



Montana Fish, Wildlife & Parks

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JUN 21 2005

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Region 2 Headquarters
3201 Spurgin Road
Missoula, MT 59804-3101
June 20, 2005

Governor's Office, Attn: Mike Volesky, PO Box 200801, Helena, MT 59620-0801

Environmental Quality Council, PO Box 201704, Helena, MT 59620-1704

*Dept. of Environmental Quality, PO Box 200901, Helena, MT 59620-0901

*Dept. of Natural Resources & Conservation, POB 201601, Helena, MT 59620-1601

*Montana Fish, Wildlife & Parks:

Website, Commission Secretary, Division Secretaries, Regional Office Managers, Region 2
Information Officer, Dan Burns, Ray Vinkey, David Dziak

**Region 2 Montana Fish, Wildlife & Parks Citizens Advisory Council

*State Historic Preservation Office, PO Box 201202, Helena, MT 59620-1202

*MT State Library, PO BOX 201800, Helena, MT 59620-1800

MT Environmental Information Center, Attn: Jim Jensen, POB 1184, Helena, MT 59624-1184

Powell County Commissioners, 409 Missouri Ave., Deer Lodge, MT 59722

Powell County Planner, 409 Missouri Ave., Deer Lodge, MT 59722

**Rep. Cynthia Hiner, 1027 Kentucky St., Deer Lodge, MT 59722

**Rep. John Ward, 4525 Glass Dr., Helena, MT 59602

**Sen. Jesse Laslovich, 112 Mountain View St., Anaconda, MT 59711

**Sen. Dave Lewis, 5871 Collins Rd., Helena, MT 59602

George Grant Chapter, Trout Unlimited, POB 563, Butte, MT 59703-0563

Anaconda Sportsmen's Club, 2 Cherry, Anaconda, MT 59711

Skyline Sportsmen's Association, POB 173, Butte, MT 59703-0173

Montana Wildlife Federation, POB 1175, Helena, MT 59624-1175

George Ochenski, POB 689, Helena, MT 59624-0689

Wayne Hirst, POB 728, Libby, MT 59923-0728

Bob Rainey, 212 S. 6, Livingston, MT 59047

Rocking W Cattle Ranch, POB 286, Avon, MT 59713-0286

Knight Family Trust, POB 226, Avon, MT 59713-0226

MT Department of Transportation, Attn: Shane Mintz, 2701 Prospect Ave., Helena, MT 59620

*Mailed electronically; **Postcard notification

Dear MFWP Commissioners and Interested Parties:

Thank you for your thoughtful reviews and/or comments on a proposal by Montana Fish, Wildlife and Parks (MFWP) to acquire approximately 4.3 acres of land west of Avon in Powell County for a new Fishing Access Site (FAS) on the Little Blackfoot River.

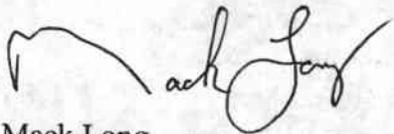
Enclosed, is a decision document in which I explain my rationale for recommending that the Fish, Wildlife and Parks Commission authorize MFWP to purchase this land for FAS acquisition. The decision document also describes and responds to the public comments on the

proposed acquisition. By notification of the attached Decision Notice, the draft EA is hereby made the final EA with the MFWP responses in the Decision Notice.

MFWP will request from the Fish, Wildlife & Parks Commission authorization to purchase the 4.3-acre parcel for a fishing access site, at the monthly Commission meeting scheduled for July 7, 2005 at MFWP Region 4 Headquarters in Great Falls. This meeting is open to the public, as are regularly scheduled Commission meetings.

Please direct any questions to Mack Long, Region 2 Supervisor, or Lee Bastian, Region 2 Park Manager at 542-5500. Thank you for your interest and participation.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack Long". The signature is fluid and cursive, with the first name "Mack" written in a larger, more prominent script than the last name "Long".

