

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

Applicant/Contact name and address: MONTANA DEPARTMENT OF TRANSPORTATION
P O BOX 201001
HELENA, MT 59620

1. Type of action: Application to Change a Water Right 76M-30121233
2. Water source name: Sixmile Creek
3. Location affected by project: 20 miles northwest of Missoula near the town of Huson in the NWNW Section 26, T15N, R22W Missoula county.
4. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant proposes to change the purpose of Statement of Claim No. 76M-15970-00 from irrigation to wetland for wetland mitigation credits and retire 34.5 acres of historic flood/sprinkler irrigation. The wetlands will consist of two connected wetland areas totaling 6.74 acres. The two wetland areas consist of shallow reservoirs that are 1.25 (Cell # 1) and 5.49 (Cell # 2) acres. The wetland development will be in the NWNW Section 26, T15N, R22W, Missoula County within the historic 34.5-acre place of use for irrigation. The flow rate will remain the same, with a diversionary requirement of 1.52 CFS, and the volume diverted will be reduced to 100 AF annually.

5. The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.
6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Montana Natural Heritage Program
Mt. Department of Fish, Wildlife and Parks
USDA Natural Resources Conservation Service –
Dept. of Environmental Quality Website -

Species of Concern
2006 Montana dewatered streams
Web Soil Survey
TMDL 303d listing

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.*

Sixmile Creek is listed as a chronically dewatered stream by DFWP. As this project will not increase the flow rate or volume historically used, there will be no significant impact on the stream.

Determination: No significant 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 Clean Water Act Information Center website does not list Sixmile Creek as impaired or threatened. No significant impacts to water quality are anticipated because of this project.

Determination: No significant 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.*

There should be no significant impact to groundwater quality or supply. The nature of the conversion from flood irrigation to a wetland complex indicates that there will be slightly less water required for the proposed wetland than the amount of water historically diverted and used to irrigate. Reduced diversions from the creek will offset reduced return flows associated with the new wetland, with most return flows expected to contribute to the shallow groundwater table near the wetland.

Determination: No significant 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.*

The wetland project will use a headgate installed within Sixmile Creek. Water has historically been diverted via headgates; no new significant impact will occur.

Determination: No significant impacts from the diversion works are expected.

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 contacted to determine if there are any threatened or endangered fish, wildlife, plants, or aquatic species or any "species of special concern" that could be impacted by the proposed project. The diversion does not create a barrier to fish migration within the stream and no additional loss of habitat for any of the abovementioned species will result from the proposed project

In the vicinity of Section 23 and 26, Township 15 North, Range 22 West, Missoula County, the following species as species of concern were listed:

West slope Cutthroat Trout, Bull Trout, Lewis's Woodpecker, Yuma Myotis, Veery, Bald Eagle, Western Skink, Great Blue Heron, Pileated Woodpecker, Grizzly Bear, Fisher,

Determination: No significant 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.

The acreage involved in this change application has been previously farmed and will be converted to a viable wetland according to the federal definition in the Clean Water Act. This project will create a wetland and therefore, wetlands should not be negatively impacted by this project.

Determination: No significant impact

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

This project involves construction of two small reservoirs, with a combined surface area of 6.7 acres and associated capacity of 2.76 AF. No adverse impact to wildlife, waterfowl, or fisheries is anticipated, the project will actually create open water impoundment to enhance wildlife and waterfowl habitat.

Determination: No significant impact

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.*

The soil type under the proposed wetland are silty clay loams and silt loam a well-drained loam. Soils at the place of use are non-saline and thus, unlikely to be susceptible to saline seep.

Determination: No significant 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.*

Other than short-term effects from land sculpting, reservoir construction and flume installation, no significant disturbance of vegetative cover is expected. All acres under the new wetland proposal have been previously disturbed by flood irrigation. It is the responsibility of the property owner to control noxious weeds on their property.

Determination: No significant impact

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

No impacts to air quality have been identified. All water is conveyed to the place of use from a headgate via a pipe to the place of use.

Determination: No significant 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.*

Determination: No Significant 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: No Significant Impact

No significant impacts are anticipated. This project will likely benefit environmental resources.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: No Significant Impact

No local environmental plans or goals have been identified.

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.*

Determination: No Significant Impact

The proposed action should not negatively affect recreational activities in the area.

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

Determination: No Significant Impact

No impacts to human health have been identified.

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 Significant 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
- (b) Local and state tax base and tax revenues? None
- (c) Existing land uses? None
- (d) Quantity and distribution of employment? None
- (e) Distribution and density of population and housing? None

- (f) Demands for government services? None
- (g) Industrial and commercial activity? None
- (h) Utilities? None
- (i) Transportation? None
- (j) Safety? None
- (k) Other appropriate social and economic circumstances? None

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: None 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:

PART III. Conclusion

1. Preferred Alternative N/A

2. Comments and Responses N/A

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 EA IS THE APPROPRIATE LEVEL OF ANALYSIS FOR THIS PROPOSED ACTION BECAUSE NO SIGNIFICANT IMPACTS HAVE BEEN IDENTIFIED AS A RESULT OF THE PROPOSED ACTION.

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

Name: K Schubert
 Title: Water Resource Specialist
 Date: 09/02/2020