



## **DECISION NOTICE**

### **Havre Field Office Purchase**

June 2, 2023

#### **ACTION**

Decision Notice (DN). Montana Fish, Wildlife & Parks (FWP) shall prepare a DN for the proposed action. The DN must identify the agency decision, the reasons for the decision, and any special conditions surrounding the decision or its implementation.

With this action, FWP hereby adopts the Draft Environmental Assessment or Draft EA as final, without modification, and approves Alternative 2, the proposed action.

#### **AUTHORITY: MONTANA ENVIRONMENTAL POLICY ACT**

According to the applicable requirements of the Montana Environmental Policy Act or MEPA and its implementing rules and regulations, before a proposed action may be approved, environmental review must be conducted to identify, consider, and disclose any potential impacts of the proposed action on the affected human environment. The level of environmental review will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. The agency is responsible for adjusting public review to match these factors. *Title 75, Chapter 1, Parts 1 through 3, Montana Code Annotated (MCA)*.

Based on these factors, FWP determined a Checklist EA (Draft EA) constitutes the appropriate level of environmental review for the proposed action. Therefore, to assess and disclose potential impacts of the proposed action, FWP prepared a Draft EA for public review and comment. See *Public Participation Process* below.

Further, FWP must consider any substantive comments received in response to an EA and proceed in accordance with one of the following steps: determine the EA did not adequately reflect the issues raised by the proposed action and issue an Environmental Impact Statement or EIS; determine the EA did not adequately reflect the issues raised by the proposed action and issue a supplemental EA; or determine the Draft EA adequately addressed the issues raised by the proposed action and make a final decision, with appropriate modification resulting from the analysis provided in the Draft EA and the analysis of any substantive public comments received. See *Public Comment and FWP Response* below.

#### **PUBLIC PARTICIPATION PROCESS**

A public scoping meeting was held on May 1 to help inform the pending Draft EA; no comments were

received during public scoping. The Draft EA was made available for public review and comment from May 18, 2023, through June 1, 2023. A legal Notice was published in the Havre Daily News on May 18, 2023, and the Draft EA was posted on FWP's Public Notice webpage: <https://fwp.mt.gov/news/public-notice>. The Draft EA was also made available for public review on the Environmental Quality Council or EQC website: <https://leg.mt.gov/mepa/search/>, by individual request, and through notice to identified interested parties. FWP held a public meeting regarding the Draft EA on May 25, 6 members of the affected public were in attendance. FWP received 4 public comments during the public comment period. See *Public Comment and FWP Response* below.

### **DESCRIPTION OF PROPOSED ACTION**

FWP proposes to purchase the property located at 21 River Road, Havre, MT 59501. For the past 27 years, FWP has leased the current Havre Field Office location at 2165 U.S. Rte. 2, Havre, MT 59501. At the current field office location, office space, retail space, storage space and shop space are limited. Effectively, FWP and the affected public have outgrown the capacity and ability to provide needed public services provided by the existing facility.

During the 2021 and 2023 legislative sessions, funding was approved under HB5 for the purpose of purchasing and establishing a new FWP field office in Havre, using "state special" funding. The purchase price is \$748,600. FWP reviewed several options for new field office locations, ranging from vacant property to properties with existing buildings and associated structures. The property proposed for purchase sits on 9.15 acres along the north side of the Milk River, located on the north side of the town of Havre. Existing structures on the property include a home, a shop, and several outbuildings. The proposed project would provide FWP the needed space and facilities to operate more efficiently and effectively, as well as provide better services to the affected public. The proposed location, including existing facilities and future planned design and construction objectives, meets all the needs of FWP and the affected public.

### **PURPOSE AND NEED**

The proposed project would establish a new location for the FWP Havre Area Field Office. Long-term goals and objectives of the project include the following:

- Improved workspaces for FWP employees
- Increased storage space for FWP equipment and vehicles
- Increased retail space to provide better customer service
- Increased FWP and public parking space with ADA accessibility
- Public outdoor recreation and educational opportunities

FWP intends to finalize the purchase of the proposed property by September of 2023. Facility planning and design would begin immediately with a plan to occupy the location in late 2024 or early 2025. Periodic construction, maintenance and planning adjustments are expected to be necessary through December 2026. Further environmental review and public participation may be deemed appropriate and necessary as future planning and design adjustments are identified.

### **ALTERNATIVES ANALYZED**

#### **Alternative 1: No Action**

In addition to the proposed action, and as required by MEPA, FWP analyzes the "No-Action" alternative in the EA. Under the No-Action alternative, the proposed action would not occur. Therefore, no additional

impacts to the human environment would occur. The No Action alternative forms the baseline from which the potential impacts of the proposed action may be measured.

