



DECISION NOTICE

Flat Lake Yellow Perch Stocking

7/5/2023

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 6/19/2023 to 7/3/2023. A legal Notice was published 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.

DESCRIPTION OF PROPOSED ACTION

Montana Fish, Wildlife and Parks (FWP) is proposing to transfer Yellow Perch from disease and AIS tested donor waters within FWP Region 6 waters to Flat Lake near Fort Peck, MT. Flat Lake is a pond utilized by recreationalists of all ages for angling. Flat Lake is located within the Charles M. Refuge and U.S. Army Corp of Engineers boundaries and fisheries resources are managed by FWP fisheries staff.

PURPOSE AND NEED

The proposed project will increase angling opportunity at an important, publicly accessible fishing location near Fort Peck, MT. Yellow Perch will provide anglers additional species to target, in addition to hatchery-origin Rainbow Trout and Black Crappie. Diversifying species within Flat Lake will benefit angling success through increases in catch rates, as Yellow Perch tend to have high catchability.

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, no yellow perch would be stocked into Flat Lake.

Alternative 2: Proposed Action

Under the Proposed Action, Flat Lake would be stocked with yellow perch in 2023.

PUBLIC COMMENT AND FWP RESPONSE

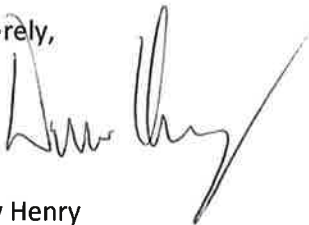
No public comments were received during the public comment period.

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.

With this DN, FWP hereby adopts the Final EA and approves the proposed action.

Sincerely,



Drew Henry
Regional Supervisor
Montana Fish, Wildlife & Parks