



## Madison River and Varney Bridge FAS Temporary Closure Rule

### Summary of Comments

Public comment was accepted on the Madison River and Varney Bridge FAS Temporary Closure Rule December 17 – January 13. Twenty-eight public comments were submitted. The majority of comments (23) supported the proposed rule and voiced additional concerns focused primarily on access, crowding, river passage, and adequate public notice. Two comments opposed the proposed rule, and three comments were outside the scope of this proposal.

The Department believes the proposed rule adequately addresses additional concerns by commenters. Temporary river and FAS closures will be minimized to the extent possible. The contractor will be required to notify FWP and other recreational interest groups at least 48 hours prior to any temporary closures. Notice of closures will also be posted at upstream access sites and through media reports. Passage around the construction site will be maintained by a minimum 40-foot wide by 6-foot high clear waterway opening. When temporary closures are needed to ensure public safety, the maximum time allowed for the temporary closure is 48 hours. FWP will be notified immediately upon completion of work to lift the temporary closure.

One opponent for the project does not support closing navigable waterways to public access at any time. The other comment stated that closing the Varney FAS is a bad idea because it will cause crowding on other portions of the river. Two comments were not applicable to this project, with their concerns better addressed through the ongoing Negotiated Rulemaking Process for recreational use on the Madison River. The other comment regarded traffic flow on the highway during construction and was sent to MDT.

All comments and FWP responses to comments can be found in the table below.

Contact	Comment	Response
thecrazysweedfan@yahoo.com	Please do your best at keeping the river open to floating and access to boat ramp. If not this will cause EXTREME crowding especially during peak season as this is one of the top 2 boat ramps used to launch from on a daily basis. If it must be closed please send an email out at least 4 days or more in advance to warn the guides and shops and please don't have it closed more than week worth of days per month.	River and Varney Bridge FAS will only be closed when needed for public safety. FWP will be notified at least 48 hours prior to a closure. The maximum time allowed for each temporary river closure is 48 hours.
nancy@beartoothflyfishing.com	Closing the launch is going to be challenging as this would require the boat launches to crowd other locations. There should be some ability to still launch at Varney. Closing the river under the bridge will be a massive challenge and cause a cluster of boats in other locations as this would prevent the ability to do several options that are normal for boats including Ruby to 8Mile, McAtee to 8Mile, Story to 8Mile or Storey to Burnt Tree or Storey to Ennis and others not listed. This would also cause a huge safety/risk issue especially to those unaware. This should only be for very rare instances for maybe only a day and with proper notification ahead of time and the correct and accurate details about the process. There would be economic damage to Ennis and surrounding communities that thrive on moneys generated from tourism related to this section of the Madison River. The boat launch needs to stay open and a float through on one side or the other needs to be maintained.	River and Varney Bridge FAS will only be closed when needed for public safety. FWP will be notified at least 48 hours prior to a closure. The maximum time allowed for each temporary river closure is 48 hours. Signs for temporary closure will be placed at upstream access points.
dan@beartoothflyfishing.com	Closing the launch is going to be challenging as this would require the boat launches to crowd other locations. There should be some ability to still launch at Varney. Closing the river under the bridge will be a massive challenge and cause a cluster of boats in other locations as this would prevent the ability to do several options that are normal for boats including Ruby to 8Mile, McAtee to 8Mile, Story to 8Mile or Storey to Burnt Tree or Storey to Ennis and others not listed. This would also cause a huge safety/risk issue especially to those unaware. This should only be for very rare instances for maybe only a day and with proper notification ahead of time and the correct and accurate details about the process. There would be economic damage to Ennis and surrounding communities that thrive on moneys generated from tourism related to this section of the Madison River. The boat launch needs to stay open and a float through on one side or the other needs to be maintained.	River and Varney Bridge FAS will only be closed when needed for public safety. FWP will be notified at least 48 hours prior to a closure. The maximum time allowed for each temporary river closure is 48 hours. Signs for temporary closure will be placed at upstream access points.
bchass10@gmail.com	Do a good Job fixing the bridge and try not to limit our fishing access. thanks.	River and FAS closures will be minimized to the extent possible.

