DECISION NOTICE:
Old Harper's Bridge Fishing Access Site Acquisitions
Montana Fish, Wildlife and Parks
Region 2 Office
3201 Spurgin Road
Missoula, MT 59804
(406) 542-5500

DESCRIPTION OF PROPOSED PROJECT

Montana Fish, Wildlife & Parks (FWP) proposes to acquire 12.34 acres of land adjacent to the Clark Fork River approximately 8 miles northwest of Missoula. The property consists of two tracts of land. Tract 1 contains 3.91 acres, which will be a donation to FWP, and Tract 2 contains 8.43 acres, which will be purchased by FWP. FWP proposes to acquire both tracts in fee title.

Tract 1 – Donation

Tract 1 is located approximately 8 miles northwest of Missoula on the western side of the Clark Fork River. The owner wishes to donate the property to FWP as it provides little benefit to their farming operation due to its topography and location.

The acres are transected by the Big Flat Road that serves as the access road on the west side of the river. The topography of this tract has a slope of between thirty and sixty percent, with the exception of the river rock shoreline. Excluding the shoreline, most of the tract is heavily forested with fir and pine trees.

Although there is no parking area along Big Flat Road for accessing the property, the public can park at the Deep Creek FAS and walk along the river's shoreline to use the property for bank fishing.

Tract 2 – Purchase in Fee

This property, referred to as Old Harper's Bridge, is northwest of Missoula off of Mullan Road - Hwy 263 on Harper's Bridge Road. The proposed acreage to be acquired by FWP is next to the remaining eastern abutment of the Harper's Bridge. The landscape is comprised of young and mature cottonwoods along the river's edge, mature ponderosa pines, and native grasses. There are established areas of noxious weeds (spurge and knapweed) throughout the site. The riverbank has been eroded in places due to river processes and public usage.

The current landowners have historically allowed the public to access the river through their property for bank fishing and floating. Unfortunately, the popularity of the site has grown and increased parking along the county road is causing traffic hazards and congestion problems for local residents.

The current landowner is proposing the sale of his property to FWP to ensure the public's access to the river is maintained, the natural environment of the parcel is preserved, and the property is not developed into residential lots.

For FWP interests, the location of this site is strategically located 4-5 miles downstream from the Kona Bridge Fishing Access Site and 22 miles upstream from the Petty Creek Fishing Access Site. This acquisition would improve access to this stretch of the Clark Fork River giving floaters an additional put-in and take-out location within the 26-27 mile stretch between Kona Bridge FAS and the Petty Creek FAS. Furthermore, under the management of FWP, the site would be

added to the routine regional maintenance schedule of other fishing access sites in the area. Maintenance will include treatment of the existing noxious weed infestations.

Over the years, Missoula County officials have received calls from local residents complaining about the traffic caused by people accessing the river at the Old Harper's Bridge cul-de-sac. Missoula County supports the acquisition by FWP because of the possibility of the site being developed into a formal fishing access site in the future with off-street parking.

Alternative A: No Action

If FWP does not acquire the property, the public would lose this opportunity to add public access to the Clark Fork River for floating and angling activities. Tract 2 has the potential for residential development. Additionally, Missoula County officials are likely to continue to receive complaints from local residents about river users parking along Harper's Bridge Road and blocking traffic.

Alternative B: The acquisition of approximately 12 acres adjacent to the Clark Fork River

The acquisition of the land at Old Harper's Bridge will provide the public with additional recreational sites along the Clark Fork River that will be under the management of FWP. This acquisition will provide further open spaces and protect the view-shed along the Clark Fork River. The acquisition would provide key access to the Clark Fork River in a stretch where access is currently quite limited. If acquired, the nearest access locations would be Kona Bridge Fishing Access Site (4-5 miles upstream) and Petty Creek Fishing Access Site (22 miles downstream).

PUBLIC PROCESS AND COMMENT

The EA was sent out and the public comment period began June 19, 2008, and ran through July 21, 2008. Legal notices were published twice each in the *Missoulian*, and the *Helena Independent Record.* There were 17 full copies, 7 electronic versions, and 35 post cards about the EA that were sent to interested parties consisting of neighbors, friends, conservation groups, Montana state legislators, county & state departments or agencies. The Old Harper's Bridge Acquisitions EA was posted on the MFWP web site June 20, 2008. A statewide news release was also sent out.

There were nine comments received from the public, one of which was received late. All nine are in favor of FWP acquiring the 12.34 acres of land. The following is a summary of comments/questions received:

"Will any cottonwood trees be cut down for any future activities on the site? Would like to see them better protected in the county." *FWP Response: Any future improvements of the site should be able to avoid the removal of any live cottonwood trees since there is a nice open field available for improvements. Another EA will be completed for site improvements at the site.*

"Fully support acquisition of the properties, one of few places to access this part of the river, appreciate the willingness of the landowner to find a way to continue public access."

"This one is easy! Absolutely!!"

"Heck Ya!"

"We endorse FWPs' plan to buy these eight acres on behalf of the public, and to accept ownership of the four acres offered on the Deep Creek side of the river."

"Looks good to me, any time we can get access, go for it."

"Yes, yes, yes to the great bargain and wonderful purchase of the Leister land on the Clark Fork!"

"The purchase of Old Harper's Bridge site has no negative impacts that can't be taken care of. What it does do is provide lots of positive impacts and the opportunity to provide even more as time goes on. Please support this purchase to help protect this land and the river that passes thru it."

"...we would like FWP, as much as possible, to manage this site not only as a fishing access site, but also for its riparian vegetation. This area contains young and mature cottonwoods, ponderosa pines, and native grasses – all are important habitat types in western Montana for wildlife." Further, the commenter stated, "Although we support the purchase/donation of this land, it is important for FWP to manage its riparian landholdings in a way that allows recreationists to access the stream, but also protect this important area for both fish and wildlife habitat." *FWP Response*: *Management of this site will accommodate both the angling/floating public as well as local wildlife populations. Minimal disturbance of trees and shrubs is anticipated in the event of the site being developed into a more formal fishing access site. FWP has acquired numerous other sites similar in composition over the years and has successfully integrated all aspects of resource management.*

DECISION

Based on the analysis in the Environmental Assessment (EA) and the 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. It is my decision to implement Alternative B, and proceed with FWP acquiring the 12 acres of land. This action also requires the approval of the Montana Fish, Wildlife and Parks Commission scheduled in August. By notification of this Decision Notice, the draft EA is hereby made the final EA with the FWP responses in this Decision Notice. The final EA with Decision Notice may be viewed at or obtained from Montana Fish, Wildlife & Parks at the above address. The EA is still available for review at http://fwp.mt.gov/publicnotices/notice_1777.aspx

In accordance with MFWP policy, an appeal may be made by any person who has either commented in writing to the department on the proposed project, or who has registered or commented orally at a public meeting held by the department on the proposed project, or who can provide new evidence that would otherwise change the proposed plan. An appeal must be submitted to the Director of FWP in writing and must be postmarked or received within 30 days of this decision notice. The appeal must describe the basis for the appeal, how the appellant has previously commented to the department or participated in the decision-making process, and how the department can provide relief. The appeal should be mailed to: Director, Fish, Wildlife & Parks, 1420 East 6th Avenue, P.O. Box 200701 Helena, MT 59620-0701.

7/23/08

Mack Long **Date**
Regional Supervisor