EA Form R 1/2001

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. *Applicant/Contact name and address*: 4227 HWY 83 TRUST
911 EAGLE CREST CT
RIVERSIDE, CA 92506

2. *Type of action*: APPLICATION TO CHANGE A WATER RIGHT 76F-30043262

3. *Water source name*: LAKE INEZ

4. *Location affected by project*: NENENW, SECTION 31, T15N, R18W, MISSOULA CO.

5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits*:
THIS APPLICATION IS A REQUEST TO CHANGE A PORTION (8 GPM) OF THE HISTORIC 25 GPM FLOW RATE AND 0.7 ACRE-FEET OF THE HISTORIC 1.8 ACRE-FEET DIVERTED VOLUME OF WATER RIGHT STATEMENT OF CLAIM 76F-104602-00 TO A NEW PLACE OF USE FOR DOMESTIC PURPOSES AND TO ADD A NEW POINT OF DIVERSION. THE CHANGED PORTION OF THE WATER RIGHT WILL BE USED FOR DOMESTIC USE OF ONE HOUSEHOLD ON THE APPLICANT'S PROPERTY. THE APPLICANT'S PROPERTY IS ADJACENT TO THE HISTORIC PLACE OF USE. THE REMAINDER OF THE WATER RIGHT WILL BE USED ON THE HISTORIC PLACE OF USE. THE OWNER OF THE HISTORIC PLACE OF USE WILL NO LONGER USE THE CHANGED PORTION OF THE WATER RIGHT FOR ONE OF THE TWO HISTORIC DOMESTIC USES. NO CHANGES WILL BE MADE TO THE LAWN AND GARDEN USES OF THE WATER RIGHT.

THE DNRC SHALL ISSUE AN AUTHORIZATION TO CHANGE A WATER RIGHT IF THE APPLICANT PROVES THE CRITERIA IN §85-2-402, MCA ARE MET.

6. *Agencies consulted during preparation of the Environmental Assessment:*
(include agencies with overlapping jurisdiction)

MONTANA FISHERIES INFORMATION SYSTEM

Lake Inez
HUC: Blackfoot (17010203)
Regions: Region 2
Counties: Missoula

Ownership Information

Public Land Ownership: 31 %
National Forest: Lolo
Ranger District: SEELEY LAKE
Wilderness Area: Not in Wilderness Area

