



DECISION NOTICE

Categorical Exclusions for Summer 2024 Future Fisheries Improvement Program Projects

FWP-CatEx-FSH-R8-2024-003 - Granite Creek Tributary Aquatic Passage

FWP-CatEx-FSH-R8-2024-004 - Upper Clark Fork Sager Diversion

FWP-CatEx-FSH-R8-2024-005 - Upper Douglas Fish Passage

FWP-CatEx-FSH-R8-2024-006 - Kamperschroer Spring Creek Spawning Enhancement

FWP-CatEx-FSH-R8-2024-007 - Threemile Reservoir Dam Maintenance

August 2, 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.

AUTHORITY: MONTANA ENVIRONMENTAL POLICY ACT

According to the applicable requirements of 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)*.

Pursuant to *ARM 12.2.454, Actions that Qualify for a Categorical Exclusion*, the proposed action does not individually, collectively, or cumulatively require the preparation of an environmental assessment or an environmental impact statement pursuant to MEPA. For additional information related to authority, as it relates to the proposed action, see *Background and Description of Proposed Action*, below.

BACKGROUND AND DESCRIPTION OF PROPOSED ACTION

With this action, FWP is providing funding through the Future Fisheries Improvement Program (FFIP) for the projects below. All projects constitute habitat improvement for wild fisheries. The project applicants are responsible for completing the proposed action. Detailed information concerning the projects below, including full application materials, can be found at: <https://fwp.mt.gov/ffip>.

Specific FFIP projects and their justification for Categorical Exclusion

Project Name	Categorical Exclusion
Granite Creek Tributary Aquatic Passage	Removal or modification of man-made obstructions in stream channels to provide or improve fish passage or to prevent loss of fish into diversions; <i>ARM 12.2.454(1)(c)</i> .
Upper Clark Fork Sager Diversion	Removal or modification of man-made obstructions in stream channels to provide or improve fish passage or to prevent loss of fish into diversions; <i>ARM 12.2.454(1)(c)</i> .
Upper Douglas Fish Passage	Removal or modification of man-made obstructions in stream channels to provide or improve fish passage or to prevent loss of fish into diversions; <i>ARM 12.2.454(1)(c)</i> . Minor improvements in fish habitat by placement of habitat improvement structures; <i>ARM 12.2.454(1)(b)</i> .
Kamperschroer Spring Creek Spawning Enhancement	Creating, re-establishing spawning habitat; <i>ARM 12.2.454(1)(f)</i> .
Threemile Reservoir Dam Maintenance	Improvement in fish habitat in lakes or reservoirs that do not pose a hazard to navigation; <i>ARM 12.2.454(1)(i)</i> .

These projects meet the criteria for a categorical exclusion pursuant to ARM 12.2.454(1). Further, pursuant to ARM 12.2.454(2)(a), (b), and (e), the project meets the following criteria:

- The projects do not result in significant impacts. *ARM 12.2.454(2)(a)*.
- The projects do not require a short-term water authorization pursuant to § 75-5-308, Montana Code Annotated. *ARM 12.2.454(2)(b)*.
- No significant or substantial controversy regarding the proposed actions would be expected. *ARM 12.2.454(2)(e)*.

Therefore, because the projects do not involve any exceptional circumstances identified by ARM 12.2.454(2), the projects do not individually, collectively, or cumulatively require MEPA review.

DECISION

Pursuant to the applicable requirements of MEPA, and its implementing rules at ARM 12.2.454, *Actions that Qualify for a Categorical Exclusion*, the actions of funding the above projects are categorically excluded from environmental review. With this DN, FWP hereby approves the proposed actions.

Sincerely,



Adam Strainer
Habitat Bureau Chief
Montana Fish, Wildlife & Parks