

MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
WATER RESOURCES DIVISION  
WATER RIGHTS BUREAU

**ENVIRONMENTAL ASSESSMENT**

**PART I. PROPOSED ACTION DESCRIPTION**

1. **Type of action:** WATER RIGHT PERMIT APPLICATION NO.  
76K-P109469-00
2. **Applicant/Contact name and address:**  
Gary & Robin Larson  
Red Owl Road  
Bigfork, MT 59911
3. **Water source name:** UNNAMED TRIBUTARY TO SCHMIDT CREEK
4. **Location affected by action:** NENENW, SECTION 17, T26N, R18W, LAKE COUNTY
5. **Narrative summary of the proposed project and action to be taken:** THE DNRC SHALL ISSUE A WATER USE PERMIT IF AN APPLICANT PROVES THE CRITERIA IN 85-2-311, MCA ARE MET. THIS APPLICATION IS TO OBTAIN THE LEGAL RIGHT TO USE THE WATER FROM AN UNNAMED TRIBUTARY TO SCHMIDT CREEK FOR STOCK WATERING PONDS. THE USE IS FOR 25 GPM UP TO 0.45 ACRE-FEET OF WATER PER YEAR. THIS EA CHECKLIST WILL ADDRESS THE ENVIRONMENTAL IMPACTS TO THE PHYSICAL ENVIRONMENT WITH RESPECT TO THE POINT OF DIVERSION.
6. **Agencies consulted during preparation of the environmental assessment:**  
STATE HISTORIC PRESERVATION OFFICE (SHPO)  
NATURAL HERITAGE PROGRAM (NHP)  
DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

**PART II. ENVIRONMENTAL REVIEW**

1. Environmental Impact Checklist:

**PHYSICAL ENVIRONMENT**

**Soils/Geologic Features:**

Degradation of soil quality or alteration of soil stability, moisture content, geologic substructure, unique geologic features, archeological sites?

NO, A CULTURAL RESOURCE SURVEY FROM SHPO INDICATED NO KNOWN HISTORIC SITES AT THIS LOCATION. THE EXISTING STOCK PONDS WILL NOT ADVERSELY IMPACT THE SOILS OR GEOLOGIC FEATURES.

**Erosion:**

Alteration of erosion or siltation patterns that modify streambeds or lake shores?

NO, THE PONDS ARE FILLED FROM THE EXISTING PERMITTED DOMESTIC WATER DISTRIBUTION SOURCE. WATER IS DISTRIBUTED THROUGH A GRAVITY FEED PIPE THAT TRAVELS SUBSURFACE TO THE APPLICANT'S HOUSE. THE PROPOSED USE WILL NOT ALTER EROSION/SILTATION PATTERNS IN THE UNNAMED TRIBUTARY TO SCHMIDT CREEK.

**Vegetation/Noxious weeds:**

Change in or adverse affect on diversity and production of local plant species including any unique or endangered species (including trees, shrubs, grass, and aquatic plants)? Establishment or spread of noxious weeds?

NO, A QUERY WITH THE NHP LISTED NO KNOWN UNIQUE/ENDANGERED SPECIES OF VEGETATION FOR THIS REGION. AN ONSIGHT VISIT TO THE APPLICANT'S PROPERTY SHOWED NO KNOWN NOXIOUS WEEDS ON THE PROPERTY. THE PROPOSED USE WILL NOT ADVERSELY EFFECT THE LOCAL PLANT COMMUNITY.

**Air:**

Deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

NO, THE EXISTING PONDS DO NOT HAVE AN AFFECT ON AIR QUALITY.

**Water:**

Alteration of surface water or groundwater quality including but not limited to temperature, dissolved oxygen, turbidity, quantity, or distribution?

MINIMAL ALTERATION OF SURFACE WATER DISTRIBUTION FOR CONSUMPTIVE STOCK PONDS. NEITHER SCHMIDT CREEK NOR ITS TRIBUTARIES WERE LISTED IN DEQ'S 303 d, IMPAIRED STREAMS, LIST. THE QUALITY OF WATER IN THE UNNAMED TRIBUTARY WILL NOT BE AFFECTED AS THE STOCK WILL NOT BE NEAR IT.

**Floodplain:**

Changes in drainage patterns, course or magnitude of flood flows, or exposure of people/property to hazards (flood)?