Location Information

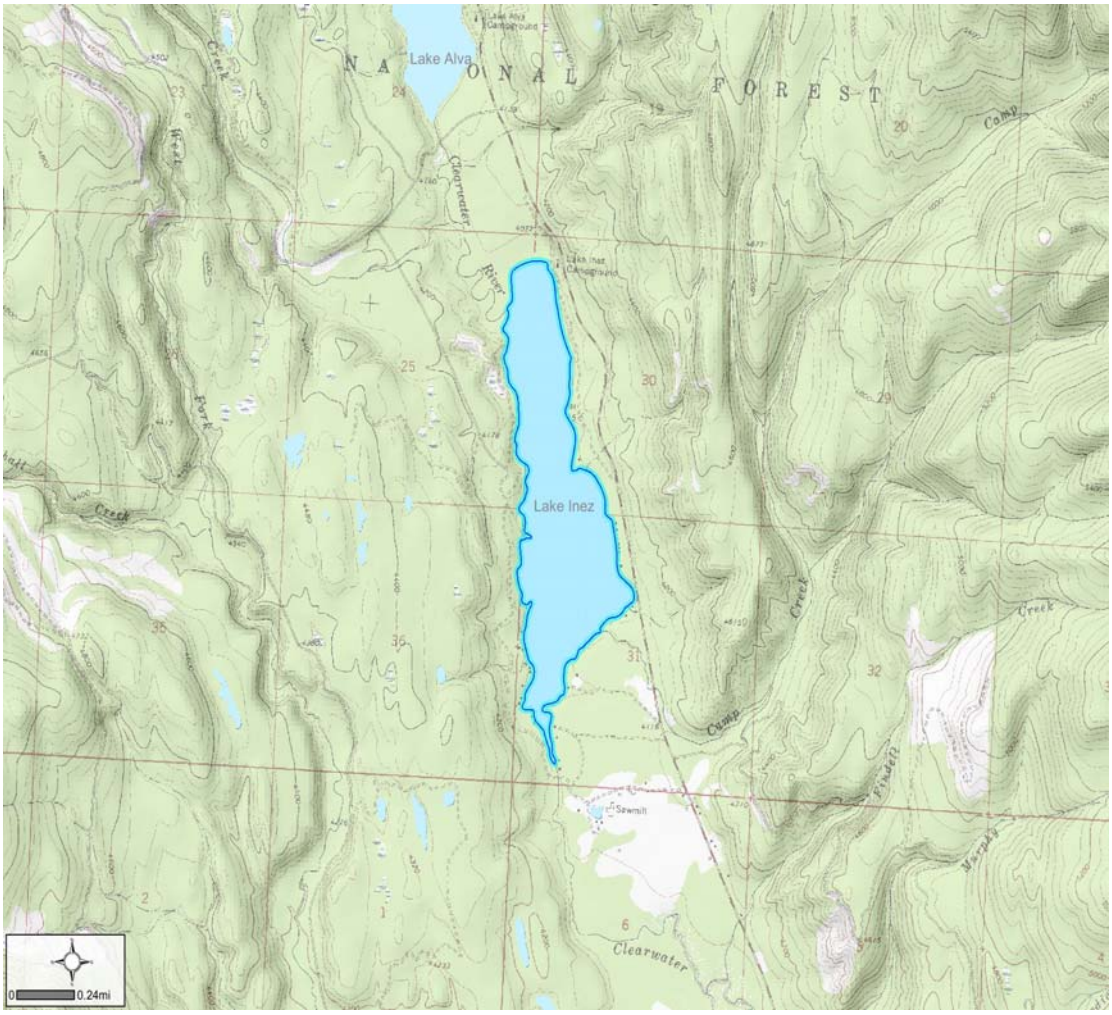
Latitude: 47.28276
Longitude: -113.56548
Elevation: 4,198 ft.
Mountain Range: Not in a Mtn Range
Township: 18N
Range: 15W
Section: 31

Physical Information

Surface Area: 288 acres
Shore Length: 4.54 mi.
Surface Temp.: N/A
Trophic Status: Eutrophic
Shore Cover: Forest
Max. Depth: 69 ft.
Avg. Depth: 35 ft.
Volume: N/A
Formation: Moraine
Winter Kill: No

Access Information

Trailhead Name: N/A
Directions to Lake: WEST OFF HIGHWAY 83, 7 MI N SEELEY L (TOWN)
Total Distance.: N/A
Distance on Trail: N/A
Ingress: Mix of private/public lands, none significantly unavailable
Esthetics: Clean lake in a natural setting



NRIS WEBSITE FOR WATER AND NOXIOUS WEED INFORMATION
MONTANA NATURAL HERITAGE PROGRAM FOR THREATENED AND ENDANGERED PLANT AND ANIMAL INFORMATION
STATE OF MONTANA HISTORICAL PRESERVATION OFFICE FOR CULTURAL INFORMATION
NRCS SOIL SURVEY FOR RAVALLI COUNTY FOR SOILS INFORMATION

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity *- Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

Determination: NO IMPACTS

SOURCE IS NOT CONSIDERED DEWATERED BY DFWP. THE PROPOSED PROJECT WOULD NOT USE ANY MORE WATER THAN HAS BEEN USED HISTORICALLY.

Water quality *- Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Determination: NO IMPACTS.

LAKE INEZ IS NOT LISTED AS WATER QUALITY IMPAIRED ACCORDING TO DEQ AND CLEAN WATER ACT WEB SEARCH.

Groundwater *- Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: NO IMPACTS.

THE PROPOSED PROJECT DOES NOT INCLUDE ANY GROUNDWATER SOURCE.

DIVERSION WORKS *- Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

Determination: NO SIGNIFICANT IMPACTS.

THE PROPOSED PROJECT IS TO ADD A PUMP IN LAKE INEZ TO DIVERT 8 GPM FOR DOMESTIC USES.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species *- Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

Determination: NO SIGNIFICANT IMPACTS.

