

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. 41S-Q099021
Water right change application no.
Petition or Other Action:
2. **Applicant/Contact name and address:** EXPRESS PIPELINE, 2220 GRAND RD.,
SUITE 101, BILLINGS, MT. 59102
3. **Water source name:** LOUSE CREEK
4. **Location affected by action:** SWSWNE SEC 6 T15N, R15E, JUDITH BASIN
CO.
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 85-2-311, MCA, ARE MET. EXPRESS PIPELINE PROPOSES TO
CONSTRUCT A 515 MILE, 24", CRUDE OIL PIPELINE FROM THE U.S./CANADA
BORDER NEAR THE PORT OF WILD HORSE, TO CASPER, WYOMING. THIS PROJECT
REQUIRES THE USE OF WATER DURING CONSTRUCTION PERIODS FOR DUST
CONTROL. THIS APPLICATION IS FOR DUST CONTROL PURPOSES, ON A
TEMPORARY BASIS (DURING CONSTRUCTION ONLY), FOR 100 GPM, UP TO .61AF.
WATER WILL BE USED BETWEEN THE SWSESE SEC 31, T18N, R14E FERGUS CO,
AND THE SWSESE SEC 4, T14N, R15E, JUDITH BASIN CO. THIS TEMPORARY
PERMIT WILL EXPIRE ON DECEMBER 15, 1996.
6. **Agencies consulted during preparation of the environmental assessment:**
MT DEPT OF ENVIRONMENTAL QUALITY AND DEPT OF FISH, WILDLIFE & PARKS.

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?

SEE THE FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS), DATED FEB 1996, AND THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS), DATED AUG 1995, PREPARED BY THE DEPT OF INTERIOR, BUREAU OF LAND MANAGEMENT (BLM) AND THE STATE OF MT DEPT OF ENVIRONMENTAL QUALITY (MDEQ).

Erosion:

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

SEE FEIS AND DEIS

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? SEE FEIS AND DEIS

Air:

Deterioration of air quality, or adverse effects on vegetation due to increased air pollutants.

SEE FEIS AND DEIS

Water:

Alteration of surface water or groundwater quality including but not limited to temperature, dissolved oxygen or turbidity or quantity or distribution?

THE FEIS AND DEIS ADDRESS THE IMPACTS FROM THE ENTIRE PROJECT TO THE WATER ENVIRONMENT. HOWEVER, SINCE THEY DO NOT ADDRESS THE SPECIFIC IMPACTS FROM THE PARTICULAR WATER USE APPLICATION, IT IS NECESSARY TO EXPAND ON THIS SECTION.

THERE WILL BE NO SIGNIFICANT IMPACT FROM THE DIVERSION OF WATER FROM LOUSE CREEK. OTHER THAN STOCK WATER, THERE WOULD BE NO WATER USE FROM THIS SOURCE AT THIS TIME OF YEAR, AND THERE ARE NO RESERVATIONS OF WATER (EG. INSTREAM FLOW FOR FISHERY). THE DIVERSION WILL BE TEMPORARY.

Floodplain:

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

SEE FEIS AND DEIS

Wildlife Habitat/Migration:

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

SEE FEIS AND DEIS

Endangered Species:

Adverse effects on any unique or endangered species?

SEE FEIS AND DEIS

HUMAN ENVIRONMENT

Existing Land Use:

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

SEE FEIS AND DEIS

Historical Significance:

Destruction or alteration of a natural area of scientific or educational value or prehistoric or paleontological importance?

SEE FEIS AND DEIS

Populace:

Alteration of the location, distribution, density, or growth rate of the human population of an area? Alteration of social structure of community?

SEE FEIS AND DEIS

Transportation:

Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?

SEE FEIS AND DEIS

Safety:

Creation of any health hazard or affect on existing emergency response or evacuation plans?

SEE FEIS AND DEIS

Public Services:

Have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? Have an effect upon local or state tax base?
SEE FEIS AND DEIS

Utilities:

Creates need for new or altered facilities for any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?

SEE FEIS AND DEIS

Aesthetics:

Alteration of any scenic vista or recreation opportunity or creation of an aesthetically offensive site to the public?

SEE FEIS AND DEIS

Other:

SEE FEIS AND DEIS

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2. **Secondary and cumulative impacts:** SEE FEIS AND DEIS
 3. **Reasonable alternatives to the proposed action, including the no action alternative:** UNDER THE NO ACTION ALTERNATIVE, THE PIPELINE COULD NOT BE CONSTRUCTED. THIS WOULD HAVE TREMENDOUS NEGATIVE ECONOMIC IMPACT FOR THE STATE OF MT, AS WELL AS OTHER STATES THAT THE PIPELINE WILL BE SERVICING. ANOTHER ALTERNATIVE WOULD BE TO LOCATE THE PIPELINE ELSEWHERE, HOWEVER, THE ENVIRONMENTAL IMPACTS WOULD BE SIMILAR. ALTERNATIVE WATER SOURCES COULD BE CONSIDERED, BUT IMPACTS COULD BE MORE DETRIMENTAL.

PART III. CONCLUSION

Based on the significance criteria evaluated in this EA, is an EIS required? SEE BELOW

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

A DEIS AND FEIS HAVE ALREADY BEEN PREPARED BY OTHER AGENCIES INVOLVED IN THIS PROJECT. THE FEIS AND DEIS ARE ACCEPTED AND MADE A PART OF THIS ENVIRONMENTAL REVIEW. COPIES OF BOTH THE FEIS AND DEIS ARE AVAILABLE FOR PUBLIC INSPECTION AT THE BLM OFFICES IN LEWISTOWN, BILLINGS, AND HAVRE, AND THE MDEQ IN HELENA. THE FEIS AN DEIS SHOULD BE REVIEWED TOGETHER TO DETERMINE THE POTENTIAL ENVIRONMENTAL IMPACTS OF THE PROPOSED EXPRESS CRUDE OIL PIPELINE.

PREPARED BY:

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TITLE: WATER RESOURCES SPECIALIST
DATE: NOVEMBER 22, 1996