Decision Notice
Bear Creek and Chamberlain Creek Riparian Road Reclamation

Prepared By:
Montana Fish, Wildlife and Parks
Region 2 Fisheries Bureau
3201 Spurgin Road
Missoula, MT 59804
Phone 406-542-5500

Description of Proposed Action: For FWP to provide partial funding for road improvements along Bear Creek and Chamberlain Creek

Montana Fish, Wildlife and Parks (FWP) has the authority under law (MCA 87-1-201) to protect, enhance and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future. FWP also has the authority through its Future Fisheries Improvement Program (FFIP; Administrative Rules of Montana 12.7.1201) to restore essential habitats for the growth and propagation of wild fish populations in lakes, rivers, and streams through voluntary means. Funds may be used for long-term enhancement of streams and stream banks, instream flows, water leasing, lease or purchase of stored water or other voluntary programs to enhance wild fish and their habitats. To these ends, FWP proposed to implement the Bear Creek and Chamberlain Creek Riparian Road Reclamation Project in the Blackfoot River drainage west of Ovando (portions of Missoula and Powell Counties). The land and roads are former corporate timber land to be acquired by the Montana Department of Natural Resources and Conservation (DNRC) as part of the Blackfoot Community Project; The Nature Conservancy (TNC) is the current owner. The area sustains important fish and wildlife habitat and has long been a popular and productive area for big game hunting. Chamberlain, Bear and Pearson Creeks support important spawning runs of westslope cutthroat trout (WSCT) from the Blackfoot River that support native fish populations and recreational fishing.

FWP's FFIP proposes to provide $100,000 to Big Blackfoot Trout Unlimited (BBTU) for the reclamation, removal, and improvement of portions of Chamberlain Creek, West Fork Chamberlain Creek and Bear Creek Roads, and coincident construction and improvement of upland roads to maintain forest management and public access. The entire project is estimated to cost approximately $209,000. Reclamation of the roads would improve habitat by: increasing trees falling from the riparian area into the stream, increasing shading by replacing roads with trees, decreasing sediment input by eliminating streamside gravel roads and instream culverts and their maintenance, and improving fish passage by removing culverts that are suspect in their ability to pass fishes during times of the year.

The project would affect 10.6 miles of roads and would reclaim riparian habitats, reduce sediment inputs to streams, improve fish passage, and maintain management and public access via alternative roads outside the riparian areas.

The proposed project includes:

- Reclamation of 5.5 miles of road within the riparian areas of Chamberlain Creek (including West Fork Chamberlain Creek), and Bear Creek
- Upgrades to 2.3 miles along East Fork Chamberlain Creek Road and construction of six short road segments of new upland road (2.8 total miles) to maintain management and public access; and
- Removal of six stream crossings (culverts and old bridges) from perennial streams and upgrading two existing stream crossings with bridges to improve fish passage and reduce sediment input into streams.

MONTANA ENVIRONMENTAL POLICY ACT PROCESS

FWP is required to assess impacts to the human and physical environment under the Montana Environmental Policy Act (MEPA). The Bear and Chamberlain Creek Roads Project proposal and its expected effects were documented by FWP in a draft Environmental Assessment (EA).

PUBLIC COMMENT

A 33-day public comment period was conducted from June 4 through July 6, 2010 for the Draft EA. A legal notice for this proposal/EA was published in each of these newspapers: *Independent Record* (Helena), *Missoulian, Seeley Swan Pathfinder*, and *Silver State Post* (Deer Lodge). There were direct mailings to adjacent landowners and interested parties; and public notice and posting of the EA was on the FWP web page http://fwp.mt.gov (under "Recent Public Notices"). Copies of this EA were available for public review at FWP Region 2 Office in Missoula and at the FWP Headquarters in Helena. This level of public notice and participation is appropriate for a project of this scope having few and limited physical and human impacts.

Two comments (Appendix) were received, both from individuals. One comment was in support of the "Proposed Action." The other comment proposed a third alternative, which would reclaim the roads and remove/upgrade stream crossings, but not build new roads. Riparian roads associated with this project cannot be reclaimed unless similar alternative roadways are provided for timber management, public access, and administrative use by the DNRC and Bureau of Land Management (BLM). Road upgrades and some new construction would be necessary to realize benefits to the riparian and stream habitats. Therefore, the "third alternative" proposal of reclaiming roads but not constructing new road portions for an alternative transportation route, would not be feasible.

Through the separate FFIP review process, the project received unanimous approval by the FFIP Review Panel and approval by the FWP Commission. TNC (the current landowner), DNRC and BLM wrote letters of support for the FFIP grant, thus expressing their approval for the project.

FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis in the EA and the public comment, I have selected the "Proposed Action" alternative. FWP has reviewed the EA and applicable laws, regulations, and policies and has determined

that this action will not have significant effect on the human environment. Therefore, I conclude that the EA is the appropriate level of analysis, and an Environmental Impact Statement is not necessary.

DECISION

It is my decision that FWP implement the Bear Creek and Chamberlain Creek Riparian Road Reclamation Project to enhance riparian and stream habitats important to native fish and wildlife habitat, maintain recreational access, and support working forest management. FWP has worked closely with DNRC, TNC, BBTU, and BLM to develop this project in a manner that meets local, state and federal objectives for this important project.

CONCLUSION

By notification of this Decision Notice, the draft EA is hereby made the final EA. The finding of selection for the "Proposed Action" alternative is the product of this Decision Notice.

Mack Long
Region 2 Supervisor

7/12/10
Date

APPENDIX. Comments Received.

Saffel, Pat

From: O'Connor Roy [redacted]
Sent: Thursday, June 17, 2010 11:00 AM
To: Saffel, Pat
Subject: FFIP Funds for Chamberlain Ck Restoration

Pat, I strongly support the use of FFIP Funds for the reclimation of the Chamberlain Ck road systems, and the protection and restoration of Chamberlain Ck as a natural flowing stream. The road adjacent to the creek has impacted its natural function over the years, and it will be great for the riparian areas and the aquatic health of the ecosystem to be allowed to reach their full potential. This as we all who fish the blackfoot know is a very important stream for the native cutthroat trout spawning and rearing. Its protection and restoration to promote these fish is vital.
I also own land along Chamberlain Ck, and realizing its importance have leased my water rights from the creek to MFWP to insure its health. I very much appreciate MFWP and FFIP stepping up to the plate as well, now that these lands are protected.
Roy O'Connor
Heart Bar Heart Ranch
Ovando

Saffel, Pat

From: Derek Goldman [redacted]
Sent: Tuesday, July 06, 2010 6:04 PM
To: Saffel, Pat
Subject: Chamberlain Creek Road EA

Hi,
I am writing to comment on the Chamberlain Creek Road EA, from the perspective of someone who has hunted in this area.

I support the proposed reclamation of 5.5 miles of road within the Chamberlain Creek area.
I also support the removal and upgrades to stream crossings to enhance trout habitat.
However, I OPPOSE the construction of NEW roads within the project area. this area is already heavily roaded, and there is no need for additional roads. FWP cites the need for timber management, but this area has been cut extensively, and needs to heal.
FWP should reconsider whether any new roads are needed, and produce a third alternative: road reclamation and stream crossing work, but no new road construction.
Thank you. Sincerely,

Derek Goldman
1759 S. 7th St.
Missoula, MT 59801