

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.  
76N-P113082-00
2. **Applicant/Contact name and address:**  
Jean & Steve Becker  
P.O. Box 778  
Libby, MT 59923
3. **Water source name:** McGregor Lake
4. **Location affected by action:** NENESE, SEC 5, T26N, R25W, 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 McGREGOR LAKE. THIS EA CHECKLIST WILL ADDRESS THE IMPACTS TO THE PHYSICAL AND CULTURAL ENVIRONMENT WITH RESPECT TO THE POINT OF DIVERSION. THE APPLICANT PROPOSES TO USE 10 GPM UP TO 1.63 ACRE-FEET FOR DOMESTIC AND LAWN & GARDEN PURPOSES.
6. **Agencies consulted during preparation of the environmental assessment:**  
NATURAL HERITAGE PROGRAM (NHP)  
STATE HISTORIC PRESERVATION OFFICE (SHPO)

**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?

SOIL STABILITY WILL BE ALTERED AT THE CONVEYANCE SITE DURING CONSTRUCTION ONLY. THE GEOLOGIC SUBSTRUCTURE WILL NOT BE ALTERED. A QUERY WITH SHPO RESULTED IN TWO HISTORIC TRASH DUMPSITES LOCATED IN SECTION 5. IT IS NOT CERTAIN IF THE HISTORIC SITES ARE LOCATED ON PRIVATE PROPERTY. IF THE DUMPSITE IS LOCATED ON THE APPLICANT'S PROPERTY AND IF THERE WILL BE NEW GROUND DISTURBANCE, THEN IT HAS THE POTENTIAL TO IMPACT CULTURAL PROPERTIES. THE APPLICANT WILL NEED TO CONDUCT AN IN-

DEPTH CULTURAL RESOURCE INVENTORY TO DETERMINE IF THERE WILL IN FACT BE AN IMPACT.

**Erosion:**

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

THE PROPOSED PROJECT INCLUDES SLIGHT LAKE SHORE EXCAVATION TO SET THE DIVERSION SYSTEM. THIS SHORE WORK WILL BE PERMITTED THROUGH THE COUNTY.

**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 NHP RESULTED IN NO KNOWN SPECIES OF SPECIAL CONCERN NEAR THE PROJECT SITE. NOXIOUS WEEDS WILL NOT BE ESTABLISHED AT THE PROJECT SITE.

**Air:**

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

NO IMPACT

**Water:**

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

THE AMOUNT OF WATER DIVERTED FROM THE SOURCE WILL NOT CAUSE A CHANGE IN WATER QUALITY OR A NOTICEABLE CHANGE IN QUANTITY. THERE ARE APPROXIMATELY 151,036 ACRE-FEET OF WATER LEGALLY AVAILABLE IN MCGREGOR LAKE FOR NEW APPROPRIATIONS. THE PROPOSED USE WILL NOT BE NOTICEABLE.

**Floodplain:**

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

NO IMPACT

**Wildlife Habitat/Migration:**

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

A QUERY WITH NHP RESULTED IN TWO SPECIES OF SPECIAL CONCERN FOR THE PROJECT AREA. THE PROJECT AREA IS LISTED AS POTENTIAL LYNX HABITAT ALTHOUGH LYNX MAY NOT HAVE BEEN IDENTIFIED IN THE AREA. MCGREGOR LAKE IS DESIGNATED AS LOON HABITAT. THE USE OF THIS WATER FOR DOMESTIC PURPOSES WILL NOT HAVE ADVERSE AFFECTS ON THE SPECIES IDENTIFIED.

**Endangered Species:**

Adverse effects on any unique or endangered species?

NO, SEE ABOVE EXPLANATION.

**HUMAN ENVIRONMENT**

**Existing Land Use:**

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

THE PROPOSED USE WILL INCREASE THE PRODUCTIVITY AND PROFITABILITY OF THE EXISTING LAND USE.

**Historical Significance:**

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

THERE IS A CHANCE THAT A HISTORIC TRASH DUMPSITE EXISTS ON OR NEAR THE APPLICANT'S PROPERTY. IF THE PROJECT INVOLVES NEW GROUND DISTURBANCE, IT HAS THE POTENTIAL TO IMPACT CULTURAL PROPERTIES. A CULTURAL RESOURCE INVENTORY WOULD NEED TO BE CONDUCTED TO PROVE IF THE PROPOSED PROJECT WOULD HAVE AN IMPACT ON THE CULTURAL PROPERTIES.

**Populace:**

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

THE PROPOSED PROJECT WILL POTENTIALLY INCREASE THE AREA POPULATION BY ONE HOUSEHOLD. THIS WILL NOT BE A SIGNIFICANT IMPACT TO THE COMMUNITY.

**Transportation:**

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

NO IMPACT

**Safety:**

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

NO IMPACT

**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 IMPACT

**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 IMPACT

**Aesthetics:**

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

NO IMPACT

**Other:**

NO THE APPLICANT WILL HAVE ACCESS TO THE INFORMATION PROVIDED BY SHPO AND NHP.

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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 LITTLE TO NO IMPACT TO THE ENVIRONMENT.  
2) REJECT THE PERMIT DUE TO UNKNOWN LONG TERM CUMULATIVE AFFECTS TO THE ENVIRONMENT.

**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:

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