

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: Scott M. & Pamela K. Griswold
33 Sand Creek Road
Bridger, MT, 59014
2. Type of action: Application for Beneficial Water Use Permit No. 43D 30171860
3. Water source name: Sand Creek
GNIS 00776174
4. Location affected by project: Generally located in the SW of Section 4, Township 6 South, Range 23 East, Carbon County.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant proposes to divert water from Sand Creek by means of a pump, from a transitory point of diversion, approximately 86 feet long, along the southwest of the Applicant's property boundary, located in the SWSWSW Section 4, Township 6 South, Range 23 East, Carbon County, at a flow rate of 4.1 CFS, and up to 89.8 AF of volume. The Applicant proposes to irrigate 23.8 acres, 1.2 Acres in Government Lot 10 (SESW) and 22.6 Acres in the SWSW, Sec. 4, T6S, R23E, Carbon County, from May 1 to September 30.

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:
(include agencies with overlapping jurisdiction)

Montana Department of Natural Resources and Conservation
Montana Department of Fish, Wildlife and Parks (FWP)
Montana Department of Environmental Quality (DEQ)
Montana Sage Grouse Habitat Conservation Program (SGHCP)
Montana Natural Heritage Program (NHP)
U.S. Fish and Wildlife Service (USFWS)
U.S. Department of Agriculture, National Resource Conservation Service (USDA, NRCS)

Part II. Environmental Review

1. Environmental Impact Checklist:

<h2>PHYSICAL ENVIRONMENT</h2>

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity – This project is for 89.9 AF/YR in volume from Sand Creek and is not expected to affect water quantity. The majority of water extracted for this project will return to Sand Creek. This water is believed to come primarily from wastewater and return flows from local irrigators. If local irrigators stopped diverting water from the Clarks Fork Yellowstone River, it is believed that there would be no water available in Sand Creek for the Applicant to utilize.

StreamStats determined a contributing basin area of 44.8 square miles at the project. USGS classifies the Sand Creek as an intermittent stream. This Department took measurements in May; the Applicant took measurements in June, July, August, and September. Water was found to be physically available throughout the proposed months, based on the data analyzed at the time of the Technical Analysis.

Determination: No Significant Impact

Water quality – This project will consist of irrigated acreage near the creek; thus, some runoff is expected and may directly enter the creek. Minimal pollutants are expected to occur; however, this is dependent on the Applicant’s behaviors and irrigation practices. The Applicant should be conscious of how their actions affect the riparian and water quality.

As of the time of this assessment, Montana DEQ classifies the water quality of Sand Creek below Bridger Creek as Use Class B-1: “Waters classified as suitable for drinking, culinary, and food processing purposes after conventional treatment; bathing, swimming, and recreation; growth and propagation of salmonid fishes and associated aquatic life, waterfowl, and furbearers; and agricultural and industrial water supply.” Also, Montana FWP does not have any restrictions or closures on Sand Creek.

Determination: No Significant Impact

Groundwater - This project is for surface water. The project should not affect the quality or quantity of groundwater.

Determination: No Impact

DIVERSION WORKS

Pump and Conveyance - The project will consist of a pump that will be able to move along the applicant's boundary to divert water from the creek. Water will be pumped and conveyed via a grated pipe system and ditch. With a stationary pump, riparian damage may only occur during the installation, and the riparian zone has time to heal and revegetate. With a transitory pump, the riparian is likely to experience recurring interference that should be taken into account by the Applicant. The Applicant should be aware of the damage that can be inflicted on the riparian and maintain vegetation for bank stability and habitat health.

Determination: Potential Impact

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Sage Grouse – This project is located in Sage Grouse habitat. The Applicant has submitted a letter from the Montana Sage Grouse Habitat Conservation Program for Project No. 7175, dated September 29, 2025 (Governor's Executive Orders 12-2015 and 21-2025).

Determination: Potential Impact

Endangered and threatened species – The Natural Heritage Program has identified multiple Species of Concern (SOC), Special Status Species (SSS), Potential Species of Concern (PSOC), and Important Animal Habitat (IAH). The list is included in the EA attachment: Griswold 43D 30171860 Environmental Summary. See pages 3-9.

Determination: No Significant Impact

Wetlands – This project is located along Sand Creek. Wetlands and riparian areas are expected at the project site, upstream, and downstream. The Natural Heritage Program identifies a Riverine Lower Perennial and Riverine Intermittent wetland in the Sand Creek basin.