Contact	Comment	Response
tydimeola@gmail.com	I understand the bridge need fixed up and that construction is inevitable, but if it is possible to keep the access open when possible during the construction it would be a huge help keeping other parts of the river being overly busy during this time. Also that is a great section of the river to float and that would be a bummer to miss out on that during the summer.	River will only be closed when needed for public safety. FWP will be notified at least 48 hours prior to a closure. The maximum time allowed for each temporary river closure is 48 hours.
mattkdodson@gmail.com	Hello- I am an independent outfitter based out of Ennis. I strongly encourage allowing boat access and safe passage underneath/through the planned construction zone. Closing this section (Varney Bridge to Eight Mile) will cause an unmanageable and harmful amount of pressure on an already strained river. The section I referred to gets a heavy amount of use particularly by outfitters from Bozeman and Twin Bridges due to the proximity to their homes. Redistributing that boat traffic throughout the rest of the Upper Madison River will decrease the quality of experience had by our fishing clients that we have worked so hard to keep. There is a safe way to allow passage through the construction site...it will just take some though...	Boat access and construction site passage will be maintained to the extent possible during construction. A minimum clear waterway opening of a minimum 40-ft wide by 6-ft high must be maintained.
Buunta@gmail.com	Public access must be maintained as much as possible for the entirety of construction. The stretch from Varney Bridge to 8 mile Ford is one of the busiest on the river, especially on the weekends. The Madison River already has issues with crowding and I think it would be a mistake to close that section of river completely.	River and Varney Bridge FAS will only be closed when needed for public safety. FWP will be notified at least 48 hours prior to a closure. The maximum time allowed for each temporary river closure is 48 hours.
madisonangler@gmail.com	Please allow the river to stay open continuously during this construction period. Also please by all means, keep the fishing access and boat ramp open to allow for less congestion on the river.	River and Varney Bridge FAS will only be closed when needed for public safety. FWP will be notified at least 48 hours prior to a closure. The maximum time allowed for each temporary river closure is 48 hours.
justinledge@gmail.com	Please keep in mind that shutting down the Varney FAS Boat Launch will restrict commercial outfitters to nearly 8 miles of river by not being able to put in or take out there. And with only 35 miles of water to float fish on the Madison, that's a significant chunk. So, in planning the activities of the bridge replacement, I would urge DOT to keep open the river and boat launch as much as humanly possible to prevent congestion, confusion, and complications around the outfitting industry. Thank you and we're all looking forward to a new Varney Bridge.	River and Varney Bridge FAS will only be closed when needed for public safety. FWP will be notified at least 48 hours prior to a closure. The maximum time allowed for each temporary river closure is 48 hours.

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krissuplee@yahoo.com	As a guide and outfitter as well as a resident of Ennis it's imperative that we keep the Varney Bridge boat ramp open and allow floating under the bridge during the duration of the construction process. We are already facing regulations that could potentially cause further crowding on the river without dealing with another closure of highly used river sections. Please keep this open to boat passage during the 2019 season.	Boat access and construction site passage will be maintained to the extent possible during construction. A minimum clear waterway opening of a minimum 40-ft wide by 6-ft high must be maintained.
Keith@keithbrauneis.com	Please find a way to allow passage under the bridge during the hours of 8am and 5pm during construction. Please find a way to keep the put in accessible too. Much appreciated! Keith Brauneis (ennis resident and guide)	Boat access and construction site passage will be maintained to the extent possible during construction. A minimum clear waterway opening of a minimum 40-ft wide by 6-ft high must be maintained.
parker.redmond@gmail.com	Putting a boat in a Varney spreads crowds out on the upper Madison. I urge you to allow for boats to pass under the bridge during construction so that recreational and commercial anglers can utilize the stretch between Varney and 8-Mile. I'm sure a whole bunch of other people are suggesting the same thing so thanks for taking the time to read this. -Parker	Boat access and construction site passage will be maintained to the extent possible during construction. A minimum clear waterway opening of a minimum 40-ft wide by 6-ft high must be maintained.
joe@montanatroun.com	<p>Hello FWP. I will be sad to see the old iconic bridge go, but it is certainly time for a replacement. As a Madison river guide, outfitter and avid angler, it is my hope that MDT, FWP and the construction company doing the project will work hard to minimize any disruption to the normal recreational use of the Madison river and the Varney Bridge FAS.</p> <p>The Varney bridge boat ramp is an extremely important access point on the upper Madison. Closing the boat ramp could potentially cause extreme congestion in other parts of the river, particularly during July through September. By the same token, closing the river to passage under Varney Bridge could also cause severe disruptions to the normal flow of recreational use on the upper Madison.</p> <p>I hop you will make every effort to keep both the river and the Varney boat ramp open throughout the construction process.</p> <p>Thanks for your consideration. Joe Dilschneider</p>	Boat access and construction site passage will be maintained to the extent possible during construction. A minimum clear waterway opening of a minimum 40-ft wide by 6-ft high must be maintained.

