



DECISION NOTICE

Haymaker Wildlife Management Area Road Improvements 08/29/2023

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 24, 2023, to August 7, 2023. A legal Notice was published in Harlowton Times Clarion and Billings Gazette 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 DID NOT RECEIVE comments during the public comment period.

DESCRIPTION OF PROPOSED ACTION

There are three established and primitive two-track roads within the boundaries of the WMA that have become a safety concern over time due to erosion and rutted conditions. FWP is proposing a road improvement project at the WMA to address deteriorating conditions associated with the existing roads. The East Bench, West Bench, and Central roads provide access from the south boundary entrance to the north boundary of the WMA. Under the proposed action, FWP would create switchbacks on the East and West Bench Road. Two “V” gates (horse gates) for horse and walk-in access are proposed at the USFS trailheads from the West Bench and Central roads located at the north end of the WMA. FWP would improve the south entrance by installing a cattleguard to replace the existing gate and graveling approximately 300 feet of the entrance road. The proposed project is anticipated to be completed by end of summer of 2024.

PURPOSE AND NEED

The WMA includes three existing two-track roads: West Bench, East Bench, and Central Roads. Under the proposed action, FWP would improve the existing roads as well as the south entrance to the WMA and install horse gates at the USFS trailheads at the northern boundary of the WMA. The East and West Bench Roads are eroding and have become unsafe for travel due to steep slopes, rutting, and exposed rock. Under the proposed action, FWP would adjust the East and West Bench roads by building switchbacks, removing exposed rock, and applying a limited amount of gravel. In addition, to reduce illegal motorized use of the trails located on adjacent USFS lands, while maintaining access for non-motorized use, FWP would install two “V” gates (horse gates) at the northern terminus of the East Bench and Central Roads and lock the existing gates. The south entrance to the WMA is currently gated, and the access road surface is in poor condition with extensive ruts and large exposed rocks. Under the proposed action, FWP would improve the south entrance road by grading and applying gravel over approximately 300 linear feet of road beginning on a private easement 150 feet outside the south entrance gate and running another 150 feet into the WMA. A cattleguard would also be installed to replace the existing gate at the south entrance. A larger gate will be installed that can close over the cattle guard when the WMA is closed to the public December 1 to May 15th.

The proposed improvements would enhance access to and safety of the affected two-track trails and the WMA’s south entrance road for ongoing use by the public and FWP staff. Final plans will be developed after a cultural resource survey is completed. The proposed project would improve access and safety for visitors and FWP staff alike and maximize use of the existing roads within the WMA, thereby minimizing any new ground disturbance and associated impacts to the WMA.

The proposed project consists of the following elements:

- Create switchbacks on the West Bench Road, remove larger rock in the road, and add gravel to limited areas of the developed road.
- Create switchbacks on the East Bench Road, remove larger rock in the road, and add gravel to limited areas of the developed road.
- Replace the existing gate at the south entrance with a cattleguard.
- Gravel the south entrance road approximately 150 feet before the entrance and approximately 150 feet after the entrance for a total of approximately 300 feet of graveled road.
- Install “V” gates at the northern boundary of the WMA at the West Bench and Central Road trailheads to the adjacent USFS lands.

The proposed project is anticipated to be completed by end of summer of 2024.

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 inclines on the roads would continue to present a danger to the public, public will drive outside of established roads to access the area, the entrance road will continue to be difficult to travel on during wet periods, illegal motorized travel beyond the WMA border into the USFS lands would continue.

Alternative 2: Proposed Action

Under the Proposed Action these elements will be completed addressing safety concerns and travel issues.

- Create switchbacks on the West Bench Road, remove larger rock in the road, and add gravel to limited areas of the developed road.
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- Replace the existing gate at the south entrance with a cattleguard.
- Gravel the south entrance road approximately 150 feet before the entrance and approximately 150 feet after the entrance for a total of approximately 300 feet of graveled road.
- Install "V" gates at the northern boundary of the WMA at the West Bench and Central Road trailheads to the adjacent USFS lands.

PUBLIC COMMENT AND FWP RESPONSE

No public comments were received during the public comment period.

DECISION

ADOPT DRAFT EA AS FINAL EA. 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,



Mike Ruggles
Region 5 Supervisor
Montana Fish, Wildlife & Parks