

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: Mark & Deborah Harding, 483 Sirucek Lane, Kalispell, MT 59901
2. Type of action: Provisional Permit to Appropriate Water No. 76N 30026221
3. Water source name: McGregor Lake
4. Location affected by project: NE¼ NW¼ SW¼, Sec. 6, Twp. 26N, Rge. 25W, FL. CO.
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 applicant wishes to acquire a Provisional Water Use Permit by complying with rules adopted by DNRC that describe how each of the required criteria must be met. Water from McGregor Lake is desired for domestic use including landscape water for up to ¼-acre lawn and garden. It is proposed to remove up to 1.63 acre-feet of water per year from the lake at a rate not to exceed 15 gpm. The described action will take place at the above location, which is Amended lots 11, 12 and 13 of Boisvert Park Summer Homes within government lot 9. The applicant will benefit from the convenience of an on demand water system that increases the desirability and value of the property. The home is complete so the scope of this EA will be limited to the water system.
6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Department of Fish, Wildlife & Parks
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: The source is not identified as chronically or periodically dewatered by DFWP.

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: McGregor Lake is not listed on the Montana 303(d) list. Water quality will not be impacted.

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: Groundwater will not be impacted.

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 pump will be a 1-horsepower Meyers model # HJ100D Series pump. It has a 15 gpm capacity with an operational head of approximately 30-feet. One hundred fifty (150)-feet of 1½-inch PVC pipe will deliver water to the place of use from the lake. Impact to the physical environment from this water system is limited.

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: Fifteen gallons per minute from McGregor Lake is an imperceptible amount of water. The fishery has Westslope Cutthroat Trout that is listed as sensitive. The water system will not have an adverse impact to the lake or its fishery.

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: The project is not near a functional wetland.

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

Determination: The project does not involve ponds.

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 impact to the soil will occur from this development.

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: The installation of a waterline is a small area that can be reclaimed. The issuance of the permit will not result in the establishment or spread of noxious weeds. There will be no impact.

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

Determination: There will be no effect to the air quality or adverse affect to vegetation.

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

Determination: The water use permit will not impact archeological or historical sites in the vicinity of the proposed project.

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 are anticipated from this development.

HUMAN ENVIRONMENT

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

Determination: The project is consistent with the land use of 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: No impact. The property is private property and the ability to recreate on the lake will remain unchanged.

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

Determination: No impact.

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

Yes___ No___ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No impact

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? No
- (b) Local and state tax base and tax revenues? No
- (c) Existing land uses? No
- (d) Quantity and distribution of employment? No
- (e) Distribution and density of population and housing? No
- (f) Demands for government services? No
- (g) Industrial and commercial activity? No
- (h) Utilities? No
- (i) Transportation? No
- (j) Safety? No
- (k) Other appropriate social and economic circumstances? None

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

Secondary Impacts: None are obvious

Cumulative Impacts: None are obvious

3. Describe any mitigation/stipulation measures: None are necessary

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:

PART III. Conclusion

1. Preferred Alternative: As proposed

2. Comments and Responses: None

3. Finding:

Yes ___ No ___ *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.

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

Name: Rich Russell

Title: Water Resources Specialist

Date: February 21, 2007