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scullyoutfitting@msn.com	<p>Road and bridge work should be completed during the "off" season, from October to April and not during the heavy use period of April through September. You will be forcing summer river users into an over-crowding situation by effectively closing down over 15 miles of water since there is no other access points between Storey Ditch and Eight Mile fishing access. This is a high-use boat ramp for both take out and put in. East side of the river needs to be usable by May and remain open. You will also not be able to communicate the river closing periods to everyone, since some of the recreational floaters will be floating the river during a two or three day period from the top of the river down and will be on the water for at least two days. You are closing the river for the convenience of the contractor and not paying attention to the actual users.</p> <p>David Scully</p>	<p>River and Varney Bridge FAS will only be closed when needed for public safety. FWP will be notified at least 48 hours prior to a closure. The maximum time allowed for each temporary river closure is 48 hours. Signs for temporary closure will be placed at upstream access points. Media reports will notify the public in advance of any temporary closures.</p>
alcas24@gmail.com	<p>While I understand some closures will be necessary, it is vital that the varney bridge boat ramp be open as much as possible. This ramp is heavily used as both a put in and take out, so closing this ramp will effectively block access to a large portion of the river. This will cause larger crowds at other boat ramps. With crowding on the Madison such a hot button issue right now, everything possible must be done to keep this boat ramp open. Even if floating under the bridge is not an option on some days, the ramp needs to stay open as a take out point.</p>	<p>Boat access and construction site passage will be maintained to the extent possible during construction. A minimum clear waterway opening of a minimum 40-ft wide by 6-ft high must be maintained.</p>
Rtimmon@mtech.edu	<p>Closing Varney FAS will cause crowding on the upper river. bad idea</p>	<p>River and FAS closures will be minimized to the extent possible.</p>
pulsandrew@gmail.com	<p>The contractor should be required to allow passage for vessels at all times unless a specific activity will make it too dangerous. In such an event the contractor should be required to provide notice to the closure three days prior to closing the river. Also, the contractor should be required to reopen the river as soon as possible.</p>	<p>Boat access and construction site passage will be maintained to the extent possible during construction. A minimum clear waterway opening of a minimum 40-ft wide by 6-ft high must be maintained. FWP will be notified at least 48 hours prior to a temporary closure. Media reports will notify the public in advance of any temporary closures.</p>
jack@tophandadvisors.com	<p>Greetings,</p>	

Contact	Comment	Response
	<p>I'm a 4th generation Montanan who grew up in Billings and I've been fishing the Madison River for 35 years. I guided on the river for a period of time during my college days in Bozeman. The Madison is an amazing river and fishery, and we are fortunate to have such a resource in southwest Montana. Unfortunately, it is being loved to death and I believe that the resource is suffering. I have not regularly fished the Madison in 10 or so years because it is so over-crowded -- it just isn't enjoyable to fight the crowds any longer. When I do, I get on the water at 6 am or so to beat the rush of drift boats. And this is rare, as I generally only fish it these days in the shoulder seasons and/or upstream from Lyons Bridge to escape the armada of drift boats, most of which seem to be guides. I have no statistics to back this up, but my opinion is that the fishing has suffered due to the crowding. I've got a buddy in Ennis who has been guiding the Madison for 40+ years and he is constantly commenting that the river is not what it used to be, even 10 to 15 years ago. I've noticed that river etiquette has also diminished -- on the river and at the accesses -- and this is certainly due to over-crowding. Ignore the fishing aspect for a minute -- just the experience of floating the river is not that enjoyable any longer due to the over-crowding. That is a sad reality. I understand that over half of the angler days are from guided trips, the vast majority of which I assume are from out-of-state clients. As a small business owner, I empathize with outfitters who earn a living from guiding clients, but when half of the angler days on the river are from guides, that is simply too much. It's time for guided trips to be regulated. And do you regulate non-guided non-resident fishermen as well? I don't know, but probably something to think about. I certainly don't have the answers, but this river does not exist for the benefit of the outfitters and non-residents. In the end, the most important consideration should be the health of the river and the fish. If this is the case, everyone will benefit long term. Thanks for listening and good luck.....</p> <p>Jack Sauter Bozeman</p>	<p>This comment falls outside the scope of this proposal. Issues brought up in this comment are better addressed through the ongoing Madison River Negotiated Rulemaking process.</p>

