July 12, 2012 1420 East 6th Ave. P.O. Box 200701 Helena, MT 59620-0701

Environmental Quality Council Montana Department of Environmental Quality Montana Department of Fish, Wildlife and Parks Fisheries Bureau **Endangered Species Coordinator** Missoula Office Montana State Library, Helena MT Environmental Information Center Montana Audubon Council Montana Wildlife Federation Wayne Hadley, 1016 Eastside Road, Deer Lodge, MT 59722 Montana River Action, 304 N 18th Avenue, Bozeman, MT 59715 Mile High Conservation District, P.O. Box 890, Whitehall, MT 59759 U.S. Army Corp of Engineers, Helena U.S. Fish and Wildlife Service, Helena State Historic Preservation Office, Helena Watershed Restoration Coalition, 1002 Hollenback Road, Deer Lodge, MT 59722 Floyd Balentine, 899 Browns Gulch Road, Butte, MT 59701 Dale Malyevac, 499 Browns Gulch Road, Butte, MT 59701 Ueland Ranches, Inc., 100 Cattle Drive, Butte, MT 59701

Ladies and Gentlemen:

Please find enclosed an Environmental Assessment prepared for the Future Fisheries Improvement Program. The Program tentatively plans to provide partial funding for a project calling for fish habitat improvement work on Browns Gulch, a tributary to Silver Bow Creek. The project calls for installing five Denil-style fish ladders on existing pin and plank irrigation diversions located on the lower reach of the stream to re-establish migratory connectivity for fish between Silver Bow Creek and Browns Gulch. Additionally, the project calls for stabilizing the channel and restoring riparian vegetation on two discrete reaches of the stream. A 50-foot reach of channel, located adjacent to a newly relocated livestock corral, would be stabilized by creating a narrow floodplain bench using a wood/brush toe and sod mats. At the second site, an undersized culvert would be removed and portions of the channel impacted immediately upstream and downstream by the old culvert would be stabilized by constructing small floodplain benches armored with brush and gravel toes. The project sites are is located north of the community of Rocker on properties separately owned by the Ueland Ranches, Floyd Balentine and Dale Malyevac in Silver Bow County.

Please submit any comments that you have by 5:00 P.M., August 10, 2012 to the Department of Fish, Wildlife and Parks in Helena at the address listed above. Funding for this project through the Future Fisheries Improvement Program is contingent upon approval being granted by the Fish, Wildlife and Parks

Commission. If you have any questions, feel free to contact me at (406) 444-2432. Please note that this draft EA will be considered as final if no substantive comments are received by the deadline listed above.

Sincerely,

Mark Lere, Program Officer **Habitat Section** Fisheries Bureau

e-mail: mlere@mt.gov

ENVIRONMENTAL ASSESSMENT

Fisheries Division Montana Fish, Wildlife and Parks Browns Gulch Habitat Restoration Project

General Purpose: The 1995 Montana Legislature enacted statute 87-1-272 through 273 which directs the Department to administer a Future Fisheries Improvement Program. The program involves physical projects to restore degraded fish habitat in rivers and lakes for the purpose of improving wild fisheries. The legislature established an earmarked funding account to help accomplish this goal. Additionally, the 1999 Montana Legislature amended statute sections 87-1-273, 15-38-202 and Section 5, Chapter 463, Laws of 1995 to create a bull trout and cutthroat trout enhancement program. The program calls for the enhancement of bull trout and cutthroat trout through habitat restoration, natural reproduction and reductions in species competition by way of the Future Fisheries Program.

The Future Fisheries Program is proposing to provide partial funding to a project designed to enhance fisheries habitat in portions of Browns Gulch, a tributary to Silver Bow Creek. The intent of this project is to reconnect newly developing populations of native fish in Silver Bow Creek, primarily westslope cutthroat trout, to potential spawning and rearing habitat in upper Browns Gulch, as well as improving habitat for native fish in portions of the stream where excessive sediment loading is degrading both Browns Gulch and Silver Bow Creek. The project sites are located north of the community of Rocker in Silver Bow County on properties separately owned by the Ueland Ranches, Floyd Balentine and Dale Malyevac.

- I. <u>Location of Project</u>: This project will be conducted on several reaches of Browns Gulch located north of the community of Rocker within Township 4 North, Range 8 West, Sections 8 and 29 and in Township 3 North, Range 8 West, Sections 6 and 7 in Silver Bow County (Attachment 1).
- II. <u>Need for the Project</u>: One goal within Montana Fish, Wildlife and Parks six year operations plan for the fisheries program is to "restore and enhance degraded habitats" by implementing habitat restoration projects and administering the Future Fisheries Improvement Program to restore important habitats on public and private lands. This proposed project would help meet this goal.

