

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-113116-00
2. **Applicant/Contact name and address:** James D. & Elinor A. Swoish, 740 Wolf Creek Drive, Bigfork, MT 59911
3. **Water source name:** Swan River
4. **Location affected by action:** Lot 2, Swan River Bluffs located in SE¼ NW¼ NW¼, Section 26, 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 85-2-102, MCA are met. The applicant is seeking a water use permit for 25 gpm up to 3.5 acre-feet domestic and lawn & garden use. The water is diverted from the Swan River at the above affected location. The action of issuing the permit is an after the fact request by the applicant to become compliant with the Water Use Act of July 1, 1973. The water system has already been installed and the application is to have the water use recognized as a legal property right by the State of Montana. The physical work has been completed and actual removal of this development would be a greater impact the environment than leaving it in place.
6. **Agencies consulted during preparation of the environmental assessment:** The Montana Natural Heritage Program was contacted and their data base was checked for information in the general area which found 21 species of concern reports, organized by township, range and section. None of these identified any threatened, endangered, or sensitive species located at the subject site.

The Montana Historical Society was contacted and no previously recorded sites were found to be in the designated search locale. There has been no previous surveys of this area and they had no information regarding previous disturbance in the area. Because of the lack of previous inventory in the area a reconnaissance survey was conducted. This lot was found to be developed and no cultural properties were observed.

The Flathead Regional Development Office approved the subdivision and therefore it had to pass subdivision review process where environmental concerns are also addressed prior to subdivision approval.

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?

The property was previously cleared, built on and sod laid. It has no unique geologic features or archeological sites.

Erosion:

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

The project had no effect on the Swan River or its banks.

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?

New sod was put in all disturbed areas. Property has no endangered species.

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 appropriation is imperceptible from such a voluminous source.

Floodplain:

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

NO

Wildlife Habitat/Migration:

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

NO

Endangered Species:

Adverse effects on any unique or endangered species?

NO

HUMAN ENVIRONMENT

Existing Land Use:

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

Land has been subdivided for the specific use being requested.

Historical Significance:

There is nothing on record with the Montana Historical Society.

Populace:

Two people will not have an impact.

Transportation:

Two additional vehicles will not have an impact.

Safety:

There are no safety issues with this domestic use of water.

Public Services:

There will be no effect on public services.

Utilities:

This home is furnished with power and telephone.

Aesthetics:

From a natural wooded setting but within site of the Swan Highway the appearance was changed to an upscale landscaped residence tucked away in the trees. No aesthetic offensiveness was experienced.

Other:

NO

Secondary and cumulative impacts: None

Reasonable alternatives to the proposed action: Drill a well and use it as a water source or use a container to haul water.

Conclusion:

No impacts have been identified, therefore this EA is the appropriate level of analysis and no EIS is necessary.

Prepared by:
Rich Russell
Water Resources Specialist
September 29, 2000