

## ***FWP COMMISSION AGENDA ITEM COVER SHEET***

**Meeting Date:** December 10, 2018

**Agenda Item:** Varney Bridge Fishing Access Site Bridge Replacement Project (R3)

**Division:** Fisheries

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 5-minutes

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**Background:** The Montana Department of Transportation intends to replace the Varney Bridge because “it’s functionally obsolete, the low deck and freezing conditions in the winter create ice issues at the FAS, and its weight limit hinders emergency or larger vehicle passage.” Spanning the Madison River approximately 8 miles south of Ennis, the Varney Bridge borders the FAS on its northwest corner. The new bridge is to be constructed wider, longer, and higher. The wider bridge will have two lanes and is designed to accommodate safe pedestrian travel. The larger new bridge footings necessitate MDT taking .05 acre of the FAS at the tip of the northwest corner of the site and convert it into bridge right-of-way. In addition, modern design standards require the new guardrails to extend past the existing FAS approach, which will block vehicle access into it. To mitigate the loss of the existing approach and the .05 acre needed for the new bridge abutments, MDT acquired approximately 0.385 acre of additional land to create a new approach into the site. The new approach will be wider and have improved site distances making the access safer. It is also anticipated that the higher bridge will diminish icing issues at the FAS.

**Public Involvement Process & Results:** MDT and the Federal Highway Administration completed the National Environmental Policy Act categorical exclusion for the Varney Bridge replacement. FWP did not complete a separate environmental assessment but is in concurrence with the MDT public review processes. Two public meetings were held, one on Feb. 22, 2017 and the other on Aug. 29, 2018. MDT stated in their report that no written comments were received but “the general feeling of the meeting was strongly supportive of the project and of potentially re-purposing the existing structure.” A comment narrative is attached.

**Alternatives and Analysis:** Federal law required MDT to consider all feasible and prudent alternatives. Through this process, MDT was required to demonstrate that there are “no feasible and prudent avoidance alternatives,” and additionally, “must minimize harm to the property.” Ultimately, benefits to the FAS far exceeded the loss of .05 acre by increasing the site distance at the approach to the FAS bringing it to modern standards and by replacing the .05 acre with more than seven times the acreage, providing a safer ingress and egress from the FAS.

**Agency Recommendation & Rationale:** FWP recommends that the commission approve efforts by the department to convey approximately .05 acre to MDT for construction of a new bridge and, in exchange, accept approximately .385 acre that will provide a wider access road and improved site distances at the highway approach.

**Proposed Motion:** I move that the commission authorize the department to dispose of .05 acre of property at the Varney Bridge FAS to the Montana Department of Transportation in exchange for .385 acre to accommodate the new bridge construction.

