

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: Robert C. & Kathleen A. Swimley, 229 Blakeland Drive, Spring Creek, NV 89815
2. Type of action: Application for Beneficial Water User Permit 30025783-76N
3. Water source name: Middle Thompson Lake
4. Location affected by project: S2 of Section 4, T 26N, R 27W, Lincoln County. The place of use will be on Lot 5A of the DBMS Hideaway II subdivision.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:
The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.
The applicants wish to obtain a water right from Middle Thompson Lake to serve the proposed home and 1.25 acres of lawn & garden. The water will be pumped from the lake at a rate up to 35 gpm with an annual volume of 4.1 acre-feet.
6. Agencies consulted during preparation of the Environmental Assessment: (include agencies with overlapping jurisdiction) MT DEQ, MT DFWP, Montana Historical Society and the Montana Natural Heritage Program.

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: This source is not listed on the DFWP list for dewatered streams.

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: Middle Thompson Lake is not listed as being quality impaired.

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: N.A.

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: The diversion works will have minimal impacts to the riparian area. The applicant will need to contact the Lincoln County CD to obtain a 310 permit before the installation begins.

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: Three species of special concern were identified in this area. No adverse impacts to these species is expected as a result of this action.

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: NA

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

Determination: NA

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: This action will increase the soil moisture content on the property where the irrigation system is operational.

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: It will be the applicant's responsibility to control noxious weeds on the property.

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

Determination: NA

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 historic sites were identified on the property.

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 identified.

HUMAN ENVIRONMENT

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

Determination: This action is consistent with other development in the area.

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: NA

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

Determination: NA

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No_XX_ 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? Slight increase in tax revenues.

- (c) Existing land uses? Slight change once the home is built.
- (d) Quantity and distribution of employment? None
- (e) Distribution and density of population and housing? Slight with the additional home.
- (f) Demands for government services? Slight
- (g) Industrial and commercial activity? None
- (h) Utilities? Slight with the increase in demand.
- (i) Transportation? Slight increase in daily vehicle traffic.
- (j) Safety? Slight with increased population and traffic.
- (k) Other appropriate social and economic circumstances? None identified.

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

Secondary Impacts: No secondary impacts were identified as a result of this action.

Cumulative Impacts: Even though no cumulative impacts could be directly tied to this action, over a period of time, actions of this nature are bound to have a cumulative impact. When that point will be reached, no one knows at this time.

3. *Describe any mitigation/stipulation measures:* No mitigation measures are justified at this time.

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:* Rather than pumping from the lake, the applicants could drill a well and pump water for their needs. However, wells in this area are around 300 feet deep which makes them very expensive to install. Also, they tend to be contaminated with fine sand and fine clay slit and therefore, somewhat undesirable.

The no action alternative could prevent the property owner from building the home and developing the lot. At this time, pumping from the lake is the preferred alternative.

PART III. Conclusion

1. *Preferred Alternative:* *This is the preferred alternative.*

2. *Comments and Responses:* If objections are received during public notice, the applicants can re-evaluate their plans and select either of the other two alternatives if necessary.

3. Finding:

Yes___ No **XX**___ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: Because no significant or cumulative impacts were identified by this EA, the EA is the appropriate level of analysis for the action.

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

Name: Wes McAlpin

Title: Water Resource Specialist, KRO DNRC Water Resources

Date: February 16, 2007