



SPA 124 PERMIT DECISION NOTICE

Rombo Campground Shoreline Stabilization Project SPA 124 – Bitterroot National Forest; Darby, MT

9/21/2023

ACTION

Decision Notice (DN). Montana Fish, Wildlife & Parks (FWP) shall prepare a DN for the proposed action. The DN must identify the agency decision, the reasons for the decision, and any special conditions surrounding the decision or its implementation.

With this action, FWP hereby adopts the Draft Environmental Assessment or Draft EA prepared for the proposed action as final, and approves Alternative 2, the proposed action.

AUTHORITY: MONTANA ENVIRONMENTAL POLICY ACT

According to the applicable requirements of the Montana Environmental Policy Act or MEPA and its implementing rules and regulations, before a proposed action may be approved, environmental review must be conducted to identify, consider, and disclose any potential impacts of the proposed action on the affected human environment. The level of environmental review will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. The agency is responsible for adjusting public review to match these factors. *Title 75, Chapter 1, Parts 1 through 3, Montana Code Annotated (MCA)*. Based on these factors, FWP determined a Checklist EA (Draft EA) constitutes the appropriate level of review for the proposed action. Therefore, to assess and disclose potential impacts of the proposed action, FWP prepared a Draft EA.

PUBLIC PARTICIPATION PROCESS

Under usual circumstances, FWP makes the Draft EA available for public review and comment. However, in this circumstance, MEPA's required public process for projects of this nature is impacted by a competing statutory deadline. MEPA requires FWP to comply with its terms *"to the fullest extent possible."* To fulfill the stated policy of MEPA, the agency shall conform to the applicable rules prior to reaching a final decision on proposed actions covered by MEPA. *ARM 12.2.428, Policy Statement Concerning MEPA Rules*. More specifically, § 87-5-504, *MCA*, states:

"Within 30 days after the receipt of such plans [for a project subject to SPA 124 permitting], the department shall notify the applicant whether or not such construction project or hydraulic project will adversely affect any fish or game habitat. If the department notifies the applicant that such construction will adversely affect any fish or game habitat, it shall accompany such notice with recommendations or alternative plans which

will eliminate or diminish such adverse effect.”

Effectively, within 30 days after receipt of an application [for an SPA 124 Permit], FWP must make a final decision on the proposed action/project. Within the applicable 30-day timeframe, the MEPA practitioner or author of the Draft EA must conduct a rigorous process, making it difficult or impossible for FWP to accommodate a public comment period for the Draft EA within the required 30-day time-period. § 87-5-504, MCA.

Therefore, for the purposes of achieving compliance with MEPA, *“to the fullest extent possible,”* FWP prepares a Draft EA for file, sans public comment, and issues a DN identifying the agency decision, reasons for the decision, and any special conditions surrounding the decision or its implementation. Conditions applicable to the approved action, including recommendations or alternative plans to eliminate or diminish any adverse effects, are contained in the approved SPA 124 Permit (see attached).

DESCRIPTION OF PROPOSED ACTION

The Bitterroot National Forest has applied for a Montana Stream Protection Act 124 permit to stabilize approximately 300’ of shoreline of the West Fork of the Bitterroot River at Rombo Campground. The proposed project site is experiencing high yearly erosion and is migrating cross-valley toward the Rombo Campground Area. Rombo Campground and its utilities are in jeopardy of being compromised by the loss of streambank and accelerated streambank migration. The near vertical cut bank is devoid of vegetation and is currently eroding through a large ponderosa pine stand.

The proposed project plan is to stabilize the eroding and migrating streambank by constructing a series of wood, brush and rock bank structures that will reestablish a vegetated, functioning bankline. Large Wood Structures and Vegetated Wood Matrices will be installed along the bank to establish a stable bankline with the proper geometry. Willow cuttings will be used to revegetate the bankline, and the constructed floodplain will contain willow trenches at varying angles and will also be seeded with a native riparian seed mix. Riparian vegetation establishment at the project site is expected to support the long-term integrity of the streambank and adjacent floodplain.

This project is expected to commence in mid-October of 2023 and take approximate 3 weeks to complete.

PURPOSE AND NEED

The proposed project will stabilize and revegetate approximately 300’ of shoreline of the West Fork of the Bitterroot River at Rombo Campground, a high use recreation site on the Bitterroot National Forest. The proposed project site is experiencing high yearly erosion and is migrating cross-valley into the Rombo Campground Area. Rombo Campground and its utilities are in jeopardy of being compromised by the loss of streambank and accelerated streambank migration. By constructing a series of wood, brush and rock bank structures the Bitterroot National Forest seeks to reestablish a vegetated, functioning bankline. Large Wood Structures and Vegetated Wood Matrices will be installed along the bank to establish a stable bankline with the proper geometry. The new bank structures will allow the bedform to re-sort and develop bed features based on the location through the streambend. The use of large wood structures gives the channel the opportunity to develop pool features while the vegetated wood matrices will support riffle/run features. Willow cuttings will be used to revegetate the bankline, and the constructed floodplain will contain willow trenches at varying angles and will also be seeded with a native riparian seed mix. Riparian vegetation establishment at the project site is expected to support the long-term integrity of the streambank and adjacent floodplain.

ALTERNATIVES ANALYZED

Alternative 1: No Action

In addition to the proposed action, and as required by MEPA, FWP analyzes the "No-Action" alternative in the EA. Under the No-Action alternative, the proposed action would not occur. Therefore, no additional impacts to the human environment would occur. The No Action alternative forms the baseline from which the potential impacts of the proposed action may be measured.

Under the No Action alternative, FWP would not issue an SPA 124 permit and the shoreline stabilization project would not be constructed. The West Fork of the Bitterroot River would continue to erode and migrate into Rombo Campground and would likely jeopardize campground infrastructure and potentially public safety due to the increased risk of falling trees.

Alternative 2: Proposed Action

Under the Proposed Action alternative, FWP will issue an SPA 124 permit to the Bitterroot National Forest for the Rombo Campground Shoreline Stabilization Project. A fish rescue will be performed in the dewatered channel to minimize mortalities from the project.

DECISION

Based on the environmental review provided in the Draft EA, and, to the greatest extent possible, in accordance with all applicable laws, rules, regulations, and policies, FWP determined the proposed action (Alternative 2), will not have significant adverse impacts on the human environment associated with the proposed action and constitutes a reasonable and appropriate strategy to achieve identified objectives. Therefore, preparation of an environmental impact statement or EIS is unnecessary.

FWP hereby adopts the Draft EA as final and approves Alternative 2, the Proposed Action.

Sincerely,



Randy Arnold
Regional Supervisor
Montana Fish, Wildlife & Parks