Determination: Potential Impact

Ponds – No ponds were claimed or proposed in this project. Aerial imagery does not show a body of water suggestive of a pond or pit.

Determination: No Impact

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE

Geology – MBMG has Sand Creek as having underlain geologic features consisting of clay, silt, sand (mostly quartz), gravel, and organic matter.

Soil Quality – The NRCS Web Soil Survey expects that the point of diversion along the creek, where the pump will be placed/moved, consists primarily of Haverson-Heldt silty clay loams, 0 to 4 percent slopes. *See attached NRCS Web Soil Survey.*

Stability – As mentioned with regard to the transitory point of diversion along the Applicant's property, the Applicant should consider the effects on bank stabilization by limiting the removal of riparian vegetation. Maintaining vegetation along the creek to limit erosion.

Determination: Potential Impact

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS –

Vegetation Cover – Vegetation cover can be viewed on pgs. 11-12 of the summary. The summary includes a range of vegetation that does not necessarily apply to the project site. The area around the project site, seen in the orange trapezoid, consists primarily of cultivated crops, great plains floodplain, and great plains mixed-grass prairie. As mentioned, loss of riparian is expected due to the pump being moved along the bank of the creek. The Applicant should take precautions to prevent loss of vegetation.

Determination: Potential Impact

Noxious Weeds – The Natural Heritage Program identifies multiple Priority 1A, 1B, 2A, and 2B noxious weeds within the area of interest. It will be the responsibility of the landowner to prevent the establishment and spread of noxious weeds and non-native species. See pgs. 16-18 of the summary for a list of Aquatic Invasive Species, Noxious Weeds, and Non-Native Biocontrol Species.

Determination: No Significant Impact

AIR QUALITY - This project proposes to use a water pump with a 25hp electric motor. The Applicant has had the project site inspected by Northwestern Energy, which has provided recommendations for power supply. As the project proposes electricity over fuel, the product, at this time, is not expected to produce air pollutants. It is the Applicant's responsibility to ensure that the product is functioning appropriately.

Determination: No Significant Impact

HISTORICAL AND ARCHEOLOGICAL SITES - Montana's National Register of Historic Places does not identify any registered historic landmarks, properties, or districts near the project site, at the time of this assessment. If the Applicant were to locate something of historical significance, it is the Applicant's responsibility to notify the appropriate authorities.

Determination: No Known Impact

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - No additional impact on other environmental resources is expected due to this project.

Determination: No Known Impacts

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS – There are no known locally adopted environmental plans or goals.

Determination: No Known Impacts

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES – This project will have no significant impact on recreational and wilderness activities.

Determination: No Significant Impact

HUMAN HEALTH – This project will have no significant impact on human health.

Determination: No Significant Impact

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 Known 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? No Significant Impact
- (b) Local and state tax base and tax revenues? No Significant Impact
- (c) Existing land uses? No Significant Impact
- (d) Quantity and distribution of employment? No Significant Impact
- (e) Distribution and density of population and housing? No Significant Impact
- (f) Demands for government services? No Significant Impact
- (g) Industrial and commercial activity? No Significant Impact
- (h) Utilities? No Significant Impact

- (i) Transportation? No Significant Impact
- (j) Safety? No Significant Impact
- (k) Other appropriate social and economic circumstances? No Significant Impact

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

Secondary Impacts: No secondary impacts are identified

Cumulative Impacts: No cumulative impacts are identified

3. Describe any mitigation/stipulation measures: None at this time.

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 alternative to the proposed project is the no-action alternative. The no-action alternative prevents the property owner from improving the operation of their irrigation system. The no-action alternative does not prevent or mitigate any significant environmental impacts.

PART III. Conclusion

- 1. Preferred Alternative:** The DNRC shall issue a water use permit if an Applicant proves the criteria in 85-2-311 MCA are met.
- 2. Comments and Responses:** It is recommended that the Applicant should take precautions to limit erosion of the riverbank by maintaining the vegetation for erosion control and the health of the riparian zone.
- 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 environmental impacts were identified; therefore, an EIS is not required

Name of person responsible for the preparation of this EA:

Name: Cassey Strebeck
Title: Water Resource Specialist
Date: February 17, 2026