



DECISION NOTICE

Lander Dam Fish Stocking

10/30/2023

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 the 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 September 25, 2023 to October 15, 2023. A legal Notice was published in the Miles City Star and the Fallon County Times 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

Montana Fish, Wildlife & Parks (FWP) is proposing to stock fish into a pond located on private lands to increase angling opportunities near Baker, MT. Species considered for stocking include rainbow trout, bluegill, black and/or white crappie, and largemouth bass. At full pool the pond is approximately 16 feet deep and capable of supporting fish species targeted by anglers.

FWP would use hatchery reared fish and wild fish transfers from nearby disease-free sources to establish a fish population accessible to anglers at this pond for recreational purposes.

PURPOSE AND NEED

Lander Dam is appropriately sized and deep enough to overwinter and sustain a fish population. Furthermore, the pond is located close to the town of Willard near Baker Montana. The purpose of the project is to increase angling opportunities in this area. Area locals attest to the pond once sustaining a high quality bluegill and bass fishery.

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 FWP would not stock fish into Lander Dam. Without action, the pond wouldn't contain fish species targeted by anglers and the publicly accessible fishing options in this area would not increase.

Alternative 2: Proposed Action

Under the Proposed Action, FWP will stock fish in Lander Dam (Species may include rainbow trout, bluegill, black and/or white crappie, and largemouth bass).

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,



Caleb Bollman
Fisheries Biologist, Region 7