Under the No Action alternative FWP would remain at its current leased field office location. The existing conditions leading FWP to seek a new facility would continue.

### **Alternative 2: Proposed Action**

Under the Proposed Action, FWP would purchase the property located at 21 River Road, Havre MT 59501, for the purposes described in the Purpose and Need section of this DN (see above).

### **PUBLIC COMMENT AND FWP RESPONSE**

FWP received substantive public comments on the Draft EA during the public comment period. A substantive public comment was defined as the identification of a specific issue or impact. The following provides the public comments received and FWP response(s).

*24 May 2023*

*Montana Fish, Wildlife & Parks  
Attn: Drew Henry - Region 6 Supervisor  
1 Airport Rd  
Glasgow, MT 59230*

*Re: Comments on FWP's Checklist EA for Proposed Havre Field Office Purchase*

*Mr. Henry-*

*I reviewed FWP's checklist EA for the agency's proposal for a land purchase for a new field office in Havre. I offer the following comments:*

- 1. I agree that FWP has outgrown their existing location in east Havre next to the RV trailer business. Over the years, I have stopped at the existing location many times and found it inconvenient to park, whether with my truck and PU camper, or towing my travel trailer. Plus, the office is tiny and crowded.*
- 2. However, the proposed location in north Havre will be even more inconvenient. In my experiences over four decades of hunting the Hi-Line, thousands of hunters and fishermen pass through Havre each year on their way to points east in FWP Region 6. Many of them stop at the Havre field office for information, directions, etc. In my opinion, expecting out-of-area visitors to drive up and over the railroad viaduct, many pulling large travel or RV trailers, and then having to wind their way through the narrow streets of north Havre to find the new FWP office will only result in negative experiences and frustrated customers. A new location along the major US Route 2 travel corridor in Havre would be FAR SUPERIOR to the proposed location in north Havre.*
- 3. In Section VI of the EA on page 7, FWP states they did not consider any other alternatives other than the 'No Action' one. Why not? I can't believe that FWP couldn't find other parcels of ground for sale in the Havre area that couldn't/shouldn't have been considered.*
- 4. The proposed location in North Havre between River Road and the Milk River would be in the flood plain. As I'm sure you're aware, the Milk River routinely floods every few years with devastating consequences. I don't see any mention in the EA of where FWP analyzed*

*the potential for routine flood damages to the subject property. Why not? IMO, this is a major flaw in the EA review and one that must be addressed.*

5. *I don't see where FWP evaluated sharing Havre area properties owned by other state agencies. For example, here are some other potential locations that could be considered:*

- *MDOT controls a parcel of land at the intersection of US Highways 2 and 87 on the west end of Havre. The ~5.2-acre site contains the MDOT weigh station but there is plenty of room on that site for an office building/workshop complex and the expansion of the existing parking lots. It would be an excellent location for a new FWP office with easy access already in place to both major US highways.*
- *In the same area, across from Tilleman Motors and the MDOT weigh station, there is a ~7.3-acre parcel of school trust land between US 2 and the BNSF railroad tracks. This narrow parcel of undeveloped land appears to only be used to store vehicles and farm equipment from Tilleman Motors.*
- *A short distance to the west along the US Route 2 corridor, there is another parcel of undeveloped school trust land. These ~17.6 acres of state-owned land are located just west of the Bear Paw Veterinary clinic between US 2 and the BNSF railroad tracks.*
- *Going to the far east end of Havre, there is the ~1.6-acre parcel of publicly owned, school trust land where the Havre FWP office annually runs their game check station. That parcel already has two excellent road approaches in place off US Route 2. Additionally, it's a site that existing fish and game users know well and there should be plenty of room for a new combo office and shop building.*

*In summary, FWP needs to go back to the drawing board and look for other locations in Havre for a new field office. Those additional potential locations need to be thoroughly vetted in a transparent process that allows the public a chance to review and comment on all of the potential locations. Then and only then should FWP make their selection of a preferred location. Plus, the agency's selection must be documented and justified in a professional and complete Environmental Assessment, not a 'quick and dirty' EA checklist.*

*Thanks for accepting my comments,*

*Robert Jeffrey  
Helena, MT*

FWP Response:

FWP appreciates the comments provided by Mr. Jeffrey and offers the following responses to his concerns:

1. FWP agrees that we have outgrown our existing facility and we are need of a new Havre office location.
2. The proposed location for purchase at 21 River Road is not located on U.S. Hwy 2. FWP is comfortable with the public accessibility provided by the proposed location and other public comments received during the public comment period support FWP's position on the subject (see below). The location is easily found via digital mapping services, it is within 0.7 miles of U.S. Hwy 2, and the access routes are well maintained. FWP disagrees the need to cross a railroad viaduct to access the proposed location will negatively impact the affected public. Many cars and trucks, including travel trailers and RV's, cross the affected viaduct daily. The location is also found near U.S. Hwy 232 (Wild Horse Road), which will offer improved access for those entering the state from the Wild Horse border station. The

space offered at the proposed property will allow for improved parking and accessibility to all, including those hauling trailers behind their vehicles.

