



DECISION NOTICE

Bannack State Park Boardwalk Replacement and ADA Upgrades FWP-DN-POR-R3-24-047

August 21, 2024

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 18 through August 2, 2024. A legal notice and the Draft EA were 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.

DESCRIPTION OF PROPOSED ACTION

FWP proposes to replace some degraded sections of existing wooden boardwalk, create ADA-compliant infrastructure, and build a new 280-foot section of boardwalk to serve an area of the state park currently lacking accessibility. The slope of the existing boardwalk at Bannack State Park exceeds 5% in some areas, which creates challenges for people with disabilities and for the aging population as they explore the townsite. The ADA upgrades include wooden or dirt landings where visitors can stop and rest as they tour the townsite and improved ramps on and off the boardwalk. The upgrades and new sections will be constructed in the same style as the existing boardwalk and would blend in seamlessly both visually and mechanically. The new landings, ramps, and boardwalk sections will be maintained by park staff and volunteers.

PURPOSE AND NEED

Improve accessibility to and enjoyment of Bannack State Park for all users and especially for people with mobility challenges.

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, the proposed project to add landings, ramps, and extend the boardwalk at Bannack State Park will not occur. Therefore, no additional impacts to the physical or human population in the analysis area would occur. However, negative impacts to disabled visitors to the park would continue, as they attempt to navigate the townsite without needed accommodations.

Alternative 2: Proposed Action

Under Alternative 2, FWP would add ten landings and five ramps to the Boardwalk at Bannack State Park, as well as extend the boardwalk an additional 280 ft on the eastern end.

PUBLIC COMMENT AND FWP RESPONSE

One comment in strong support of the project was received during the public comment period. No comments were received in opposition to the project, as proposed.

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 affected human environment 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 Alternative 2.

Sincerely,

Nathan Lance

Nathan Lance

Acting Region 3 Supervisor