



DECISION NOTICE

Grey Bear Parking Area Improvements
6/05/2023

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, with modification, and approves Alternative two, 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 April 13, 2023, to April 27, 2023. A legal Notice was published in Big Timber Pioneer and in [Billings Gazette](#) and the Draft EA was posted on FWP's Public Notice webpage: <https://fwp.mt.gov/news/public-notices>. 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 comments during the public comment period.

DESCRIPTION OF PROPOSED ACTION

Fishing access sites (FAS) are managed by Montana Fish, Wildlife & Parks (FWP) to provide recreationists with access to the state's water resources. Grey Bear FAS is located west of Big Timber and provides recreationists with an opportunity to access the Yellowstone River for floating, fishing, camping, hunting, and other recreational opportunities. Grey Bear's infrastructure cannot safely accommodate the current amount of recreational use. The proposed project would expand and improve the existing parking area at the FAS.

With increased use of Grey Bear FAS over the past several years, people have begun to utilize the sides of the county roadway and the fishing access land on the west side of the county roadway for parking. This activity often results in congestion and a traffic hazard at the FAS. This issue is regularly raised by Sweet Grass County officials, particularly when agricultural equipment requires access on the road and across the bridge.

PURPOSE AND NEED

The proposed project is designed to relieve traffic and parking congestion in and around the site and mitigate hazards within the current parking lot and boat ramp area. The proposed project would achieve this objective as follows:

- Create a bigger and more organized parking lot that remains connected to the boat ramp area. More parking spaces would be available for vehicles and trailers to park.
- The public would be able to stay within the river access side of the FAS, more regularly reducing cross traffic on the county road from the existing camp area to the existing boat ramp.
- Install a layer of imported gravel to help with hazardous road conditions.

These improvements would help to relieve congestion at the existing boat ramp and allow floaters a safer area to load and unload their equipment.

The proposed FAS improvements are expected to safely accommodate current and foreseeable future increases in recreational use of the FAS. However, FWP understands that development of the FAS to facilitate higher use levels may result in the same issues FWP is striving to mitigate with the proposed project. Therefore, management of the FAS would be revisited if pressure associated with future recreational use again exceeds FAS infrastructure capacity.

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 Grey Bear FAS would continue to be crowded, and parking on the county road will continue to be an issue with area residents and county law enforcement, along with its associated resource impacts.

Alternative 2: Proposed Action

Under the Proposed Action FWP will create a larger more organized parking lot for the Grey Bear FAS and apply gravel to existing roadways and parking to help with hazardous road conditions.

PUBLIC COMMENT AND FWP RESPONSE

Public comment was received for this project. Support and an issue were provided by the public

Issues identified; 1. Expansion will only lead to increased use and result in the same concerns but with more people, 2. Additional use will increase litter in the FAS and river, 3. Improvements will result in increased outfitter use restricting use for residents.

Grey Bear Fishing Access Site has been overcrowded during peak months, typically on weekends. When compared to other area sites Grey Bear FAS currently has a small launch area with a portion consistently too soft or muddy to effectively use. This effort may for several years alleviate parking on the county road and develop a parking area that is a better example of what FWP can provide for Yellowstone River Access. An additional portion of Grey Bear FAS south of the railroad could be developed into parking in the future without creating use plan restrictions. If the site fills rapidly, with parking on the county road re-occurring, a review of recreational use of the site may occur, as well as considering additional parking.

Grey Bear Fishing Access Site, as well as other public and private access points, continually manage litter issues. The parking expansion itself is unlikely to markedly increase litter at the site or in the river. FWP has the ability to provide additional garbage receptacles if necessary. Improvements and expansion of parking will benefit residents and nonresidents, outfitters, and a variety of users.

DECISION

Based on the environmental review provided in the Draft EA, and in accordance with all applicable laws, rules, regulations, and policies, FWP has determined the proposed action (Alternative 2), as modified, 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 Final EA, without modifications, and approves the proposed action.

Sincerely,



Mike Ruggles
Regional Supervisor, Region 5 Billings
Montana Fish, Wildlife & Parks