



# Montana Fish, Wildlife & Parks

1400 South 19<sup>th</sup> Avenue  
Bozeman, MT 59718

24 June 2004

To: Governor's Office, Todd O'Hair, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801  
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704  
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901

Montana Fish, Wildlife & Parks:

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

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202

MT State Parks Association, P.O. Box 699, Billings, MT 59103

MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620

James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624

Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624

George Ochenski, P.O. Box 689, Helena, MT 59624

Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771

Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624

Wayne Hurst, P.O. Box 728, Libby, MT 59923

Bob Raney, 112 S. 6<sup>th</sup> St., Livingston, MT 59047

Ladies and Gentlemen:

Attached is the decision notice for the Clark's Lookout State Park Road Paving EA. Three comments were received during the public comment period ending May 28, 2004.

It is my decision to proceed with the proposed project to pave the interior road and parking area at Clark's Lookout State Park and to contribute funding to Beaverhead County to assist with paving the county road (Lover Leap Road North) that connects to the park. The only change to the proposed action outlined in the EA may be FWP administering contracts for the paving of the road on the park's interior as well as the paving of Lover's Leap Road North in an effort to reduce overall cost.

Questions regarding this decision notice should be directed to:

Montana Fish, Wildlife & Parks  
c/o Clark's Lookout EA  
1400 South 19<sup>th</sup> Avenue  
Bozeman, MT 59718

Or e-mailed to: [pflowers@montana.com](mailto:pflowers@montana.com)

Sincerely,



Patrick J. Flowers



# Montana Fish, Wildlife & Parks

Region Three, Bozeman  
June 24, 2004

## CLARK'S LOOKOUT STATE PARK ROAD PAVING ENVIRONMENTAL ASSESSMENT DECISION NOTICE

### Proposed Action

The proposed action delineated in the Environmental Assessment (EA) is to pave about one-quarter mile of road leading to Clark's Lookout State Park and a similar volume of road and parking area inside the park in late Summer 2004. This project would provide easy access for visitors and area residents, provide safer and more efficient traffic flow and parking, reduce dust, and reduce short-term maintenance activities and costs.

FWP would provide funding from state park designated highway funds for the paving project and would administer contracts to complete road paving within the state park. **Beaverhead County** would be responsible for administering contracts and completing the paving project outside the park on Lover's Leap Road North. The projects would likely be implemented at the same time, using the same contractor.

The subject roads will be improved and graveled through a prior project beginning in May, scheduled for completion in June 2004. If the proposed paving project is not selected, the gravel roads will be treated annually with magnesium chloride to abate dust at a current cost of about \$3,000 each year. No further design would be necessary to pave over the gravel roads; road base and drainage would be sufficient for paving.

Paving would eliminate the need for annual magnesium chloride treatment. Pavement has a life expectancy of about 20 years if chip-sealed one or two times during that period. Maintenance during that time is very low.

Calculating costs at the current rates provided, gravel roads treated with magnesium chloride annually would cost nearly the same amount over the course of twenty years (\$60,000 without inflation) as the initial cost of paving the roads (\$65,000 estimated).

### Montana Environmental Policy Act

FWP assessed impacts of its proposals to the human and natural environments. The Clark's Lookout State Park Road Paving and their effects were disclosed in the May 10, 2004 Draft Environmental Assessment to comply with the requirements of the Montana Environmental Policy Act (MEPA).

A 19-day comment period was open from May 10, 2004 through May 28, 2004. Public notification of the proposed action was facilitated with the distribution of legal notices printed in the Helena Independent Record, Montana Standard (Butte), and Dillon Tribune newspapers. In addition, the EA was posted on the Fish, Wildlife & Parks webpage: <http://fwp.state.mt.us>.

### Summary of Public Comment

Three public comments were received on the proposal. One comment from site neighbors requested that FWP not consider using milled asphalt grindings on the county road section, which crosses their property. The other two comments expressed support for the preferred alternative (D), which is reiterated above under Proposed Action.

**Comment #1:** "I do not want you to use C.H.I.T. as pavement when you go through our yard. Also, do not want you to use dustless gravel or magnesium chloride."

**FWP response to comment #1:** FWP and Beaverhead County have committed to placing new asphalt on both the county road section of the proposed project as well as the park road within Clark's Lookout State Park.

**Comment #2:** "After reading your options, preferred alternative D is the best way to go."

**FWP response to comment #2:** FWP acknowledges this supportive comment.

**Comment #3:** From the Executive Director of the Montana Lewis & Clark Bicentennial Commission, "I offer this letter in support of the proposal to pave the interior road and parking area at Clark's Lookout State Park, and the approximately ¼ mile of Lover's Leap Road connecting the park to Highway 91."

**FWP response to comment #3:** FWP acknowledges this supportive comment.

### Final Environmental Assessment for Clark's Lookout State Park Improvements Proposal

The proposed action narrative stated that, "Beaverhead County would be responsible for administering contracts and completing the paving project outside the park on Lover's Leap Road North." Beaverhead County officials, in a recent conversation, requested that FWP handle the contracting for paving on both the Clark's Lookout State Park interior roads and parking area and the county road section. This request is still under consideration by FWP. This approach would result in a probable overall cost-savings as compared to each entity contracting for paving separately.

Also, FWP neglected to list additional authority, the Good Neighbor Policy (MCA 23-1-126), for proposing the actions at Clark's Lookout State Park under Section 2, **Agency authority for the proposed action** (page one of EA). The Good Neighbor Policy of

public land use, as applied to recreational lands, seeks a goal of no impact upon adjoining private and public lands by preventing impact on those adjoining lands from noxious weeds, trespass, litter, noise and light pollution, streambank erosion, and loss of privacy.

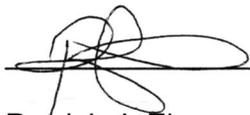
With these modifications, the Draft EA will become the Final EA.

### Decision

Based on the information in the Draft EA, it is my decision to proceed with the proposed action, namely, paving the Clark's Lookout State Park interior roads and parking area and contributing funding to Beaverhead County to pave the connecting county road (Lover's Leap Road North) as described in the EA. FWP may, in fact, administer a paving contract for both sections of paving.

This proposed improvement project is subject to appeal, which must be submitted to the Fish, Wildlife & Parks Director in writing and postmarked within 30 days of the date on this decision notice. The address is: Mr. Jeff Hagener, Director, Montana Fish, Wildlife & Parks, PO Box 200701, Helena, MT 59620-0701. The appeal must specifically describe the basis for the appeal, explain how the appellant has previously commented to FWP or participated in the decision-making process, and lay out how FWP may address the concerns stated in the appeal.

Based on the analysis in the Environmental Assessment and applicable laws, regulations, and policies, I have determined that this action will not have a significant effect on the natural or human environment. Therefore, an Environmental Impact Statement will not be prepared. If you have questions regarding this decision notice, please contact me at (406) 994-4042, 1400 South 19<sup>th</sup> Avenue, Bozeman, MT 59718, or at [pflowers@montana.edu](mailto:pflowers@montana.edu).



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Patrick J. Flowers  
Regional Supervisor