



DECISION NOTICE

Intake FAS Water System Improvement

6/8/2023

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 5/23/2023 to 6/7/2023. A legal Notice was published in the *Glendive Ranger Review*, *Sidney Herald* 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 did not receive comments during the public comment period.

DESCRIPTION OF PROPOSED ACTION

The existing water system at Intake Fishing Access Site (FAS) is at the end of its useful life and is starting to fail. Reliable potable water is important at Intake FAS and heavily used by visitors to the site. To maintain this existing use, the FAS Water System Improvements are proposed by FWP and include the install of approximately 2,200 lineal feet of 2" water distribution piping within the Intake FAS Campground Area. Appurtenances include six (6) Frost-Proof Hydrant Fill Stations, tees, bends, and valve manifold assemblies.

The project will maintain access to potable water for visitors to Intake FAS. FWP's objective is to begin the project in July 2023, after paddle fish season has ended. Project completion is planned to occur by November 2023.

PURPOSE AND NEED

The purpose of the proposed project is to maintain public access to a safe and reliable potable water resource at Intake Fishing Access Site. The Water System Improvement Project is necessary because the existing water distribution system is at the end of its useful life and the need to supply potable water to the public at this location is ongoing.

The project will maintain access to potable water for visitors to Intake FAS. FWP's objective is to begin the project in July 2023, after paddle fish season has ended. Project completion is planned to occur by November 2023.

Benefits of the proposed project include the following:

- increased reliability of safe drinking water; and
- improved compliance with existing Public Drinking Water standards.

The system would be used by campers, anglers, and other visitors to Intake FAS. FWP's objective is to start the project in July 2023, after paddlefish season, with final work completed by November of 2023.

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 water system improvement project would occur, and the existing water system would continue to provide potable water to the public at Intake Fishing Access Site. Due to the age and condition of the system it is expected that the system would become less reliable over time and likely experience compliance issues with Public Drinking Water standards in the future. Failure to meet applicable water quality standards would require the system be turned off and the affected public would no longer have access to safe and reliable potable water at the FAS.

Alternative 2: Proposed Action

Under the Proposed Action, FWP is proposing to replace 2,200' of water line and associated frost-proof hydrants and fixtures at Intake Fishing Access Site (FAS) in Dawson County, Montana. The existing water system at Intake FAS is at the end of its useful life and is starting to fail. Reliable potable water is important at Intake FAS and heavily used by visitors to the site. The project will maintain access to potable water for visitors to Intake FAS.

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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Schmitz', with a stylized, cursive script.

Brad Schmitz
Region 7 Supervisor
Montana Fish, Wildlife & Parks