

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 and Charlotte Rahn Living Trust
15533 Heather Anne Lane
Bigfork, MT 59911

2. Type of action: Surface Water Application for Beneficial Water Use Permit 76K
30120341

3. Water source name: Swan River (Swan Lake)

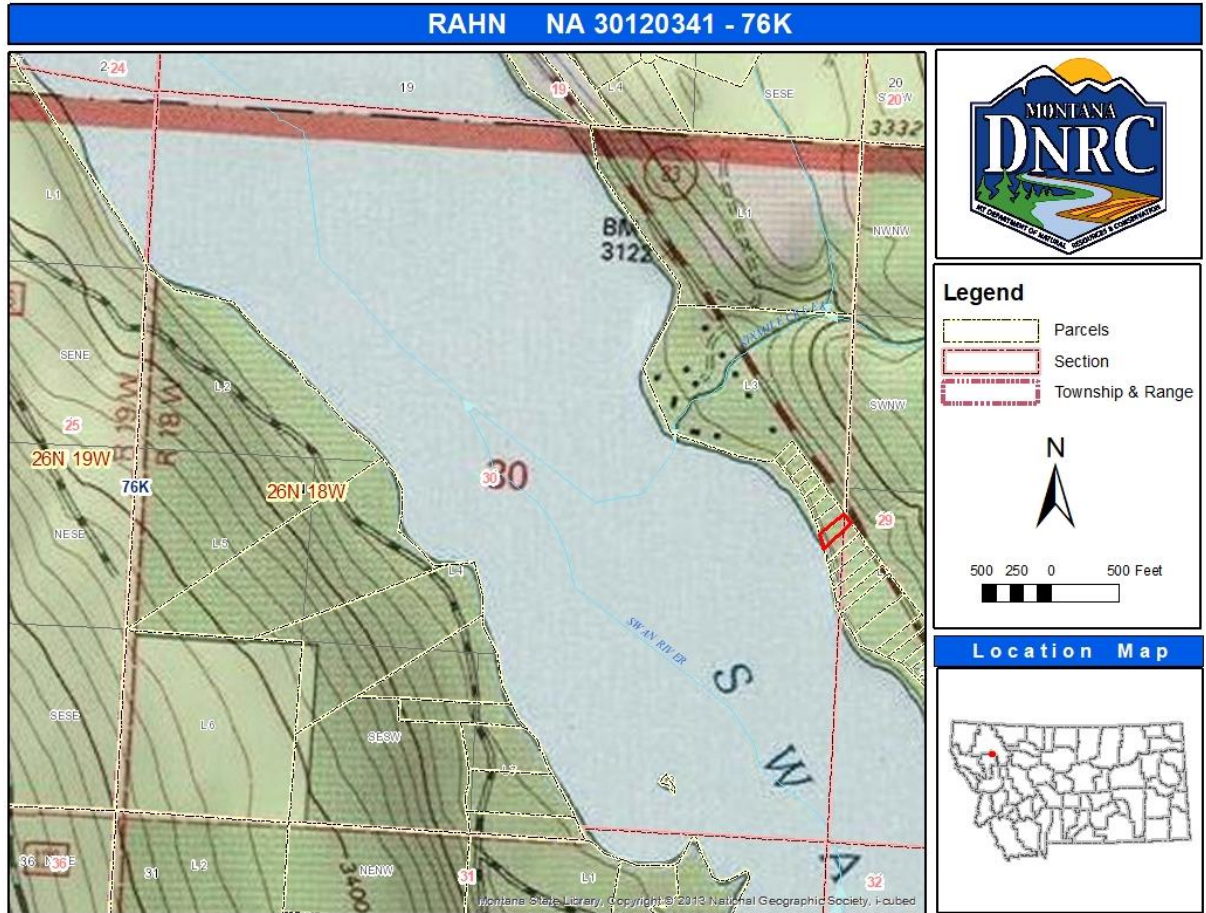
4. Location affected by project: Lot 11 Heather Anne Highlands, NENESE Section 30,
Township 26N, Range 18W, Lake County

