impacts would occur. The "no-action" alternative forms the baseline from which the potential impacts of the proposed action can be measured.*

The no action alternative is required under MEPA to describe what would happen if the proposed project was not to receive DEQ approval. Under this alternative, the system could not be converted to a public water system, and no impacts would occur. It must be noted, however, that if the proposed public water system meets all legal requirements of the Public Water and Wastewater Laws, Administrative Rules and

Design Circulars, DEQ is required to approve the subdivision, and this alternative could not be implemented.

AGENCY-MODIFIED ALTERNATIVES

DEQ does not propose an agency-modified alternative for this project because an agency-modified alternative would not mitigate or eliminate impacts beyond that of the applicant submitted proposal.

DEQ eliminated from consideration alternatives that would involve the construction of facilities not proposed by the applicant. Such alternatives are outside the needs and goals of the applicant, and MEPA does not require the consideration of alternative facilities or an alternative to the proposed project itself. Section 75-1-220(1), MCA.

Recommendation for Further Environmental Analysis:

☐ EIS ☐ More Detailed EA ☒ No Further Analysis

EA Checklist Prepared By:

Rachel Clark

3/18/24

(Name)

Date Approved

References

EQ# 23-2644 file Flathead Lake Alpine Coaster Public Water Supply System
Lakeside WSD response on capacity
Montana State Library Environmental Summary
DEQ Air Quality email
Floodplain Map
Forest Lands Map
State Historic Preservation Map
USDA Soils Map and Description
State Parks Map
State Historic Preservation Map
Flathead County Zoning Map
State Wetlands Map
USGS Stream Stats map

**Flathead Lake Alpine Coaster Project Location Map – separate file

Response to Public Comments

The 30-day comment period on the Draft EA started January 29, 2024 and ended February 28, 2024. This section presents a compilation of all comments received and DEQ's responses to those comments. Written responses to comments with specific questions or concerns related to the content of the Draft EA are provided below.

Comment #1:

From: jerry cutler [REDACTED]
Sent on: Sunday, February 4, 2024 9:51:16 PM
To: DEQ MEPA <DEQMEPA@mt.gov>
Subject: [EXTERNAL] Alpine Coaster

I don't think that the Alpine Coaster should have approval for a public water supply. They were pretty sneaky about the way that they went about obtaining this property to build the Alpine Coaster. They did not inform the people of Lakeside of their intentions. They were turned down in Lake County and went behind the peoples back in Lakeside. So we do not feel like they should be approved for anything further to be done on this property. The property should have no further improvements, they have done enough.

Jerry Cutler

Response to Comment #1:

Thank you for your comment. As described in the "Scope" section of the EA, DEQ is analyzing the authorization of turning an existing well on this property into a public water supply well. A public water supply is defined in 75-6-102, MCA. DEQ determined the application was complete on 3/18/24. If an applicant meets the criteria in 75-6, MCA, DEQ cannot deny or withhold the permit as requested by the commenter.

Comment #2:

From: [REDACTED]
Sent on: Wednesday, January 31, 2024 6:27:56 PM
To: DEQ MEPA <DEQMEPA@mt.gov>
Subject: [EXTERNAL] Alpine Coaster Water

Thank you for the opportunity to comment. I have read all your information on the proposed Alpine Coaster public water and it comes down to the one thing that is not stated. What is the water going to be used for? If it is to provide water for the Coaster's bathrooms is a totally different thing than the potential turning of the water into a bottling plant to sell Montana Water to the nation. The people at the Alpine Coaster were not forthcoming with what they were doing when they built this and leave concern that they may have additional plans that they are not sharing. I would like restrictions on their permit for changes without further review. Thank you for your time and consideration of my thoughts
Larry Rattray
Proctor, Montana.

Response to Comment #2:

Thank you for your comment. An application for a Public Water Supply (PWS) system will clearly identify the purpose or intent of the actions being applied for.

The approved PWS system will serve as a public water supply for private property.

In accordance with Montana Code Annotated (MCA), this environmental assessment is not required to include the purpose and intent of the project (75-6 MCA).

Additionally, the approval of a Public Water Supply permit must be provided based on the criteria in 75-6 MCA.

Please see Response to Comment #1 above what the intent of this EA and application. Additionally, the approval of a Public Water Supply permit must be provided based on the criteria in 75-6, MCA. DEQ does not have the authority to place further restrictions on a project approval per 75-6, MCA. If the project demands were to change, that would trigger a new state action, the applicant would have to apply to the appropriate agency for these changes and this could entail additional MEPA review of this action.

