

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:

Dave and Penny Johnson
7026 Lindberg Lake Rd
Seeley Lake, MT 59868

2. Type of action: Application for Beneficial Water Use Permit No. 76K 30134215
3. Water source name: Lindberg Lake, tributary to Swan River
4. Location affected by project: SENWNE Section 23, T19N, R17W, Missoula County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

Applicants submitted an Application for Beneficial Water Use Permit to DNRC requesting an appropriation of 12 gallons per minute (GPM) up to 1.75 acre-feet (AF) of water from Lindbergh Lake. The water will be used for domestic and lawn and garden use in one household. The applicants propose to divert water using a ½ horsepower (hp) pump placed 50-75 feet from the shore. Water will be conveyed to the cabin via a 3/4-inch polyethylene pipeline. 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:
(include agencies with overlapping jurisdiction)

Montana Natural Heritage Program	Species of Concern
Montana Department of Fish, Wildlife and Parks	2005 Dewatered Stream List
Montana Department of Environmental Quality	Water Quality Record

Part II. Environmental Review

1. Environmental Impact Checklist:

<h2>PHYSICAL ENVIRONMENT</h2>

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.*

Lindbergh Lake is not listed on the 2005 Department of Fish, Wildlife and Parks Impaired Stream List. The application is for a diversion out of Lindbergh Lake, which is tributary to the Swan River. The Swan River is also not listed on the 2005 Impaired Stream list. The appropriation of 120GPM up to 1.75 acre-feet of water from Lindbergh Lake will not cause dewatering in the Swan River basin.

Determination: No impact.

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.*

The Department of Environmental Quality has not assessed water quality in Cygnet Lake or the Swan River from Lindbergh Lake to Swan Lake. The minimal withdraw of water requested by the applicant will not result in impairment of water quality. The applicant will treat waste water discharge from domestic use in an on-site septic system. Septic discharge is a source of groundwater contamination resulting in elevated levels of nitrogen and nitrates.

Determination: No significant impact.

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.*

This is a surface water appropriation.

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.*

The proposed diversion will consist of a ½ hp submerged electric pump placed in Lindbergh Lake approximately 50-75 feet from the applicant's shoreline. Water will be conveyed to the place of use via a ¾-inch polyethylene pipe. The location of the pump on the lake bed will not cause any channel impacts or flow modifications in Lindbergh Lake. The use of a pump in a lake for domestic water supply will not create any barriers to fish migration. The water supply system

is existing, no additional disturbances will be necessary. The project does not involve a dam or well.

Determination: No impact.

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.”

The Montana Natural Heritage Program was contacted to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern”, that could be impacted by the proposed project.

The Montana Natural Heritage Program identified the following animal species: Evening Grosbeak, Varied Thrush, Canada Lynx, Grizzly Bear, Wolverine, Fisher, Little Brown Myotis, Hoary Bat, Common Loon, Bull Trout, Pygmy Whitefish, Westslope Cutthroat Trout and Bat Roost (non-Cave) habitat occurring within the vicinity of Township 19 North, Range 17 West, Missoula County. In addition, the following sensitive plant species were also identified; Blunt-leaved Pondweed, Pod Grass, Northern Bog Clubmoss, Red Spoon Peatmoss, Water Howellia, Spiny-spore Quillwort, Roundleaf Sundew, and English Sundew.

The location of the proposed appropriation is on the eastern shore of Lindbergh Lake in Section 23. This part of the lake shore is developed with multiple summer and full-time residences. Any impact to sensitive mammal species such as wolverine, fisher, lynx and grizzly bear most likely has already occurred. Shoreline development on Lindbergh Lake is limited to the southeastern shoreline in Sections 14 & 23. The remainder of the Lindbergh Lake shoreline is owned by the United States Forest Service and has no development potential. This limits the impacts to larger mammal species in the area due to development. Plant species may be impaired if they are located on the applicant's property and in the path of the pipeline. It is not known whether the plants identified exist on the applicant's property.

Determination: No significant impact.

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: N/A project does not involve wetlands.

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

Determination: N/A 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.*

The use of water from Lindbergh Lake for domestic and lawn and garden will not cause degradation of soil quality or stability. The soils at Lindbergh Lake are not susceptible to saline seep.

Determination: No impact.

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.*

Existing vegetative cover is unlikely to be disturbed as the system is already in place. The project is located entirely on private property, and the applicants will be responsible for controlling noxious weeds.

Determination: No impact.

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

Adverse air quality impacts from increased air pollutants are not expected as a result of this project. The water will be diverted using a submersed electric pump. No air pollutants were identified as resulting from the applicant's proposed use of Lindbergh Lake for domestic and lawn and garden purposes

Determination: No impact

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.*

NA: 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.*

All impacts to land, water, and energy have been identified and no further impacts are anticipated.

Determination: No impact.

HUMAN ENVIRONMENT

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

The project is located in an area with no locally adopted environmental plans

Determination: No impact.

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.*

The proposed project will not inhibit, alter or impair access to the present recreational opportunities in the area. The project is not expected to create any significant pollution, noise, or traffic congestion in the area that may alter the quality of recreational opportunities.

Determination: No impact.

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

The project does not pose a significant risk to the human health.

Determination: No impact.

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: 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? None identified.
- (b) Local and state tax base and tax revenues? None identified.
- (c) Existing land uses? None identified.
- (d) Quantity and distribution of employment? None identified.
- (e) Distribution and density of population and housing? None identified.

- (f) Demands for government services? None identified.
- (g) Industrial and commercial activity? None identified.
- (h) Utilities? None identified.
- (i) Transportation? None identified.
- (j) Safety? None identified.
- (k) Other appropriate social and economic circumstances? None identified.

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 reasonable alternatives were identified in the EA.

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: None identified.

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:

AN EA IS THE APPROPRIATE LEVEL OF ANALYSIS FOR THE PROPOSED ACTION BECAUSE NO SIGNIFICANT IMPACTS WERE IDENTIFIED.

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

Name: K Schubert

Title: Water Right Specialist

Date: May 22, 2020