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant proposes to divert water from Swan Lake, by means of a pump, from April 1st – July 31st at 16 GPM up to 0.36 AF, from a point in Lot 11 Heather Anne Highlands subdivision NENESE, Section 30, Township 26N, Range 18W, Lake County, Montana to irrigate 0.023 acres of lawn and garden. The place of use is generally located on Lot 11 Heather Anne Highlands, NENESE, Section 30, Township 26N, Range 18W, Lake County, Montana

The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:
Montana Department of Fish, Wildlife, & Parks (DFWP)
Montana Department of Environmental Quality (DEQ)
Montana Natural Heritage Program
National Wetlands Inventory
USDA NRCS Web Soil Survey



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 significant impact

The source of supply is the Swan River at Swan Lake which has not been identified as chronically or periodically dewatered by the Montana Department of Fish, Wildlife, & Parks. The proposed appropriation is for 16 GPM up to 0.36 AF per year from Swan Lake; this flow and volume has been determined to be both physically and legally available from the source.

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 significant impact

Swan Lake has not been assessed for drinking water, primary contact recreation, agricultural or aquatic life uses by DEQ. It is not anticipated that the Applicant's proposed pumping will have any impact on water quality in Whitefish Lake.

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 significant impact

This project does not involve groundwater.

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 impact

The means of diversion is a pump set on the shore of Swan Lake. It is not anticipated that there will be any channel impacts, flow modifications, barriers, dams, or riparian impacts to Swan Lake related to installation of the pump.

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 impact

The Montana Natural Heritage Program identified the Townsend's Big-eared Bat, Wolverine, Canada Lynx, Fisher, Grizzly Bear, Great Blue Heron, Pileated Woodpecker, Common Loon, Westlope Cutthroat Trout, Pygmy Whitefish, Bull Trout, Whitebark Pine, Beck Water-marigold, Giant helleborine, Netted Lungwort Lichen, and Gray Lungwort Lichen as species of concern. This project is located on Swan Lake in an area that has been subdivided and developed, and it is not anticipated that any of the species of concern will be impacted by the proposed project.

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 significant impact

There were no wetlands identified within the project area.

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

Determination: No significant impact

There were no natural ponds identified within the project area.

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 significant impact

This part of the Flathead National Forest Area is typically Rock outcrop-Ochrepts complex, structural breaklands with a high capacity to transmit water. Not identified as soil with saline. It is not anticipated that this use will have an impact on the soil quality, stability, or moisture content.

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 significant impact

It is not anticipated that issuance of a water use permit will contribute to the spread of noxious weeds in the project area. Noxious weed prevention will be the responsibility of the landowner. Development that has previously occurred on the property has likely changed the composition of the flora within the area.

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

Determination: No significant impact

There will be no impact to air quality associated with issuance of a water use permit.

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.

Determination: N/A- Project not located on State or Federal Lands.

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 other potential impacts have been 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: No known environmental plans or goals will be impacted by this 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 access or recreational activities will be significantly impacted by this project.

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

Determination: This proposed project will have no significant impact on human health.

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: No regulatory impacts are known.

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 significant impacts identified
- (b) Local and state tax base and tax revenues? Increase in State tax revenue with development
- (c) Existing land uses? County regulated
- (d) Quantity and distribution of employment? No significant impacts identified
- (e) Distribution and density of population and housing? No significant impacts identified
- (f) Demands for government services? No significant impacts identified
- (g) Industrial and commercial activity? No significant impacts identified
- (h) Utilities? Domestic use
- (i) Transportation? No significant impacts identified

(j) Safety? No significant impacts identified

(k) Other appropriate social and economic circumstances? No significant impacts identified

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

Secondary Impacts No significant impacts identified

Cumulative Impacts No significant impacts identified

3. Describe any mitigation/stipulation measures: None

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:

The only alternative to the proposed action would be the no action alternative.

PART III. Conclusion

1. Preferred Alternative

Issue a water use permit if the Applicant proves the criteria in 85-2-311 MCA are met.

2. Comments and Responses

None

3. Finding:

Yes ___ No X 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:

No significant impacts related to the proposed project have been identified.

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

Name: Kathy Olsen

Title: Kalispell Regional Manager

Date: March 18, 2019