Contact	Comment	Response
richard.sprinklejr@gmail.com	I am not an outfitter, just a concerned fisherman that enjoys fishing that stretch of the river. I live close to the Varney Bridge and I understand that it needs to be replaced, it's bad enough that I have to drive 27 miles one way to fish that stretch of the river. It may be inconvenient for the contractor but there are ways to keep the river open. They can stretch nets under the bridge to make it safe for the boaters to pass under. Direct boat traffic to one side or the other to make it safer for the fishermen. I think it's the contractors responsibility to keep the river open while replacing the bridge. The contractor should have considered that in his bid. It will impact more people for the convenience of the contractor, including outfitters and people that make a living in Ennis. Bottom line is, sounds like closing the river only benefits the contractor.	Boat access and construction site passage will be maintained to the extent possible during construction. A minimum clear waterway opening of a minimum 40-ft wide by 6-ft high must be maintained.
shammer13@hotmail.com	It would be reasonable to require the Contractor to provide a 7-day notice of activity for closure. Most MDT projects have a 3-week look ahead meeting each week during which a review of activity would provide a closure notice that could be posted and communicated to the local guides and shops limiting the impact of the closure to the section from the bridge downstream or landing from upstream floats.	River will only be closed when needed for public safety. FWP will be notified at least 48 hours prior to a closure. The maximum time allowed for each temporary river closure is 48 hours. Media reports will notify the public in advance of any temporary closures.
zeb.breuckman@gmail.com	I do not support closing navigatable waterways to public access at any time.	The Department believes that the measures outlined in the temporary closure rule are adequate for accomodating bridge construction and recreational access and passage.
zhiedeman@yahoo.com	<p>Closing the fishing access at Varney Bridge would put too much pressure on the stretches of river above (primarily, Lyon Bridge to McAtee - the only remaining stretch to float and fish above the dam on the Upper Madison).</p> <p>If closing one half of the river while leaving the other half available for floating past the bridge is not feasible, then at a minimum, floaters should be able to take out at Varney, thus leaving another section of the river to float (McAtee to Varney).</p> <p>Closing the bridge on the days/weeks that work necessitates is understandable. A blanket closure for floating under the bridge is overkill - especially for 8 months! Floating under the bridge on weekends should not be shut down - except in the event work is actively in progress.</p>	Boat access and construction site passage will be maintained to the extent possible during construction. A minimum clear waterway opening of a minimum 40-ft wide by 6-ft high must be maintained.

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conroy3ja@gmail.com	I suspect comments will play out quite predictably - the hundreds of outfitters and guides that use the Madison will weigh in against any river closure, arguing that the job can be done some way without closing the river. On the other hand, most who use or simply cross the Madison will say nothing to FWP because it looks like closing the river to build is a done deed and they are not against closure for the sake of building, they want the new bridge. So it all comes down to the willingness of FWP to spend an enormous amount of "extra" money for a technical solution that avoids closure (e.g., bypass canals , airlifts, night building with additional crews, overtime, insurance, lights, etc>). All that extra money so the guides, who already with their numbers abuse the Madison, can avoid any inconvenience of having to float a more upstream section of the river.	This comment falls outside the scope of this proposal. Issues brought up in this comment are better addressed through the ongoing Madison River Negotiated Rulemaking process.
nemethk1@hotmail.com	Will FWP post announcement on their website about closures when they occur? The float from Varney Bridge downstream is popular and without notice fishers from coming out of town would waste valuable fishing time if they arrived at Varney only to find out the access was closed.	Notice of closure will be posted on the FWP website and other media. Signs will also be placed at upstream access points.
otisranch@wispwest.net	Dear Fish Wildlife & Parks Commission, You probably should just close it for a month at a time, maybe even all summer. That would get the new bridge open sooner, and be a lot safer for everyone. Bert Otis PO Box 60 Emigrant, MT 59027	River and FAS closures will be minimized to the extent possible.
charlesrock314@gmail.com <charlesrock314@gmail.com>	Mabe we could make a crapy temporary ramp just below bridge on west bank where we wont get in bridge workers way . They will have it all toar up anyway. Sure they will have a road grader there as well . Wouldn't take nothing to build a small ramp for a summer use , just to get us by .i was a operator for 10 years . A few loads of rock and a small dozer or blade i could have a makeshift ramp made in 2 hours . My fear is if it takes a whole summer for government workers to make a small concreat pad at new varney ramp , how long is it going to take them to build this bridge ? We need a ramp to use , it dont need to be pretty, just something we can slide our boats down .	Boat access and construction site passage will be maintained to the extent possible during construction. A minimum clear waterway opening of a minimum 40-ft wide by 6-ft high must be maintained.
Sam Korsmoe <sam@yespi.net>	Dear FWP,	Outside the scope of this proposal. Message passed on to MDT.

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	<p>I have a question concerning this coming year's project to replace the Varney Bridge on the Madison River in Madison County. As I understand, the construction is slated for March 15 to November 15 of 2019. My question concerns the use of the road from Highway 287 to Varney Bridge Road into Ennis.</p> <p>During the construction period, will the road be entirely closed to all traffic? Periodic closure? Please let me know the potential closure situation due to construction. I am considering an event in July that would potentially require some limited traffic (cars and possibly a bus) at or near the Varney Bridge Access and Varney Bridge road leading into the Beaverhead Deerlodge national forest (the road through the Bar 7).</p> <p>Thank you.</p> <p>Sam Korsmoe</p>	
<p>Wallace &lt;wallacebrostrucking@gmail.com&gt;</p>	<p>Greetings,</p> <p>Regarding the MT DOT's request to close the Madison and the access at Varney Bridge: Allow the closure. It will undoubtedly speed up the process of replacing that bridge.</p> <p>Thank you, Kevin Wallace 28 Mystic View Rd. Fishtail, MT 59028</p>	<p>Noted.</p>