NO, THE APPLICANT'S CAN CONTROL THE AMOUNT OF WATER GOING INTO THE STOCK PONDS. THE PROPOSED USE WILL NOT CREATE FLOOD HAZARDS TO PEOPLE OR PROPERTY.

**Wildlife Habitat/Migration:**

Deterioration of critical fish or wildlife habitat? Creation of a barrier to the migration or movement of fish or wildlife?

NO, A QUERY WITH NHP RESULTED IN THREE SPECIES OF SPECIAL CONCERN WITHIN TWO MILES OF THE PROPOSED USE. GRIZZLY BEAR HABITAT SPANS THE ENTIRE SWAN MOUNTAIN RANGE. THE WESTSLOPE CUTTHROAT TROUT WAS IDENTIFIED IN SIXMILE CREEK, WHICH IS APPROXIMATELY TWO-MILES SOUTH OF SCHMIDT CREEK. THE LARGEMOUTH PONDSNAIL WAS IDENTIFIED IN SWAN LAKE. THE PROPOSED USE WILL NOT HAVE AN AFFECT ON THE SPECIES OF SPECIAL CONCERN IDENTIFIED.

THE SOURCE OF THE UNNAMED TRIBUTARY IS A SPRING THAT ORIGINATES ON THE APPLICANT'S PROPERTY. FISH WILL NOT BE DISTRIBUTED TO THE STOCK PONDS. WILDLIFE ARE ABLE TO ROAM FREELY ON THE APPLICANT'S PROPERTY AND THEY HAVE ACCESS TO THE STOCK PONDS. THERE WILL NOT BE A DETERIORATION OF FISH OR WILDLIFE HABITAT DUE TO THE PROPOSED USE.

**Endangered Species:**

Adverse effects on any unique or endangered species?

NO, SEE "WILDLIFE HABITAT/MIGRATION" COMMENT ABOVE.

## HUMAN ENVIRONMENT

### **Existing Land Use:**

Alteration of or interference with the productivity or profitability of the existing land use of an area?

THE EXISTING LAND USE WILL NOT BE ALTERED. THE EXISTING STOCK PONDS WILL BE PERMITTED WHICH WILL ONLY INCREASE THE PROFITABILITY OF THE PROPERTY.

### **Historical Significance:**

Destruction or alteration of a natural area of scientific or educational value or prehistoric or paleontological importance?

NO, A QUERY WITH SHPO RESULTED IN NO KNOWN SITES OF HISTORICAL SIGNIFICANCE IN THIS PARTICULAR REGION.

### **Populace:**

Alteration of the location, distribution, density, or growth rate of the human population of an area? Alteration of social structure of community?

NO, ONLY THE NUMBER OF STOCK ON THE PROPERTY WILL CHANGE WITH THE PERMITTING OF THIS APPLICATION.

### **Transportation:**

Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?

NO

### **Safety:**

Creation of any health hazard or affect on existing emergency response or evacuation plans?

NO

### **Public Services:**

Have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? Have an effect upon local or state tax base?

NO

### **Utilities:**

Creates need for new or altered facilities for any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?

NO

### **Aesthetics:**

Alteration of any scenic vista or recreation opportunity or creation of an aesthetically offensive site to the public?

NO

**Other:**

THE APPLICANTS WILL BE INFORMED OF THE INFORMATION PROVIDED BY NHP. SPECIES OF SPECIAL CONCERN WERE IDENTIFIED Near THIS PROJECT BUT WERE NOT IN THE DIRECT LOCATION.

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2. **Secondary and cumulative impacts:** NONE

3. **Reasonable alternatives to the proposed action, including the no action alternative:**

- 1) ISSUE THE PERMIT, THERE IS A NET LONG TERM POSITIVE IMPACT TO THE HUMAN AND PHYSICAL ENVIRONMENT.
- 2) REJECT THE APPLICATION DUE TO UNKNOWN LONG TERM CUMULATIVE IMPACTS TO THE HUMAN OR PHYSICAL ENVIRONMENT. THE APPLICANTS WILL NEED TO FIND AN ALTERNATIVE WATER SOURCE FOR THEIR HORSES.

**PART III. CONCLUSION**

Based on the significance criteria evaluated in this EA, is an EIS required? NO

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

AN EA IS ADEQUATE FOR THIS ACTION.

PREPARED BY:

NAME: CRISTY CARTER

TITLE: WATER RESOURCES SPECIALIST

DATE: [Automatic date code removed]