

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: Centennial Livestock Inc.
900 Mansfield Lane
Dillon, MT 59725-9710
2. Type of action: Application to Change Water Right 41I 30110538
3. Water source name: Tenmile Creek, Lewis and Clark County near Helena
4. Location affected by project:

Approximately 3.5 miles west of the city of Helena, MT, Lewis, and Clark County. Starting at the historic headgate located on Tenmile Creek in the SESESW Section 22, T10 N, R4 W past the confluence of Tenmile and Prickly Pear Creeks to the inlet of Lake Helena.

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met. The Applicant proposes to change the purpose from irrigation to marketing for mitigation on Statement of Claim Nos. 41I-132502-00, 41I-132503-00, 41I-132504-00, 41I-132505-00, and 41I-132506-00. The Applicant will permanently retire 395 acres of irrigation from the place of use of the above-mentioned water rights to provide mitigation water to Tenmile Creek. The proposed place of use for marketing for mitigation will be from the historic point of diversion in Tenmile Creek located in the SESESW Section 22, Township 10 North, Range 4 West past the confluence of Tenmile and Prickly Pear Creeks to Lake Helena. Centennial will provide a maximum flow rate of 11.15 CFS, up to 1,212.65 AF of diverted volume, and 556.02 AF of consumed volume to mitigate future depletions in the proposed reach.

Through previous Change Authorization No. 41I-30015779-00 issued December 7, 2005 the five Statement of Claims included in this change were changed to instream flow for fisheries.

6. Agencies consulted during preparation of the Environmental Assessment:

Montana Natural Heritage Program	Species of Concern
Montana Department of Fish, Wildlife, & Parks	2005 Dewatered Stream List
Montana Department of Environmental Quality	303(d) list of impaired streams
USDA Natural Resources Conservation Service	Web Soil Survey

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.*

The Department of Fish, Wildlife, and Parks (FWP) lists Tenmile Creek as a chronically dewatered stream. Streams are classified as chronically dewatered when dewatering is a significant problem in virtually all years. The Applicant is proposing to change the water right for a consumptive use (flood irrigation) and change it to a non-consumptive use (marketing for mitigation). This new use will mitigate the effects associated with future uses of water and will not alter existing instream flows or negatively impact the stream by way of further dewatering.

Determination: No negative 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 proposed project will not alter and/or adversely affect water quality in Tenmile Creek. The purpose of the project is to leave water instream for marketing and mitigation purposes. Increases in flow resulting from this change in water use will help replace water depleted by future appropriations.

Determination: No negative 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.*

Determination: N/A as this change in use does not involve groundwater

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.*

To exercise the marketing and mitigation change 41I 30110538, no means of diversion or conveyance are needed other than the natural stream channel. There will be no construction that would impact the stream channel or create a barrier to fish migration. There are no dams associated with this project, and water quality/quantity will not be negatively altered. The project will result in flow modifications; however, the end result will be more water flowing in Tenmile Creek to replace water depleted by future appropriations.

Determination: No negative 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 consulted to determine if there are any threatened or endangered species, or species of concern, that could be impacted by the proposed project.

The Heritage Program identified species in the table below as the only species of concern that have been observed within the vicinity of the proposed 10.7-mile mitigation reach in Tenmile Creek. The proposed application will require no site disturbances, and the marketing for mitigation purpose will not result in the loss or negative alteration of any aquatic habitat.

BIRDS	MAMMALS	VASCULAR PLANTS	FISH
Forster's Tern	Little Brown Myotis	Lesser Rushy Milkvetch	Westslope Cutthroat Trout
Clark's Grebe	Hoary Bat	Wedge-leaf Saltbush	
Great Blue Heron	Spotted Bat	Small Yellow Lady's-slipper	
Bald Eagle	Black-tailed Prairie Dog	Slender Wedgegrass	
Veery	Bat Roost (Non-Cave)		
Black-necked Stilt			
Bobolink			
Pinyon Jay			
Lewis's Woodpecker			
Evening Grosbeak			
Cassin's Finch			
Clark's Nutcracker			
Brewer's Sparrow			
Green-tailed Towhee			
Flammulated Owl			

Determination: No negative 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 as this project does not involve wetlands

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

Determination: N/A as this 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.

This proposed change will not result in any negative impacts to surrounding soils.

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.

This project will not result in any ground disturbance that could allow for the spread of noxious weeds or cause any negative change to existing vegetative cover.

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.

There will be no source of pollutants associated with the change in water use that will alter air quality.

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.

There will be no construction or other activities that could degrade unique archeological or historical sites. There are no known unique archeological or historical sites in the vicinity of the proposed project.

Determination: No impact

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - Assess any other impacts on environmental resources of land, water and energy not already addressed.

Determination: None identified ~ 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.

This project is not inconsistent with any locally adopted environmental plans or goals

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 negatively impact access to or the quality of recreational and wilderness activities.

Determination: No impact

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

Determination: No impact, the project does not pose a significant risk to human health,

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 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

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:

No reasonable alternatives were identified

PART III. Conclusion

1. Preferred Alternative : None identified

2. Comments and Responses

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 EIS is not 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: Kathy Schubert
 Title: Water Resource Specialist, Missoula Regional Office
 Date: August 23, 2018