

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Revised 10-00

Note: Instructions to DNRC staff for preparing this EA can be found at:
http://www.dnrc.state.mt.us/eis_ea.html

Part I. Proposed Action Description

1. **Applicant/Contact name and address:** Wickens Construction Inc.
PO Box 746
Lewistown, MT 59457

Charles H. Penwell (Estate)
429 22nd AVE NE
Great Falls, MT 59404
2. **Type of action:** Temporary Water Right Change Authorization 41K-G(P)011611-00
3. **Water source name:** Muddy Creek
4. **Location affected by action:** Sections 23, 24, 26, 27, 28, 29, 30 of T21N, R01E, Cascade Co.
Sections 25, 26 of T21N, R01W, Cascade Co.
Diversion will take place in Section 24, T21N, T01E
immediately south of Vaughn.
5. **Narrative summary of the proposed project and action to be taken:** The proposed project is to pump water from Muddy Creek in the SWNESE Section 24, T21N, R01E at a rate not exceeding 608 GPM up to 116 acre-feet for use in dust control and compaction during road construction on U.S. Highway 89 between Vaughn and Sun River. Water will be transferred to the place of use by tanker truck.
6. **Agencies consulted during preparation of the Environmental Assessment:**
The Environmental Assessment and Programmatic Section 4(f) Evaluation prepared for the Montana Department of Transportation includes the point of diversion and place of use for this temporary authorization to change. It encompasses all of the areas of environmental review needed for the temporary change authorization with the exception of an assessment of water quality and quantity in relation to using water from Muddy Creek for dust control and compaction. A complete copy of the Environmental Assessment and Section 4(f) Evaluation is available from the Montana Department of Transportation or from the Water Resources Regional Office in Lewistown. Following is review of water quality and quantity and the diversion works as it relates to the temporary authorization to change.

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

Muddy Creek has been identified as a high priority for development of a TMDL plan. Much of the TMDL problem stems from unnaturally long duration high flows due to irrigation wastewater from the Greenfield Bench. These long duration high flows have created excessive sedimentation and erosion. The removal of water from Muddy Creek will not exasperate the

TMDL problem and possibly could help by slightly reducing flows. The Upper Missouri Basin Closure Law specifically exempts Muddy Creek from the closure with the intent that new depletions may help the erosion and sedimentation problem.

The distribution of water may change slightly as the use of water for road construction will not mimic the use of water for irrigation. This impact will be negligible, as the diversion rate is less than 2 percent of the mean monthly flows during period of diversion.

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

For reasons stated above the water quality of Muddy Creek will not be significantly impacted. The possibility of pollution from hydrocarbons increases with the addition of a petroleum powered pump. This potential is remote, unless standard safety practices are not observed.

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 IMPACT

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

A portable industrial pump will be used to divert water. Minimal alteration of the riparian area will be needed to place the pump. The diversion site was selected for ease of access with minimal disturbance.

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

None due to the diversion of water for dust control and compaction. The EA sited above addresses other secondary and cumulative impacts.

3. 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:

Alternative 1 – No Action

This alternative would result in an increase environmental impact as no water would be available for dust control. The end product may not be adequate if water is not available for compaction.

Alternative 2 – Use of water form a groundwater well.

This alternative would provide minimal environmental benefits over the preferred alternative for a substantial increase in cost. It would also leave a well in place while the preferred alternative would involve no permanent construction or changes in the environment.

PART III. Conclusion

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:

The water right change authorization will bring no significant impacts to the overall project, which has been subjected to an extensive Environmental Assessment.

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

Name: Andy Brummond

Title: Water Resources Specialist

Date: 10/11/00