

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 use permit application no. 76k-P111258-00
2. **Applicant/Contact name and address:** BRIG & ELLEN KLYCE, P.O. BOX 849, BIGFORK, MT 59911
3. **Water source name:** UT BEAR CREEK
4. **Location affected by action:** E½ NW¼ NW¼, SECTION 25, TOWNSHIP 27N, RANGE 19W, LAKE CO.
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 USE 490 GPM UP TO 545 .81 ACRE-FEET FOR A FISHERY. THE APPLICANT PROPOSES TO CREATE A SPAWNING CHANNEL AND FOUR NEW PONDS TO ALLOW ESTABLISHMENT OF A SELF-SUSTAINING WILD POPULATION OF WESTSLOPE CUTTHROAT TROUT. THE SPAWNING CHANNEL WILL PROVIDE FISH ACCESS TO THE UPSTREAM HISTORIC CHANNEL BY A COMBINATION WEIR STRUCTURE THAT IS DESIGNED TO DIVERT THE MINIMUM AMOUNT OF WATER INTO THE SPAWNING CHANNEL AND PROVIDE FISH ACCESS TO THE UPSTREAM HISTORIC CHANNEL. A MINIMUM WATER DEPTH OF 2 INCHES OF WATER ACROSS ANY SILLS LOCATED IN THE CHANNEL IS NECESSARY FOR FISH PASSAGE. THE CHANNEL DIMENSION WAS USED TO DETERMINE THE NECESSARY AMOUNT OF WATER FOR THE PROJECT.
6. **Agencies consulted during preparation of the environmental assessment:** NATURAL HERITAGE PROGRAM, STATE HISTORIC PRESERVATION OFFICE AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY.

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?

MINOR ALTERATION OF SOIL STABILITY AND MOISTURE CONTENT BY CHANNELING THE FLOW TO RUN THROUGH THE SPAWNING CHANNEL AND PONDS BACK IN TO BEAR CREEK. THERE ARE NO KNOWN HISTORIC/ARCHEOLOGICAL SITES AT THIS LOCATION.

Erosion:

Alteration of erosion or siltation patterns which modify stream beds or lake shores?

SOME MINOR ALTERATION TO THE STREAM BED WILL OCCUR AT THE POINT OF DIVERSION.

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?

A QUERY WITH THE NATURAL HERITAGE PROGRAM RESULTED IN NO KNOWN SPECIES OF SPECIAL CONCERN NEAR THE PROPOSED SITE. THE MOST UPSTREAM POND IS A SETTLING POND TO TRAP SEDIMENT AND GROW SKUNK CABBAGE SALVAGED AND EXPANDED FROM THE PICENG/LYSAME HABITAT AREA DISTURBED DURING INSTALLATION OF THE WEIR POOL.

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 or turbidity or quantity or distribution?

THE DISTRIBUTION OF SURFACE WATER WILL BE ALTERED WHEN IT IS DIVERTED IN TO THE SPAWNING CHANNEL. THERE WILL BE MINOR EFFECT TO TEMPERATURE AND QUALITY FOR A SHORT DISTANCE IN THE HISTORIC CHANNEL. NEITHER THIS UNNAMED TRIBUTARY OF BEAR CREEK OR BEAR CREEK IS LISTED AS AN IMPAIRED STREAM BY DEQ.

Floodplain:

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

THE PROPOSED ADDITIONAL CHANNEL WILL MITIGATE POTENTIAL FLOODING.

Wildlife Habitat/Migration:

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

THIS PROJECT IS TO ENHANCE FISH AND WILDLIFE HABITAT.

Endangered Species:

Adverse effects on any unique or endangered species?

A CHECK WITH THE NATURAL HERITAGE PROGRAM RESULTED IN SEVERAL SPECIES OF SPECIAL CONCERN WITHIN APPROXIMATELY SIX MILES OF THE PROPOSED USE. NONE WERE LOCATED ON OR NEAR THE APPLICANTS PROPERTY.

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 ADD VALUE TO THE PROPERTY.

Historical Significance:

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

THERE ARE NO KNOWN HISTORICAL SITES IN THE AREA ACCORDING TO THE STATE HISTORIC PRESERVATION OFFICE.

Populace:

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

NO

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?

AESTHETICS WILL BE ENHANCED.

Other:

NO

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2. **Secondary and cumulative impacts:** NONE
 3. **Reasonable alternatives to the proposed action, including the no action alternative:** NO ACTION WOULD RESULT IN NO LEGAL RIGHT TO USE THE WATER. TO USE ANOTHER WATER SOURCE IS NOT FEASIBLE OR REASONABLE.

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: NO SIGNIFICANT IMPACTS HAVE BEEN IDENTIFIED, THEREFORE NO EIS IS NECESSARY.

PREPARED BY:

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DATE: SEPTEMBER 6, 2000