DECISION NOTICE

Selective Fish Passage Enhancement and Maintenance at Rainy Dam

Montana Fish, Wildlife and Parks
Region 2 Headquarters
3201 Spurgin Road
Missoula, MT 59804
(406) 542-5500

DESCRIPTION OF PROPOSED PROJECT

Montana Fish, Wildlife & Parks (FWP) proposes to construct a small check structure (10-14" high) just downstream of Rainy Dam in order to raise the tailwater pool elevation by 10-18". Rainy Dam is owned and maintained by FWP and lies entirely on Lolo National Forest property (Lolo National Forest is a project partner). The structure would be created using logs and natural rock found at the site. The purpose of the action is to enhance the ability of native salmonids to jump over the dam, while maintaining an obstruction to the upstream movements of unwanted species such as northern pike (*Esox lucius*), central mudminnow (*Umbra limi*) and pumpkinseed sunfish (*Lepomis gibbosus*) that are unable to jump and ascend vertical obstructions. The structure design would follow the standard cross-vein (weir) design that has been successfully implemented at numerous locations in the basin. Maintenance of the dam wing walls will also be completed by angular rock behind and at the base of the walls to enhance stability. The proposed action is considered an interim measure to enhance native salmonids passage while permanent designs are developed for the Rainy Dam location.

PUBLIC PROCESS AND COMMENT

The public comment period began August 12, 2009, and ran through August 27, 2009. Notices were published in the *Seeley Swan Pathfinder* (Seeley Lake), *Missoulian*, and *Independent Record* (Helena) newspapers. Notices of this EA went out to interested parties, including the Clearwater Resource Council, Seeley Lake Water Quality District, Montana Department of Natural Resources and Conservation, Lolo National Forest, other agency personnel, and adjacent landowners. The Environmental Assessment (EA) was posted on the FWP web site.

No comments were received from the public or from federal or state agency personnel. One comment was received from Chris Lorentz (FWP Parks Division) supporting the proposed action, and an email was received from the Seeley Lake Water Quality District indicating that they had no comments.

DECISION

Based on the analysis in the EA and the applicable laws, regulations and policies, I have determined that this action will not have a significant effect on the natural or human environment. Therefore, an Environmental Impact Statement will not be prepared.

It is my decision to implement the proposed action of modifying the Rainy Dam tailwater pool elevation and completing maintenance work on the wing-wall structures as described in the EA. By notification of this Decision Notice, the draft EA is hereby made the final EA. The final EA with Decision Notice may be viewed at or obtained from Montana Fish, Wildlife & Parks at the above address.

Please direct any further requests or questions to Mack Long, Region 2 Supervisor, or Ladd Knotek, Region 2 Fisheries Biologist (at the address or phone number above).

Mack Long, Regional Supervisor

8/31/09
Date: