



DECISION NOTICE

Harry's Pond Improvement Phase 2

[FWP-DN-FSH-R8-2025-005]

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

Harry's Pond (Blaine County) is a 3-surface acre pond located in Chinook. It was the focus of a 2024 grant to enhance a public fishing opportunity in the town of Chinook, on private property. FWP worked with the landowner to establish a fishery at this location and had been overseeing day-to-day upkeep. This grant builds on past construction of angler amenities both by the landowner and the Community Pond Program. This grant request is for additional dredging near the dam and fishing areas to improve water depths, as well as increasing shoreline access and a kayak hand launch area through placed gravel. Recent sampling indicated that increased depth is needed for fish movement and winterkill concerns. If successful, the FWP action would be funding the project through the Community Pond Program and implementing the project. The project sponsor is the Havre Area Fish Biologist with FWP. The project is planned to begin in 2025.

PURPOSE AND NEED

The purpose of this project is to develop a new public fishing opportunity in Chinook, which will benefit anglers. The improvements proposed are expected to improve fish habitat, access to the waterbody, and amenities for anglers. The pond provides the only pond-type fishery option in close proximity to Chinook and is expected to be a location for family-friendly fishing. Providing quality fishing opportunities and amenities for resident and non-resident anglers is a priority for FWP. In support of the mission and core values of the agency, the FWP Fisheries Division preserves, maintains, and enhances aquatic species and their ecosystems to meet the public's demand for recreational opportunities and stewardship of aquatic wildlife.

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.

Harry's Pond is a new fishing opportunity at Chinook. Along with development of a fishery, angler amenities are needed. If the No Action alternative is selected, pond dredging and shoreline access improvements would require alternative funding. The absence of these improvements would affect the fishing experience. The identified issues would continue, and the benefits of proposed action would not be realized.

Alternative 2: Proposed Action

Under the Proposed Action, improvements and amenities would be implemented at Harry's Pond.

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". The signature is written in dark ink and is positioned above the printed name and title.

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