



DECISION NOTICE

Bynum Reservoir Fishing Access Site Improvement Project

FWP-CEA-POR-R4-24-015

May 24, 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 April 26th to May 10th. 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. FWP Received comments during the public comment period.

DESCRIPTION OF PROPOSED ACTION

FWP is proposing to develop 5 graveled, hardened camping spaces at Bynum Reservoir Fishing Access Site (FAS). Campsites would consist of pull through drives or back in spaces with gravel pads for picnic tables and campfire rings. Barriers would be installed to limit vehicle travel to existing designated roads. FWP proposes to install a gravel turn-around loop at the end of the campground, as well as add gravel to the existing day use parking area. The FAS has experienced a high degree of vegetation compaction, off-road impacts, and erosion along the shoreline due to the years of camping along the shoreline. The proposed project is intended to address these issues.

PURPOSE AND NEED

The proposed improvement project would provide delineated camping spaces, improved parking and turn around areas and limit vehicle traffic to designated gravel roads at Bynum Reservoir FAS. The proposed project would provide the following benefits:

- Provide hardened, designated camping sites consisting of graveled pads, new picnic tables and new fire rings;
- Provide a graveled turn around loop and improved the day use parking area;
- Address the high degree of vegetation compaction along the shoreline;
- Limit travel to the designated graveled roads; and
- Prohibit dispersed camping to reduce natural resource impacts to the site.

Project implementation would likely occur during the fall 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.

If the No Action alternative is selected, there would be continuation of the resource impacts occurring along the shoreline. The primary day use area would remain at the boat ramp, and camping would continue at the undeveloped areas along the shoreline.

Alternative 2: Proposed Action

The proposed improvement project would provide delineated camping spaces, improved parking and turn around areas and limit vehicle traffic to designated gravel roads at Bynum Reservoir FAS.

PUBLIC COMMENT AND FWP RESPONSE

FWP received substantive public comments on the Draft EA. A substantive public comment was defined as the identification of a specific issue or impact. The following provides the public comments received and FWP response(s).

Comment: I strongly support the Bynum Reservoir Fishing Access improvement project.

FWP Response: Thank you for your comment.

Comment: I have been fishing and at times camping at Bynum Reservoir for 40 years or more. I welcome the proposed improvements to the site however I believe 5 sites is not enough. 10 would be more realistic. If the walleye fish get good again there will be a need for more than 5 spots. Please consider adding more sites to the plan.

FWP Response: Thank you for your comment. FWP currently has 5 picnic tables and fire rings at Bynum Reservoir FAS that indicate campsites. FWP is proposing to develop these existing 5 sites into designated and improved campsites. Funding does not currently exist to increase the number of designated campsites at this time, but the proposed site design would not limit the department from adding designated camping sites in the future.

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 cursive script that reads "Jason Rhoten".

Jason Rhoten
Regional Supervisor, Region 4
Montana Fish, Wildlife & Parks