THE MONTANA NATURAL HERITAGE PROGRAM PROVIDED INFORMATION ABOUT PLANT AND ANIMAL SPECIES OF CONCERN IN THE VICINITY OF THE PROPOSED PROJECT. THE FOLLOWING SPECIES ARE IDENTIFIED:

BULL TROUT, WESTSLOPE CUTTHROAT TROUT, WESTERN TOAD, COMMON LOON, OLIVE-SEIDED FLYCATCHER, GRAY WOLF, FISHER, WOLVERINE, AND CANADA LYNX.

Wetlands - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: NO IMPACTS.

THE PROPOSED PROJECT DOES NOT INCLUDE ANY WETLAND NOR IS THER ANY WETLAND IN THE VICINITY OF THE PROJECT.

Ponds - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: NO IMPACTS.

THE PROPOSED PROJECT DOES NOT INCLUDE ANY POND.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: NO IMPACTS.

THE PROPOSED PROJECT WILL ALLOW DIVERSION OF 8 GPM FROM LAKE INEZ FOR DOMESTIC IN-HOME USE. NO SOIL DEGRADATION IS EXPECTED.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: NO IMPACTS.

THE PROPOSED PROJECT TO ADD A PUMP IN LAKE INEZ FOR DOMESTIC USE IS NOT EXPECTED TO IMPACT EXISTING VEGETATION OR CAUSE THE SPREAD OF NOXIOUS WEEDS.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: NO IMPACTS.

THE PROPOSED PROJECT IS NOT EXPECTED TO AFFECT AIR QUALITY.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: NO IMPACTS.

THE STATE HISTORICAL PRESERVATION OFFICE RECOMMENDS THAT DUE TO THE GROUND DISTURBANCE ALREADY COMPLETED, THAT NO CULTURAL INVENTORY IS WARRANTED.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: NO IMPACTS.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: NO IMPACTS.

THERE ARE NO LOCALLY ADOPTED ENVIRONMENTAL PLANS OR GOALS THAT WOULD PROHIBIT THE PROPOSED PROJECT.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: NO IMPACTS.

THE PROPOSED PROJECT WOULD NOT HAVE ANY IMPACT ON ACCESS TO OR THE QUALITY OF RECREATIONAL OR WILDERNESS ACTIVITIES.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: NO IMPACTS.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*
*Yes___ No_**X**__ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

Determination:

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

(a) *Cultural uniqueness and diversity?* NONE

(b) *Local and state tax base and tax revenues?* NONE

(c)	*Existing land uses?*	NONE
(d)	*Quantity and distribution of employment?*	NONE
(e)	*Distribution and density of population and housing?*	NONE
(f)	*Demands for government services?*	NONE
(g)	*Industrial and commercial activity?*	NONE
(h)	*Utilities?*	NONE
(i)	*Transportation?*	NONE
(j)	*Safety?*	NONE
(k)	*Other appropriate social and economic circumstances?*	NONE

2. ***Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts NONE IDENTIFIED

Cumulative Impacts NONE IDENTIFIED

3. ***Describe any mitigation/stipulation measures:***
NO MITIGATION/STIPULATION MEASURES ARE IDENTIFIED FOR THE PROPOSED PROJECT

4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:***
OTHER THAN THE NO ACTION ALTERNATIVE, THERE ARE NO OTHER ALTERNATIVES IDENTIFIED FOR THIS PROPOSED PROJECT.

PART III. Conclusion

1. Preferred Alternative

2 Comments and Responses

3. ***Finding:***
Based on the significance criteria evaluated in this EA, is an EIS required?
*Yes___ No_**X**__*

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: AN EA IS THE APPROPRIATE LEVEL OF ANALYSIS FOR THIS PROPOSED ACTION BECAUSE NO SIGNIFICANT IMPACTS HAVE BEEN IDENTIFIED AS A RESULT OF THE PROPOSED ACTION.

Name of person(s) responsible for preparation of EA:

Name: PATRICK RYAN
Title: WATER RESOURCE SPECIALIST
Date: JANUARY 23, 2009