3. Section VI on page 7 refers to the decision regarding whether to purchase the property at 21 River Road. In the process leading up to development of the Draft EA, FWP evaluated several properties in the Havre area, seeking a property that meets all identified criteria for the new Havre field office location. MEPA requires FWP analyze the “No Action” alternative; however, it does not require FWP to publicly analyze all potential locations for the new field office. Instead, the Draft EA focused on the criteria deemed necessary for any future field office location. The location at 21 River Road met all FWP’s identified criteria; therefore, the proposed new field office location was selected. Criteria deemed necessary for the new field office included:
  1. Budgetary requirements and fiscal responsibility
  2. Improved office and retail space capacity
  3. A shop for maintenance and storage
  4. Adequate storage space for equipment and vehicles
  5. Adequate space for public parking, including trailers
  6. ADA accessibility
  7. Facilitate public opportunities for outdoor education and recreation
4. FWP analyzed the threat of flooding from the Milk River. The location is part of a large area of Havre that is protected by a U.S. Army Corps of Engineers levy. After analyzing the history of flooding in the area, FWP determined the protection offered by the levy was adequate and the threat of flooding was minimal. Further, historic flooding of the Milk River occurred multiple times in the last 12 years, and the proposed field office location was not impacted.
5. FWP evaluated purchasing vacant property and building a new facility. However, again, the location at 21 River Road was selected because it will adequately meet FWP needs, as identified by specific criteria (see above), and will allow FWP to stay within its proposed project budget.
6. FWP worked transparently with the affected public in seeking to purchase the property at 21 River Road. This included conducting environmental review meeting all of the procedural requirements of MEPA, public scoping, and additional public process through the Hill County Commissioners and the City-County Planning Board. The Draft EA captures the action of “purchasing” the proposed property. Upon finalizing the facility design and construction plan, and as deemed necessary, FWP will evaluate further impacts by preparing a supplemental Draft EA for public participation.

*I'm in favor of the purchase of a new office and work space. I'm from Havre and the space they have is too small.*

*Michael Badgley Jr  
82 Ulm S Frontage Road  
Ulm, Mt 59485  
406-866-2065*

FWP Response:

FWP appreciates the comment provided. We agree the current space is too small to meet the needs of FWP and the affected public.

*(Written Comment received in mail)*

*Dear Drew Henry,*

*Regarding proposed purchase of property @ 21 River Road, Havre MT.*

*I fully support the MT FWP purchasing this property.*

*Lots of room for equipment, trucks, employee parking and more visitor parking.*

*The log home is ideal for employee moral + visitor access + offices for FWP employees.*

*Thank you*

*Erik Meis*

*P.O. Box 1241*

*Havre, MT 59501*

FWP Response:

FWP appreciates the comment provided. We agree the proposed location will ultimately provide the facilities necessary for FWP to meet identified needs and improve customer service.

*Your building is prominent and easily locatable in Glasgow. The old office in Havre is also easy to locate.*

*The north side of Havre is neither prominent nor is it easy to locate. It is also not convenient for employees as you must cross a viaduct every day.*

*Retrofitting a country house into a government office does not seem like the best idea.*

*Thank you-*

*Craig Tilleman*

FWP Response:

FWP appreciates the comment provided. The location is easily found via digital mapping services, it is near U.S. Hwy 232, it is within 0.7 miles of U.S. Hwy 2, and the access routes are well maintained. FWP disagrees the need to cross a railroad viaduct to access the proposed location will create an inconvenience for employees. Many cars and trucks, including travel trailers and RV's, cross the affected viaduct daily. The house offered at the proposed property will allow FWP to adequately meet the needs of its employees and the needs of the public.

## **DECISION**

Based on the environmental review provided in the Draft EA, and in accordance with all applicable laws, rules, regulations, and policies, FWP determined the proposed action (Alternative 2), will not have significant adverse impacts on the human environment associated with the proposed action and constitutes a reasonable and appropriate strategy to achieve identified objectives. Therefore, preparation of an EIS is unnecessary. With this DN, FWP hereby adopts the Draft EA as final and approves Alternative 2, the proposed action.

Sincerely,

Drew Henry  
Region 6 Supervisor  
Montana Fish, Wildlife & Parks