Browns Gulch Creek is the largest tributary to Silver Bow Creek and has been identified as a priority stream for restoration by Montana Fish, Wildlife and Parks (FWP). FWP has recently documented the presence of an apparent expanding population of westslope cutthroat trout in Silver Bow Creek. Additionally, Browns Gulch supports a resident population of westslope cutthroat trout in middle and upper reaches of the stream. Presently, a series of irrigation diversions, as well as poor habitat conditions and some dewatering on portions of the stream, act as migration impediments to fish moving into middle to upper Browns Gulch from Silver Bow Creek and the lower reaches of the stream. This proposed project would support the re-connection of newly expanding native fish populations in Silver Bow Creek to potential spawning and rearing areas located in upper reaches of Browns Gulch and would improve habitat in portions of the stream that are degraded due to an unstable channel and associated high sediment loading.

III. Scope of the Project:

This project calls for installing five Denil-style fish ladders on existing pin and plank irrigation diversions located on the Ueland Ranches. Additionally, the project calls for stabilizing a 50-foot reach located on the Balentine property adjacent to a newly renovated corral by constructing a small floodplain bench using a log/brush toe with salvaged sod mats placed on top (Attachment 2). The project also calls for removal of an undersized and unused culvert located on the Malyevac property and stabilizing adjacent upstream and downstream banks by constructing small bankfull benches with brush and gavel toes, covered by sod mats (Attachment 3). A total of 150 feet of channel is proposed to be stabilized. These projects are expected to cost \$46,640.00, including design costs for a future channel restoration project on Ueland Ranches. Of this total, the Future Fisheries Improvement Program would be contributing up to \$28,140.00. The remaining funding would come from other sources and from in-kind services:

Contributor	In-kind service	In-kind cash
223 Grant		\$13,500
319 Grant		\$2,000
WCR	\$2,000	
Landowners	\$1,000	

IV. <u>Environmental Impact Checklist</u>:

Please see attached checklist.

V. <u>Explanation of Impacts to the Physical Environment</u>

1. Terrestrial and aquatic life and habitats.

Silver Bow Creek, of which Browns Gulch is a tributary, has been undergoing years of reclamation and is now supporting what appears to be an expanding population of native fish, specifically westslope cutthroat trout. Enhancing migratory connectivity between Silver Bow Creek and the upper reaches of Browns Gulch has the potential to restore fluvial populations of native fish. Additionally, reductions in sediment loading from presently unstable reaches of Browns Gulch would improve aquatic habitat in both Browns Gulch and Silver Bow Creek.

2. Water quantity, quality and distribution.

Short-term increases in turbidity will occur during project construction. To minimize turbidity, operation of equipment in the active channel will be minimized to the extent practicable. The Department of Environmental Quality will be contacted to determine narrative conditions required to meet short-term water quality standards and protect aquatic biota (318 authorization). A 310 permit (Montana Natural Streambed and Land Preservation Act) will be obtained from the local conservation district and the U.S. Army Corp of Engineers will be contacted to determine the requirements to meet the federal Clean Water Act (404 permit). In the long term, water quality is expected to be improved by stabilizing portions of the stream.

3. Geology, soil quality and moisture.

Soils within the footprint of each of the project sites would be disturbed during construction, but would recover as the sites quickly re-colonization with vegetation from adjacent plant communities.

4. Vegetation cover, quantity and quality.

Vegetation within the footprint of each of the project sites would be disturbed during construction, primarily involving non-native grasses. These disturbed sites would quickly re-colonize with vegetation from adjacent plant communities.

5. Aesthetics.

Aesthetics would be negatively impacted during project construction due to ground disturbance and the presence of heavy equipment. In the long term, aesthetics would be enhanced by restoring a degraded reach of stream to a healthier and more natural stream environment. The projects are expected to be completed in about three to four weeks.

7. Unique, endangered, fragile or limited environmental resources.

A westslope cutthroat trout population currently appears to be expanding in Silver Bow Creek in response to past and ongoing reclamation efforts. Recent radio tagging efforts by FWP in Silver Bow Creek have documented westslope cutthroat trout exploring the lower reaches of Brown Gulch. Enhancing the migratory connectivity between Silver Bow Creek and Browns Gulch has the potential to restore a fluvial component of this species of special concern.

