

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: April 25, 2019

Agenda Item: Bridge 51 Fishing Access Site Lease (R5)

Division: Fisheries

Action Needed: Final

Time Needed on Agenda for this Presentation: 5 minutes

Background:

This is a high-priority access point on the Yellowstone River providing strategic access where there is currently 13.2 miles between two existing FAS. This river reach has a good trout fishery and receives a large amount of public use from both anglers and recreational floaters. In 2017 when this project was initially brought to the commission for endorsement, FWP's intention was to acquire a privately owned 13.45-acre adjacent property. However, negotiations with the landowner were not successful. FWP subsequently contacted Montana Rail Link representatives who agreed to granting FWP public access via the railroad right-of-way. Although the public pioneered an access many years ago at this location, a formal agreement to use the right-of-way was never established with the railroad. FWP is currently completing a permit application with Montana Rail Link to secure legal access. Rail Link representatives have stated that there will be a nominal annual lease fee, but the exact amount hasn't been established. Development of the site will include grading and graveling the road, a vault latrine, defined parking areas, signage and fencing. The public will continue launching off the gravel bar as they have in the past.

Public Involvement Process & Results:

The EA was advertised in the Billings Gazette, the Big Timber Pioneer, the Stillwater County News, the Helena Independent Record and FWP's website for public comment from March 1 through March 31. Three comments were received: two in agreement and one expressing some opposition to adding another FAS when some others are in need of maintenance. The comments and responses are attached.

Alternatives and Analysis:

Only the Proposed Alternative and the No Action Alternative were considered. There was no other alternative that was deemed reasonably available or prudent. Neither the Proposed Alternative nor the No Action Alternative would have significant negative environmental or potentially negative consequences.

Agency Recommendation & Rationale:

FWP recommends the commission approve the department's request to secure a permit from Montana Rail Link for the purpose of developing an FAS and establishing legal public access through Montana Rail Link property to the Yellowstone River.

Proposed Motion:

I move to approve FWP's request to finalize the permit process that will establish an FAS within the Montana Rail Link right-of-way.