MONTANA FISH,
WILDLIFE & PARKS

1400 South 19th Ave Bozeman, MT 59718
406-994-4042

January 24, 2019

To: FWP Region 3 EA Standard Distribution List

The enclosed Decision Notice has been prepared for Gallatin Forks Fishing Access Site (FAS), a popular recreational site and that provides quality recreational opportunities for fishing, boating, floating, and hunting. The FAS is located along the Gallatin River 2 miles south of Manhattan, Montana.

Based on the Environmental Assessment, public comment, and FWP evaluation, it is my decision to proceed with the proposed action, Alternative E, as described in the Gallatin Forks Fishing Access Site Proposed Bridge Replacement Project Draft Environmental Assessment. This alternative addresses the impacts and improvements to the Gallatin Forks Fishing Access Site.

Questions regarding this Decision Notice should be directed to:

Jay Pape
Fishing Access Site Manager
1400 South 19th Ave
Bozeman, MT 59718
406-994-5592
Or emailed to: JPape@mt.gov

Thank you for your interest.

Sincerely,

Mark Deleray
Region Three Supervisor

MONTANA FISH, WILDLIFE & PARKS

1400 South 19th Ave Bozeman, MT 59718

# ENVIRONMENTAL ASSESSMENT DECISION NOTICE

## GALLATIN FORKS FISHING ACCESS SITE
## PROPOSED BRIDGE REPLACEMENT PROJECT
## DRAFT ENVIRONMENTAL ASSESSMENT

**Montana Fish, Wildlife & Parks**
**Region Three, Bozeman**

**January 24, 2019**

**Proposed Action**

The Gallatin Forks FAS provides an important access point on the Gallatin River for boaters and floaters, providing strategic access between existing FAS's. Gallatin County proposes to replace Nixon Bridge on the Gallatin River and realign Nixon Gulch Road to access the bridge in order to meet the public's need for increased safety and bridge capacity. The proposed realigned road, including a gabion-style retaining wall and a small portion of the abutments for the replaced bridge, would cross the existing Montana Fish, Wildlife & Parks (FWP) Gallatin Forks Fishing Access Site (FAS), which will then require reconfiguration and improvement of the current FAS facilities. Proposed improvements and developments include: an improved and expanded gravel parking area, a gravel boat launch, a pedestrian crosswalk, a pedestrian river access, a concrete vault latrine, boundary fencing, and informational signs. In exchange for the .05 acres of Gallatin Forks FAS that would be used for the Nixon Gulch Road realignment, Gallatin County would grant .1 acre to FWP for the Gallatin Forks FAS.

**Montana Environmental Policy Act**

Montana Fish, Wildlife & Parks is required by the Montana Environmental Policy Act (MEPA) to assess significant potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, the proposed project was made available to the standard distribution list for 30 days, beginning December 21, 2018.

**Summary of Public Comment**

FWP received two (2) comments regarding the proposed action during the 30-day public comment period.

**One comment in support of the proposed project.**

One comment expressed support for the project, stating: "… the best alternative to fix a problem that will benefit everyone…"

**One comment opposing the proposed project.**

Summary of the single comment opposing the project. The full letter is attached to this Decision Notice:

- We appreciate the effort that went into surveying the project area and updating documentation for the Nixon Bridge. We recognize that the bridge is eligible for the National Register of Historic Places.
- As we understand it, this project, as currently presented to us, does not fall under the Montana Antiquities Act and Section 106 of the National Historic Preservation Act.
- If Section 106 or the Montana Antiquities Act is triggered later (e.g. Corp of Engineer 404 permit), consultation with our office would need to occur through the appropriate state or federal agency.
- We have been informed that a local group has expressed interest in adopting the bridge and using it for non-motorized traffic. We fully support that proposal.
- We do not consider the documentation provided to our office mitigation for the demolition of the Nixon Bridge.

**FWP response to comments opposing the project**

The focus of the Gallatin Forks Fishing Access Site Proposed Bridge Replacement Project is to address potential impacts related to the Gallatin Forks Fishing Access Site. The disposition and mitigation of the old bridge is outside the scope of this EA. The opposing comments specifically related to the significance of the Nixon Gulch Bridge would be more accurately directed to the Draft Environmental Assessment previously prepared by Gallatin County. In respect to the Corp of Engineers 404 permit, Gallatin County, through its engineering consultant, has stated that "The bridge will not be demolished prior to completing the necessary and regulatory documentation that may be triggered through application for the 404 Permit." In response to the statement, "We do not consider the documentation provided to our office mitigation for the demolition of the Nixon Bridge," The Departments policy regarding heritage properties is found in ARM 12.8.501. It specifically states that "it is the policy of the department of Fish, Wildlife, and Parks to consider heritage properties and paleontological remains systematically on lands owned or controlled by the department for the purpose of preserving the properties and to avoid, whenever feasible, department actions or paleontological remains on those lands." "...on lands owned or controlled by The Department" are key to the Nixon Bridge project. Because the bridge is on land owned and managed by Gallatin County, FWP has no authority or jurisdiction for mitigation of the bridge.

**Decision**

Based on the Environmental Assessment, public comment, and FWP evaluation, it is my decision to proceed with the proposed action, Alternative E, as described in the Gallatin Forks Fishing Site Proposed Bridge Replacement Project Draft Environmental Assessment. This alternative will update and improve facilities at this FAS.

Mark Deleray
Region Three Supervisor