9. Historic and archaeological sites.

The proposed work sites previously have been disturbed by installation of the irrigation diversions on the Ueland Ranches, previous bank stabilization efforts on the Balentine property and installation of the culvert on the Malyevac property. As a result, there is a very low likelihood that cultural properties will be impacted by the proposed project. Should cultural materials be inadvertently discovered during the project, the State Historic Preservation Office will be contacted and the site will be investigated.

VI. Explanation of Impacts on the Human Environment.

7. Access to & quality of recreational activities.

The intent of the project is to enhance migratory connectivity between Silver Bow Creek and the upper reaches of Browns Gulch. Improved migratory connectivity between the two streams is expected to enhance fluvial westslope cutthroat trout and, in turn, may lead to improved recreational fishing opportunities.

VII. <u>Discussion and Evaluation of Reasonable Alternatives.</u>

1. No Action Alternative

If no funding was provided, the applicant would have to either seek additional sources of funding to complete the project or portions of Browns Gulch would remain degraded. The opportunity to enhance resident and fluvial fish populations in both Browns Gulch and Silver Bow Creek would be lost.

2. The Proposed Alternative

The proposed alternative is designed to provide partial funding to a project calling to enhance migratory connectivity between Silver Bow Creek and Browns Gulch and improve habitat on a couple of degraded reaches on Browns Gulch. This alternative is expected to enhance aquatic habitat and fish populations residing in the stream, as well as enhance fluvial populations of fish residing in Silver Bow Creek, especially westslope cutthroat trout. The alternative also is expected to reduce sediment loading into Browns Gulch and Silver Bow Creek

VIII. Environmental Assessment Conclusion Section

1. Is an EIS required? No.

We conclude from this review that the proposed activities will have a positive impact on the physical and human environment.

2. Level of public involvement.

The project application to the Future Fisheries Improvement Program has been posted on the Montana Fish, Wildlife and Park webpage for public comment. No comments have been received to date. The proposed project was reviewed and supported by the public review panel of the Future Fisheries Improvement Program. The proposed project also will be reviewed by the Fish, Wildlife and Parks Commission and <u>funding will be contingent upon their approval</u>. The Environmental Assessment (EA) is being distributed to all individuals and groups listed on the cover letter. The EA will be published on Montana Fish, Wildlife and Parks webpage: fwp.mt.gov.

3. Duration of comment period?

Public comment will be accepted through 5:00 PM on August 10, 2012.

4. Person responsible for preparing the EA.

Mark Lere, Program Officer Habitat Protection Section Fisheries Bureau Montana Department of Fish, Wildlife and Parks 1420 East 6th Avenue Helena, MT 59620

Telephone: (406) 444-2432

e-mail: mlere@mt.gov

MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS

1420 E 6th Ave, PO BOX 200701, Helena, MT 59620-0701 (406) 444-2535

ENVIRONMENTAL ASSESSMENT

Project Title: Browns Gulch Habitat Restoration Project

Division/Bureau: Fisheries Bureau -Future Fisheries Improvement

Description of Project: The Future Fisheries Program is proposing to provide partial funding to a project designed to enhance fisheries habitat in portions of Browns Gulch, a tributary to Silver Bow Creek. The intent of this project is to reconnect newly developing populations of native fish in Silver Bow Creek, primarily westslope cutthroat trout, to potential spawning and rearing habitat in upper Browns Gulch, as well as improving habitat for native fish in portions of the stream where excessive sediment loading is degrading both Browns Gulch and Silver Bow Creek. The project sites are is located north of the community of Rocker on properties separately owned by the Ueland Ranches, Floyd Balentine and Dale Malyevac in Silver Bow County.

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ON ATTACHED PAGES
Terrestrial & aquatic life and habitats			X			X
2. Water quality, quantity & distribution			X			X
3. Geology & soil quality, stability & moisture			X			X
4. Vegetation cover, quantity & quality			X			X
5. Aesthetics			X			X
6. Air quality				X		
7. Unique, endangered, fragile, or limited environmental resources			X			X
8. Demands on environmental resources of land, water, air & energy				X		
9. Historical & archaeological sites				X		X

