



DECISION NOTICE

Poorman Creek Restoration Phase 3

[FWP-DN-FSH-R8-2025-004]

4/25/2025

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 March 31 through April 15, 2025.

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 no comments during the public comment period.

DESCRIPTION OF PROPOSED ACTION

Poorman Creek is a tributary to the Blackfoot River that flows through a mix of USFS and private land. It supports populations of pure westslope cutthroat trout and bull trout. Poorman Creek is a high priority tributary and listed as critical bull trout habitat. Several other Future Fisheries projects were completed in this stream, including fish passage, fish screening, stream restoration, placer mine restoration, and water conservation. This project would address an area with entrenchment, lack of instream and riparian habitat, channel instability, and bank erosion. Approximately 1200 feet of channel would be restored using channel reconstruction, instream habitat (step pools, vegetated wood matrix, large woody debris structures). Tailings piles would be removed from the floodplain, opening channel access. The goal is to reestablish floodplain connectivity and function, improve instream and riparian habitat, correct chronic bank erosion, and restore a self-maintaining stream system. Project actions are expected to increase trout abundance and enhance fishing opportunities within Poorman Creek while also increasing trout recruitment to the Blackfoot River. This restoration effort will contribute to FWP's fisheries management objectives in the upper Blackfoot River watershed. FWP's action would be funding this project through the Future Fisheries Improvement Program. The project sponsor is the Big Blackfoot Chapter of Trout Unlimited and construction is planned for summer 2025 to fall 2026.

PURPOSE AND NEED

One goal within FWP's six-year operations plan for the fisheries program is to "protect, maintain, and restore native fish populations, their habitats, life cycles, and genetic diversity to ensure stewardship of native species." This project is in an area that contains populations of pure westslope cutthroat trout and bull trout, a species of special concern and a threatened species under the federal endangered species act. Additionally, the fisheries management program at FWP intends to "restore and enhance degraded fisheries habitats." By implementing an improvement project and restoring important habitat, this proposed project would help meet this goal. Poorman Creek has been identified as an impaired waterbody by MTDEQ and is listed for the following impairments: alteration of streamside vegetation, metals, flow regime modifications, and sediment. In the project area, degradation would be addressed by removing tailing piles and restoring floodplain access to improve stream function, improve riparian habitat and enhance instream habitat.

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, if no funding is provided through the FFIP, either the applicant would have to seek additional sources of funding to complete the project, or the affected area of Poorman Creek would remain impaired with mine tailings, without proper floodplain reconnection, riparian vegetation or habitat complexity.

Alternative 2: Proposed Action

Under the Proposed Action, stream and floodplain restoration would occur on Poorman Creek.

PUBLIC COMMENT AND FWP RESPONSE

FWP received no public comments on the Draft EA.

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.

With this DN, FWP hereby adopts the Draft EA, without modification, and approves the proposed action.

Sincerely,

A handwritten signature in cursive script that reads "Peter Brown".

Peter Brown
Acting Habitat Bureau Chief
Montana Fish, Wildlife & Parks