



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

July 22, 2004

TO: Governor's Office, Todd O'Hair, State Capitol, Room 204, POB 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, POB 201704, Helena, MT 59620-1704
Dept. Environmental Quality, Metcalf Building, POB 200901, Helena, MT 59620-0901
Montana Fish, Wildlife & Parks:

Director's Office	Legal Unit	Parks Division
Wildlife Division	FWP Commissioners	Design & Construction
Enforcement Division	Lands Division	Fisheries Division

MT Historical Society, State Historic Preservation Office, POB 201202, Helena, MT 59620-1202

MT State Parks Association, POB 699, Billings, MT 59103

MT State Library, 1515 E. Sixth Ave., POB 201800, Helena, MT 59620

James Jensen, Montana Environmental Information Center, POB 1184, Helena, MT 59624

Janet Ellis, Montana Audubon Council, POB 595, Helena, MT 59624

George Ochenski, POB 689, Helena, MT 59624

Jack Atcheson, State Lands Coalition, 3210 Ottawa Street, Butte, MT 59701

Jerry DiMarco, POB 1571, Bozeman, MT 59771

Montana Wildlife Federation, POB 1175, Helena, MT 59624

Wayne Hurst, POB 728, Libby, MT 59923

Rep. Steve Gallus, 2701 Phillips St., Butte, MT 59701-4135

Skyline Sportsman's Association, POB 173, Butte, MT 59701

Anaconda Sportsman's Club, #2 Cherry, Anaconda, MT 59711

Jefferson Valley Sportsman's Association, POB 663, Whitehall, MT 59759

Bob Raney, 112 S. 6th St., Livingston, MT 59047

George Grant Chapter of Trout Unlimited, P.O. Box 563, Butte, MT 59703

Ladies and Gentlemen:

Attached is the decision notice for the Whitehall Community Fish Pond Draft EA. No written or verbal comments were received during the 32-day public comment period ending July 12, 2004.

It is my decision to proceed with the proposed project, with no changes to the draft EA, to complete construction of a youth and family-oriented fish pond for Whitehall and surrounding communities.

Questions regarding this decision notice should be e-mailed to rspoon@state.mt.us or mailed to:

Whitehall Community Pond Project
c/o Ron Spoon
P O Box 1137
Townsend, MT 59644

Sincerely,

Patrick J. Flowers

Decision Notice

Whitehall Community Fish Pond Project

Proposal

The proposed project is intended to complete construction of the Whitehall Community Fish Pond and to have FWP acquire about 20 acres of property from Golden Sunlight Mine, Inc. to provide long-term access to the pond. The proposed project will provide additional fishing and outdoor opportunities for youth and family-oriented users near Whitehall and the surrounding area. The Jefferson Valley Sportsman's Association, Golden Sunlight Mine, Inc., and other local supporters of the project initiated preliminary work on the project in 2003 with technical assistance of Montana Fish, Wildlife & Parks. The completed project will consist of a groundwater-fed pond that is stocked with trout annually, an access road, a parking area, a latrine, and an accessible trail around the pond. Future amenities at the site will include a fishing pier, a shelter, pond expansion, and improved accessibility for handicapped users.

Environmental Policy Act Process

Montana Fish, Wildlife & Parks (FWP) is required to assess potential impacts of the proposal to the human and physical environment. In compliance with requirements of the Montana Environmental Policy Act (MEPA), an Environmental Assessment (currently available from Ron Spoon, 406-266-4237) was completed for the proposed project by FWP and released for public comment on June 10, 2004.

Public comments on the project were taken for 32 days. The Environmental Assessment was mailed to 19 individuals and groups on the FWP MEPA mailing list. A legal notice announcing the availability of the EA was published in the *Independent Record* and a newspaper article describing the project and requesting public input was published in the *Whitehall Ledger*. The EA was also available on the FWP website.

Issues raised during the public comment period on the EA are addressed in the comment section of this Decision Notice. There are no modifications to the Draft Environmental Assessment based on public comment, and the Draft Environmental Assessment and this Decision Notice together serve as the final document for this proposal.

Summary of Issues Addressed in the Environmental Assessment

The Environmental Assessment lists the issues in detail. These include:

- Public interest in accessible, family-oriented fishing and outdoor experiences
- Potential wetland disturbance due to construction activities
- Potential weed invasion due to construction activities
- Increased traffic and noise disturbance in the area
- Site protection, litter, and maintenance of the area

Summary of Public Comment

At the close of the comment period, July 12, 2004 FWP had received no written or verbal comments on the project.

Decision

Based on the Environmental Assessment, public comment, and need for enhancing family fishing opportunities in the Whitehall area, it is my decision to proceed with construction of the Whitehall Fish Pond. I also recommend that the FWP Commission approve acquisition of the 20-acre parcel surrounding the pond to ensure long-term public access to the area. Maintenance of the area, site protection, weed control, and traffic concerns place additional demands on the limited FWP staff. I strongly encourage local service organizations to assist FWP in long-term enhancement and maintenance of the area.

I find there to be no significant impact on the human or physical environment associated with this project, except to promote additional fishing and outdoor education opportunities. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.



Patrick J. Flowers
Regional Supervisor