

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 RIGHT PERMIT APPLICATION NO.  
41S-Q11505-00
2. **Applicant/Contact name and address:**  
Konitz Contracting Inc.  
PO Box 598  
Lewistown, MT 59457
3. **Water source name:** Judith River
4. **Location affected by action:** SE SW SW Sec. 32, T18N, R16E, Fergus County  
11 miles Southeast of Denton
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. This application is to use 200 GPM up to 5.50 Acre-Feet for dust control and compaction during road construction.
6. **Agencies consulted during preparation of the environmental assessment:**  
State Historic Preservation Office  
Natural Resources Information System Web-site  
Montana Department of Fish Wildlife & Parks

**PART II. ENVIRONMENTAL REVIEW**

This environmental review addresses the impacts only at the point of diversion. Other potential impacts due to this road construction project may be considered secondary impacts and should be addressed by the Environmental Assessment completed by the Federal Lands Highway Administration.

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?

NO SIGNIFICANT IMPACT

The Fergus County Soil Survey identifies the soil as **Sudworth-Nesda loams**. This soil should be well suited to support heavily loaded water trucks even when conditions are wet. Therefore there will be little if any alteration of soil stability on the site.

**Erosion:**

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

NO IMPACT

The suction hose from the pump should not alter the stream bed.

**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?

NO SIGNIFICANT IMPACT

Vegetation in the area consists of reed canarygrass, western wheatgrass, and other native species. The Montana Natural Heritage Program identified no plant species of concern in the

site area. Vegetation will be damaged where the water trucks travel and fill. The vegetation will eventually cover these areas in time even if not re-seeded.

**Air:**

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

NO SIGNIFICANT IMPACT

The exhaust emissions from the pump and water trucks will likely not be noticeable at the project site.

**Water:**

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

NO SIGNIFICANT IMPACT

The Judith River has not been identified as an impaired stream needing a TMDL plan by the Montana Department of Environmental Quality. Previous study of the flows in this reach of Judith by the DNRC and DFWP indicate that water is available for the period of appropriation requested without impacting existing water rights or water reservations. Water quality should not be impacted by this project.

**Floodplain:**

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

NO SIGNIFICANT IMPACT

The pump site is in the floodplain. The equipment and / or employees of the contractor could be exposed to floods. However, this is unlikely given the current drought conditions and lack of snow pack and the fact that this is a temporary permit expiring 7/31/00.

**Wildlife Habitat/Migration:**

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

NO SIGNIFICANT IMPACT

The Montana Rivers Information System lists this reach of the Judith River as having a high fishery value as rated by DFWP. Anne Tews, Fisheries Biologist for Dept. of Fish, Wildlife & Parks, was consulted and she believes that no adverse impact will occur to the fish population as a result of this permit. The intermittent nature of the pumping will further limit the impact on the fish habitat.

**Endangered Species:**

Adverse effects on any unique or endangered species?

NO SIGNIFICANT IMPACT

The Montana River Information System identified no fish species of concern in this reach of the Judith River. The Montana Natural Heritage program web-site identified no bird species or plant species of concern in the project area. A field survey conducted in the area 8/30/99 in conjunction with another application found no evidence of any endangered species.

<b>HUMAN ENVIRONMENT</b>
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**Existing Land Use:**

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

NO IMPACT

**Historical Significance:**

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

NO SIGNIFICANT IMPACT

A literature search by the State Historic Preservation Office found a cultural resource inventory had been conducted in the immediate area. Because of this, there is a low likelihood of cultural properties being affected.

**Populace:**

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

NO IMPACT

**Transportation:**

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

NO SIGNIFICANT IMPACT

An increased traffic hazard will result where the water trucks enter and leave the public road.

**Safety:**

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

NO IMPACT

**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?

NO IMPACT

**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?

NO IMPACT

**Aesthetics:**

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

NO SIGNIFICANT IMPACT

The pump site could be considered aesthetically offensive to the public passing on the public road or recreating on the Judith River.

**Other:**

NO

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2. **Secondary and cumulative impacts:** The impacts created by the road construction project itself can be considered secondary impacts.
  3. **Reasonable alternatives to the proposed action, including the no action alternative:** The applicant could find another source of water. This alternative would be possibly difficult and/ or expensive given the lack of available water sources in the area. The no action alternative would result in the contractor being unable to correctly and safely complete the road construction project.