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: Six Mile Water Rights Purchaser's Association
C/O Paul Long, Jr.
19755 Sixmile Road
Huson, MT 59846

2. Type of action: Application to Change a Water Right 76M-30050201

3. Water source name: Sixmile Creek, tributary to the Clark Fork River

4. Location affected by project: Section 14, T15N, R22W, Missoula County

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

This application proposes to change the point of diversion and place of use for a portion of this historic water right, adding four independent points of diversion to serve four separate places of use and adding a purpose of lawn and garden to one place of use. The Applicant plans to divert surface water from Sixmile Creek at a rate of 0.7 cubic feet per second (CFS) up to 34.16 acre-feet (AF). The proposed points of diversion from upstream to downstream are as follows:

- Rankin POD: SWSENE of Section 14, T15N, R22W, Missoula County
- Mether POD: NENWSE of Section 14, T15N, R22W, Missoula County
- Hughes POD: NENWSE of Section 14, T15N, R22W, Missoula County
- Long POD: NWNWSE of Section 14, T15N, R22W, Missoula County

The proposed places of use are as follows:

- Rankin POU: SWSENE of Section 14, T15N, R22W, Missoula County
- Mether POU: S2SWNE and NWSE of Section 14, T15N, R22W, Missoula County
- Hughes POU: SESW and SWSE of Section 14, T15N, R22W, Missoula County
- Long POU: NWNWSE of Section 14, T15N, R22W, Missoula County

Historically, this water right was used exclusively for the purpose of irrigation. On the Rankin, Mether, and Hughes properties, the purpose will remain irrigation and will be supplemental to Statements of Claim from Sixmile Creek currently used to irrigate the respective places of use. For the 1.50 acre Long place of use, lawn and garden will be

added as a purpose for their portion of the water right. Each water user will limit the rate of diversion and number of days that water is being diverted so as not to exceed their portion of the historic consumed volume.

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:

Montana Natural Heritage Program	Species of Concern
Montana Department of Fish, Wildlife and Parks	2005 Dewatered Stream List
Montana Department of Environmental Quality	303(d) list of impaired streams
Montana Department of Environmental Quality	305(b) list of impaired streams

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.*

One mile of Sixmile Creek is considered chronically dewatered on the 2005 Montana Department of Fish, Wildlife and Parks Dewatering Concern Areas. This is not a new appropriation and no additional reductions to water quantity will result in Sixmile Creek from changing the point of diversion. Water will remain in the creek for a longer period of time before being diverted and return flows will enter into Sixmile Creek before being discharged into the Clark Fork River, whereas historically return flows only discharged to the Clark Fork River.

Determination: No 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.*

Sixmile Creek, tributary to the Clark Fork River in Missoula County, is on DEQ's 2010 303(d) and 305(b) lists as water quality impaired. The creek is listed as partially supporting aquatic life and cold water fisheries. Probable causes of impairment include alteration in stream-side or littoral vegetative covers resulting from rangeland grazing and silviculture activities. Agricultural, drinking water, industrial, and recreational uses in Sixmile Creek have not been assessed by DEQ. The proposed changes in point of diversion will not further adversely affect water quality in Sixmile Creek.

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.*

N/A: The source of water supply is surface water; return flows will be to Sixmile Creek.

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.*

There are four points of diversion that will be utilized to deliver water to their respective places of use. Rankin, Mether, and Long operate pumps supplied by pipelines that draw directly from Sixmile Creek and will limit diversion rates during the extended period of use to 22.44, 224.4, and 22.44 GPM, respectively. Rankin and Mether will do this by adjusting pumping rates and limiting the number of lines and nozzles in use. The Long property will pump at a rate of 44.88 GPM throughout the entire period of use, but limit their diversion to 62.4 days during that timeframe. The Hughes property point of diversion is an 18-inch culvert and headgate serviced by a small conveyance ditch; diversion rates will be monitored at the headgate and limited to 22.44 GPM during the extended period of use. Each water user will limit the flow rate and the number of days water is used to that specified above so as not to exceed historic diverted and consumed volumes. Water will stay in the channel for a greater distance before being diverted and return flows will be observed in Sixmile Creek, prior to the confluence with the Clark Fork River. The use of pumps and an existing ditch system will not create any barriers to fish migration. There will no disturbance of riparian areas associated with this project because the proposed new diversion points currently exist and will not require any new construction. The proposed project does not require construction of any dams, and will not impact groundwater levels in the project vicinity that could affect well construction.

Determination: No significant 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 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.

In the vicinity of Section 14, T15N, R22W, Missoula County, the Montana Natural Heritage Program identified the following animal species of concern: Great Blue Heron, Bald Eagle, Veery, Cassin's Finch, Westslope Cutthroat Trout, Bull Trout, Fisher, Wolverine, and Western Skink. No plant species were identified.

According to Montana Department of Fish, Wildlife, and Parks, Sixmile Creek is not listed as a core bull trout area. Because the proposed project does not involve any dams, will not create any flow modifications, or create any barriers to fish passage there will be no new impacts to cold water aquatic species such as Cutthroat Trout. The proposed new place of use either consists of land that is already irrigated and farmed or lawn and garden. There will be no change to existing vegetative cover that could adversely impact other sensitive animal species.

Determination: No 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.*

N/A: This project does not involve any wetlands.

Determination: No impact

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

N/A: This project does not involve any ponds.

Determination: No 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.*

Soils at the Rankin, Mether, and Hughes properties are currently irrigated with water from Sixmile Creek and will not further degrade with the addition of a supplemental water source. The addition of 1.5 acres of irrigated lawn and garden at the Long place of use is not expected to increase soil degradation. Soils at the proposed places of use are composed primarily of Bigarm gravelly loam and Half Moon silt loam, neither of which is heavy in salts which can cause saline seep.

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.*

On the Rankin, Mether, and Hughes properties, use of this water to extend the irrigation season will not result in the establishment or spread of noxious weeds. Each property will have water delivered to the place of use through a pump which is less likely to spread weeds than ditch conveyance to flood irrigation as was historically practiced. The proposed projects are located entirely on private property and it is ultimately the landowner's responsibility to control noxious weeds on their property.

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.*

Each water right user will be running a gas powered pump to irrigate their respective places of use. Although emissions from the burning of fossil fuels will be present while the pumps are in use, significant impacts to air quality will not occur as a result.

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.*

NA – project not located on State or Federal Lands.

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.*

None identified.

Determination: 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.*

There are no 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 four proposed points of diversion have all been established with the exception of the Long property point of diversion which will be directly adjacent to the place of use. With the exception of the Hughes property where water is diverted at a headgate northeast of the place of use, all points of diversion are located adjacent to private property without public recreation opportunities. Development of the four new points of diversion and one place of use at the Long property will not 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.*

No impacts to human health were identified.

Determination: No 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:

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:*** 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:*** No alternative identified.

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: Amy Groen
Title: Water Resource Specialist
Date: 11/23/2011