POTENTIAL IMPACTS ON THE HUMAN ENVIRONMENT

						COMMENTS
	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	ON ATTACHED PAGES
1. Social structures & mores				X		
2. Cultural uniqueness & diversity				X		
3. Local & state tax base & tax revenue				X		
4. Agricultural or industrial production				X		
5. Human health				X		
6. Quantity & distribution of community & personal income				X		
7. Access to & quality of recreational and wilderness activities			X			X
8. Quantity & distribution of employment				X		
9. Distribution & density of population & housing				X		
10. Demands for government services				X		
11. Industrial & commercial activity				X		
12. Demands for energy				X		
13. Locally adopted environmental plans & goals				X		
14. Transportation networks & traffic flows				X		

Other groups or agencies contacted or which may have overlapping jurisdiction Mile High Conservation District, US Fish and Wildlife Service, US Army Corp of Engineers, Montana Department of Environmental Quality, State Historic Preservation Office

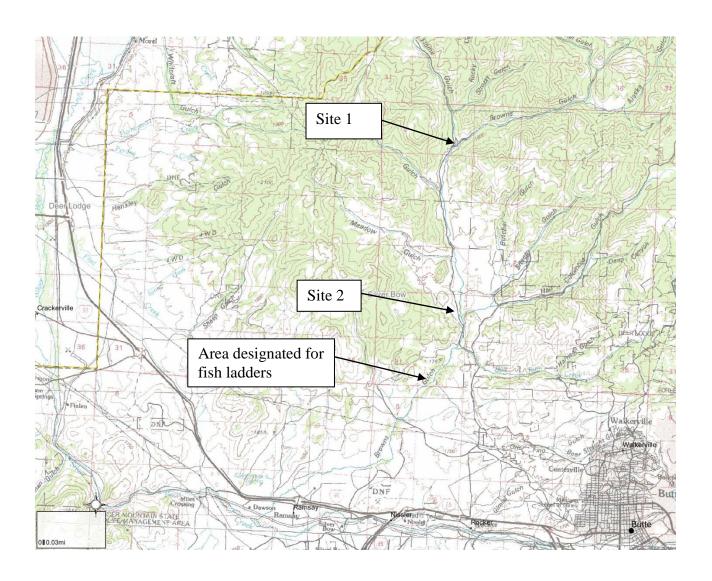
Individuals or groups contributing to this EA Will McDowell, Watershed Restoration Coalition; Oasis

Environmental.

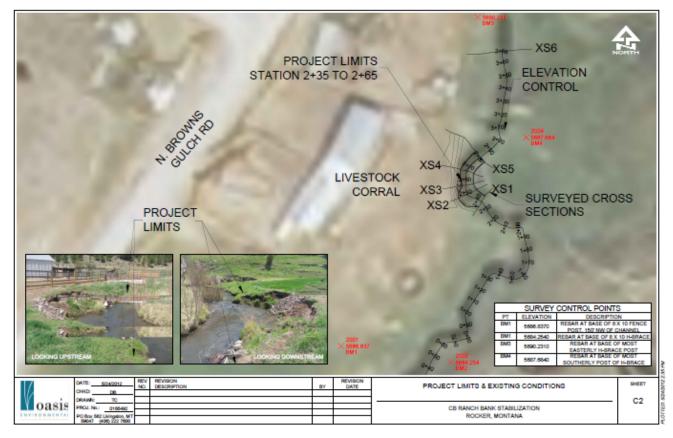
Recommendation concerning preparation of EIS: No EIS required.

EA prepared by: Mark Lere

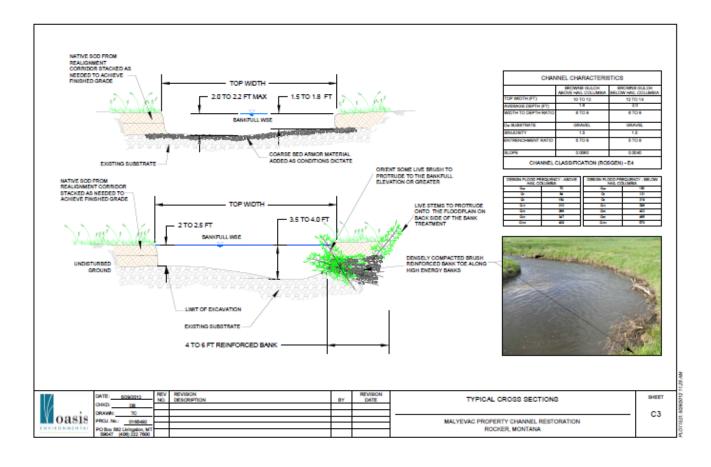
Date: July 7, 2012



ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3