

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-P108303-00
2. **Applicant/Contact name and address:**
Brig and Ellen Klyce
P.O. Box 849
Bigfork, MT 59911
3. **Water source name:** BEAR CREEK
4. **Location affected by action:** NENWNW, SECTION 25, TOWNSHIP 27N, RANGE 19W,
FLATHEAD 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 IN BEAR CREEK. THIS EA CHECKLIST WILL ADDRESS THE IMPACTS TO THE PHYSICAL AND HUMAN ENVIRONMENT. THE APPLICANTS INTEND TO USE 41.63 GPM UP TO 69.92 ACRE-FEET PER YEAR FOR FISH & WILDLIFE PONDS.
6. **Agencies consulted during preparation of the environmental assessment:**
NATURAL HERITAGE PROGRAM (NHP)
STATE HISTORIC PRESERVATION OFFICE (SHPO)
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?

YES, MINIMAL ALTERATION OF SOIL STABILITY AND MOISTURE CONTENT BY CHANNELLING THE FLOW FROM THE PONDS BACK INTO BEAR CREEK. ACCORDING TO SHPO, THERE ARE NO KNOWN HISTORIC/ARCHEOLOGICAL SITES AT THIS LOCATION.

Erosion:

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

YES, MINIMAL ALTERATION OF STREAMBED BY DIVERTING THE WATER FROM THE PONDS BACK INTO BEAR 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 NHP RESULTED IN NO KNOWN SPECIES OF SPECIAL CONCERN NEAR THE PROPOSED SITE. THE PROPOSED APPLICATION WILL NOT AFFECT VEGETATION.

Air:

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

NO

Water:

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

YES, THE DISTRIBUTION OF SURFACE WATER WILL BE ALTERED WHEN IT IS DIVERTED BACK INTO ITS ORIGINAL STREAM FROM THE PONDS. BEAR CREEK IS NOT LISTED AS AN IMPAIRED STREAM BY DEQ. THE PROPOSED USE WILL NOT ADVERSELY IMPACT WATER QUALITY.

Floodplain:

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

NO. THE PROPOSED USE WILL MITIGATE FLOOD POTENTIAL BY CHANNELING THE WATER FROM THE PONDS BACK INTO BEAR CREEK.

Wildlife Habitat/Migration:

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

THE PROPOSED USE WILL ENHANCE FISH AND WILDLIFE HABITAT.

Endangered Species:

Adverse effects on any unique or endangered species?

NO, A QUERY WITH NHP RESULTED IN SEVERAL SPECIES OF SPECIAL CONCERN WITHIN APPROXIMATELY SIX MILES OF THE PROPOSED USE. NONE WERE LOCATED ON OR NEAR THE APPLICANT'S PROPERTY. THE PROPOSED USE WILL NOT ADVERSELY IMPACT ENDANGERED SPECIES.

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 IS PRIVATE PROPERTY WITHIN A FORESTED SUBDIVISION. THE PROPOSED USE WILL INCREASE THE VALUE OF THE APPLICANT'S PROPERTY.

Historical Significance:

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

THE NATURAL AREA WILL BE ENHANCED WITH THE DEVELOPMENT OF THE FISH AND WILDLIFE PONDS. ACCORDING TO SHPO, THERE ARE NO KNOWN HISTORICAL SITES IN THIS AREA. THE PROPOSED USE WILL NOT ADVERSELY IMPACT THE HISTORICAL SIGNIFICANCE OF THE PROPERTY.

Populace:

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

NO, THE PROPOSED USE WILL NOT HAVE AN IMPACT ON THE POPULACE OF THE AREA.

Transportation:

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

NO, THE PROPOSED USE WILL NOT IMPACT TRANSPORTATION TO OR FROM THE APPLICANT'S PROPERTY.

Safety:

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

NO, THE PROPOSED USE WILL NOT IMPACT EXISTING EMERGENCY RESPONSE OR EVACUATION PLANS. THE PONDS ARE EXISTING; THEREFORE, THERE WILL NOT BE ANY NEW IMPACTS ON SAFETY MEASURES DUE TO THE PERMITTED USE.

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?

THE AESTHETICS OF THE PROPERTY AND DOWNSTREAM WILL BE ENHANCED BY THE PERMITTING OF THIS APPLICATION.

Other:

NO

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 TERN CUMULATIVE IMPACTS TO THE HUMAN OR PHYSICAL ENVIRONMENT. THE APPLICANT WILL NEED TO FIND ANOTHER WATER SOURCE FOR THEIR PONDS.

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. THE IMPACTS ARE NOT SIGNIFICANT ENOUGH TO REQUIRE AN EIS.

PREPARED BY:

NAME: CRISTY CARTER
TITLE: WATER RESOURCES SPECIALIST
DATE: [Automatic date code removed]