



Region 3 Headquarters
1400 South 19 Avenue
Bozeman, MT 59718
(406) 577-7900

October 26, 2023

Dear Interested Citizen,

Enclosed is the Checklist Draft Environmental Assessment (EA) for the Acquisition of Montana Environmental Custodial Trust's (MECT) Prickly Pear Water Rights for purposes of converting them to instream flow. The project involves the transfer of eight irrigation and five industrial water right claims from MECT to FWP. All the water rights were historically associated with the old ASARCO Smelter Site located in East Helena and are currently held by MECT pursuant to the settlement of Montana's natural resource damage claim against ASARCO.

Prickly Pear Creek is a perennial stream that flows from its headwaters in the Elkhorn Mountains of southwest Montana to Lake Helena, north of the city of Helena. Upon entering the Helena Valley near East Helena, the waters of Prickly Pear Creek have historically been used for irrigating lands in the Helena Valley. Prickly Pear Creek suffered from chronic dewatering, and segments of Prickly Pear Creek in the Helena Valley were typically dry for much of the summer months, limiting agricultural use, adequate resident and migratory fisheries habitat and recreational opportunities. The proposed project seeks to secure flows in Prickly Pear Creek as FWP would acquire senior water rights, which when permanently converted to instream flow, have the potential to protect up to 10.5 cfs in the stream. For further details, please review the Draft EA document.

A hard copy of the Draft EA may be obtained by contacting MT Fish, Wildlife & Parks Region 3 by phone (406) 577-7900 or by mail, 1400 South 19th, Bozeman, MT 59718; or by emailing sbegley@mt.gov. You can also review the EA on FWP's website fwp.mt.gov under "News & Public Notices", then select, "Public Notices".

Comments may be made online on the Draft EA's webpage, or may be directed to Stephen Begley at the email address above, or mailing them to:

Montana Fish, Wildlife & Parks
Attn: Stephen Begley
P.O. Box 200701
Helena, MT 59620-0701

Comments must be received by FWP no later than 5 p.m. November 10, 2023. As part of the decision-making process under MEPA, I expect to issue a Decision Notice for this EA very soon after the end of the comment period. Thanks for your interest.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren Hansen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Warren Hansen
Acting Region 3 Supervisor