



City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Public Works

Item: Flynn-Lowney Ditch Acquisition

Date: May 6, 2021

Sponsor(s): Jeremy Keene

Prepared by: Katie Emery

Ward(s) Affected:

<input checked="" type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input checked="" type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input type="checkbox"/> All Wards	<input type="checkbox"/> N/A

Action Required:

No Action Required – Informational Only

Recommended Motion(s):

I move the City Council: No Recommended Motion – Informational Only

Timeline:

Referral to committee:	May 10, 2021
Committee discussion:	May 12, 2021
Council action (or sets hearing):	N/A
Public Hearing:	N/A
Deadline:	N/A

Background and Alternatives Explored:

The Flynn-Lowney Ditch, which is owned and operated by the Hellgate Valley Irrigation Company (HVIC), provides irrigation water from the Clark Fork River to agricultural lands in the Sxwtpqyen (Mullan Road) Area. The irrigation ditch has become increasingly expensive for HVIC to maintain and has a declining number of active irrigators using water from the ditch. In addition, the irrigation diversion, located just downstream of the railroad bridge at the east end of the Broadway Island, has long been a concern for fish entrapment and disturbance of the river channel that is necessary to divert water to the ditch.

The ditch runs through the Mullan BUILD project site at several locations and would require the installation of large, expensive culverts, and also influences groundwater in the area, which increases the cost of storm drainage infrastructure. During project discussions, Public Works & Mobility staff were able to negotiate an agreement to acquire the rights to the ditch and convert existing users to irrigation wells rather than making expensive infrastructure investments that would perpetuate the ditch. The accepted offer, which is contingent on City Council approval, establishes a price to acquire the Flynn Lowney rights and allows for a six-month timeline for due diligence and fundraising.

In addition to significantly reducing infrastructure costs for the Mullan BUILD project and future development in the Sxwtpqyen Area, acquisition of the Flynn-Lowney Ditch provides a unique opportunity to restore natural river function and improve river recreation, while maintaining

existing agricultural uses. The acquisition process is expected to take six months to complete, with other mitigation and capital projects (conversion of water rights to irrigation wells, river restoration, bank stabilization, river access improvements, and public water supply wells) to follow.

Benefits of acquisition include:

- Reduced cost of BUILD Project (irrigation culverts, storm drainage)
- Reduced impacts of diversion structure on the river (fish entrapment, erosion, sediment, channel mods)
- Protecting existing infrastructure (bank stabilization at trail/stadium)
- Maintaining agricultural use and reducing cost of maintenance (conversion to irrigation wells)
- Improved safety and river access opportunities (accessible river access, Silver Park boat ramp, Max Wave, Broadway Island)
- Transfer of water rights to new water production wells (Clouse and Airport shares)
- Transfer of remaining water rights for in-stream flow
- Opportunities for adaptive use of existing ditch/easements
 - land for housing development, park, green space
 - trail connectivity
 - storm water management
 - greenway corridors

Financial Implications:

The total cost of the acquisition is estimated at \$990,000, which would be included in FY22 Budget requests, with \$725,000 coming from Transportation Impact Fees and Water Utility Development funds, representing the direct project cost savings to the BUILD Project and expansion of public water supply wells in the Sxwtpqyen Area. The remaining \$265,000 would need to be raised from other sources, which could include grants, private donations, and in-kind services.

Links to external websites:

None