



DECISION NOTICE

Harpers Lake FAS Revisions and Enhancements

August 8, 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 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

The Draft EA was made available for public review and comment from July 20 to August 4, 2023. A legal Notice was published in: Helena *Independent Record*, *Missoulian*, and Seeley Swan *Pathfinder*, 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 Received 1 comment during the public comment period.

DESCRIPTION OF PROPOSED ACTION

Name of Project: Harpers Lake FAS – Revisions and Enhancements Harpers Lake FAS (Fishing Access Site) is a 207-acre public outdoor recreation site encompassing a 14.7 acre lake that serves as the site's namesake "Harpers Lake". Harpers Lake FAS is located at lat:47.0216 – long:113.38056, in Missoula County, Montana and the site is managed by Montana Fish, Wildlife & Parks. Current site amenities include 14 campsites with picnic tables and fire rings, two vault latrines, graveled boat launch, an ADA accessible concrete fishing pier, and almost 2 mile of dirt / gravel road connecting all site developments. This project aims to conduct ongoing maintenance efforts at improving the existing facilities by removing the existing accessible fishing pier and replacing it with a modern roll-in style dock. The existing dirt/gravel boat ramp could be relocated adjacent to the new boat dock, while the previous spot will be reclaimed. The road 4 surfaces and parking areas would be improved by adding gravel to problem areas in need while filling in potholes, wash-boarded surfaces, and correcting improper water drainage away from the road. The existing latrines would be replaced with their modern counterpart to better serve all users, especially those with physical and mobility limitations, while simultaneously freshening tired facilities. The new latrines would be placed in the same area but adjusted to be more centrally located between all users while better capturing the environmental conditions necessary for vault latrines optimal performance, which is to capture maximum sunlight and prevailing winds. The asphalt hardened parking spot near the Harpers Lake vault latrine will be removed so a new concrete ADA parking pad can be installed that would have a larger loading area and serve two separate vehicles over the current single vehicle parking space. The existing accessible concrete sidewalk connecting the dock, vault latrine, and ADA parking pad would remain to be incorporated to seamlessly connect these service sights. All work is planned to be conducted in the fall of 2023 to minimize conflict with site users during the busy summer months and allow for continued public use while work is ongoing. It's anticipated that all work would be completed over several weeks as weather, supply logistics, and contractor schedule dictate.

PURPOSE AND NEED

Harpers Lake FAS continues to be a popular recreation area, use has remained high and it continues to be a popular recreation location. The popularity of the site has highlighted the need to address site travel deficiencies by improving site access for motorized travel through correcting drainage problems, putting down more gravel where needed, and leveling out washboards and other road surface depressions. The existing fishing pier extends fifteen feet beyond the shoreline, its short length causes it to terminate in shallow water that isn't a sufficient depth to improve fishing results especially those with limited mobility for whom the platform was intended. The new dock would perform better because it will extend 80 feet into the deeper water where fishing results will be enhanced. The existing dirt boat ramp for hand launching watercraft could be relocated from its current location to a more advantageous spot adjacent to the new dock. The existing vault latrines that were installed in the 1980's needs replacement to their modern counterpart. These latrines will better serve the public, especially those with mobility limitations, with their larger doorways and inside space. The placement of the new latrines would remain in the same vicinity, but relocated and oriented in the immediate area to better capture the environmental conditions necessary for a vault latrine to function optimally. The purpose of this project is to correct these known minor deficiencies while simultaneously enhancing the functionality of the entire site for all users. These enhancements would better serve the needs of all site users, and the need for these enhancements currently exists at Harpers Lake FAS.

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, the corrections and updates to Harpers Lake FAS would be denied and the area would remain as-is without the proposed improvements. The No Action Alternative would have no significant or potentially negative environmental impacts or consequences. The FAS would continue with present conditions and the site would remain the same.

Alternative 2: Proposed Action

Under the Proposed Action, as described in section 1, to replace fishing platform with a dock. Reclaim the existing dirt boat ramp launch and relocate the boat ramp adjacent to the new dock. Reorient the existing lakeside vault latrine to better capture favorable sun and wind conditions, along with adjacent handicap accessible paved parking pads. Replace the existing single vault latrine in the riverside camping area with two new modern vault latrines that will be moved slightly to be more centrally located among all the campsites. Correcting roadway problem spots with more gravel and the correcting of these problem areas associated with improper drainage off and away from the road surface.

PUBLIC COMMENT AND FWP RESPONSE

One public comment was received during the public comment period.

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

"I strongly support the proposed action on Harpers Lake with one request.

The proposed ground disturbance will increase the possibility of worsening weed problems. Ventenata is a problematic new invader that needs to be considered along with the long list of known noxious weeds already present in the nearby BCWMA. The project should include monitoring for weeds and adopting effective weed management strategies on a continuing basis during and after project completion. Weed control should be and may already be a part of the management practices already existing for this site as well as all FWP recreation sites but is not mentioned in the EA.

Thank you for considering my comments."

FWP Response: Thank you for your comment and support of the proposed alternative. Harpers Lake will continue to be part of the comprehensive Region 2 Weed Management program that identifies invasives and works with professional contractors to eradicate noxious weeds through a variety of methods.

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. FWP hereby adopts the Draft EA as final and approves the Alternative 2, the proposed action.

Sincerely,



Randy Arnold
FWP Region 2 Supervisor
Montana Fish, Wildlife & Parks