Mack Long
Regional Supervisor

ML/sr

Enclosure: DN for Little Blackfoot Fishing Access Site Acquisition

DECISION NOTICE: LITTLE BLACKFOOT FISHING ACCESS SITE ACQUISITION

Montana Fish, Wildlife and Parks
Region 2
3201 Spurgin Road
Missoula, MT 59804
(406) 542-5500

DESCRIPTION OF PROPOSED PROJECT

Montana Fish, Wildlife and Parks (FWP) proposes acquiring approximately 4.3 acres of land near Avon, MT for a new Fishing Access Site (FAS) on the Little Blackfoot River. The acreage sits between US Highway 12 and the Little Blackfoot River and currently is owned by Montana Department of Transportation (MDT) and a private landowner. Montana FWP would acquire the MDT parcel either through purchase or the granting of a recreational permit, and would purchase the privately owned parcel from the Rocking W Ranch for \$25,000. The MDT property has been appraised, and it was valued at \$22,000; but the decision to either sell the land or grant a recreational permit to FWP is pending at this time.

PURPOSE OF PROPOSED PROJECT

The purpose of the proposed acquisition is to improve public access along the Little Blackfoot River. There are currently no designated public FASs on the Little Blackfoot River and little opportunity for public access, especially in the lower sections. Public access south of Elliston is currently limited to a handful of pullouts along state and county bridges and by permission of private landowners. Fishing pressure on the Little Blackfoot is relatively low due to the lack of public access and because of the proximity of better-known fly-fishing rivers like the Big Blackfoot and the Clark Fork Rivers. However, the Little Blackfoot River does get significant recreational use. In 2003, there were 1,716 angler days on the stretch between the headwaters and Elliston, and 3,472 angler days on the stretch between Elliston and Garrison.

Montana FWP became interested in acquiring the MDT parcel because it is one of the few pieces of land along the Little Blackfoot that is adjacent to Highway 12 but not bisected by the train track. The MDT parcel is approximately 2.0 acres in size and had been a highway rest stop from 1964 to 1996. The rest area was equipped with permanent rest rooms, a septic tank, picnic table structures, and water well. The rest area was closed in 1996 because of periodic flooding, problems with the water well, and limited sight distance for the approach. In 1997, MDT abandoned the water well and removed the restrooms, picnic table structures and access road. In 2004 MDT removed asphalt roadways, concrete sidewalks, the septic tank, and reseeded disturbed areas. The parcel now consists of a grove of cottonwood trees with a dirt road looping around it and a partially reclaimed approach (see photo 1).



Photo 1. View of MDT parcel and old approach.



Photo 2. Interior of Rocking W parcel.

Montana FWP managers foresaw that if successful at acquiring the MDT parcel for a new FAS, they would also need to acquire some adjacent land in order to construct a new, safe approach. The location of the existing, partially reclaimed approach has been deemed unsafe by FWP engineers, as it does not afford enough site distance for cars exiting the MDT parcel. Therefore, FWP approached the adjacent landowner about selling approximately 2.3 acres of land adjacent to the MDT parcel for inclusion in the proposed FAS, which would make the future construction of a new approach possible. The Rocking W Cattle Ranch has agreed to sell FWP that 2.3-acre parcel of adjoining land for \$25,000. This sum is largely based on the appraised price of the MDT parcel. The Rocking W parcel consists of thick shrub understory, some grass and forbs, and scattered trees (Photo 2). Both parcels have stable banks that would be good for streamside angling (Photos 3 and 4), and the water depth is ideal for wading in this section. Spotted knapweed occurs on approximately 30% of both parcels.



Photo 3. Little Blackfoot River looking upstream on MDT parcel.



Photo 4. Little Blackfoot River looking downstream on Rocking W parcel.

Construction of the new approach or any other improvements (which the EA and this Decision Notice do not address) would not begin for at least a year and probably two. In the meantime, the site would not be advertised or open to vehicles, and FWP would initiate a weed control program to eradicate the spotted knapweed and any other noxious weeds on the site. These steps would reduce the spread of weeds from the site. This weed control would continue after the site became open to the public.

The benefits of the proposed action would include the provision of greater public access to a high-quality fishery; the establishment of site protection measures, especially that of noxious weed control; and the possibility of the construction of a safer approach from the federal highway. The acquisition of the MDT parcel and the Rocking W parcel for inclusion in the statewide FAS system would greatly add to public recreational opportunities.

PUBLIC PROCESS AND COMMENT

The public comment period began May 19, 2005, and ran through June 13, 2005. Legal notices were published in the Missoulian, Deer Lodge Silver State Post, and the Helena Independent Record. Notices of this EA went out to 39 interested parties consisting of neighbors, conservation groups, citizens advisory council, Montana state legislators, county and state departments or agencies, and federal agencies. There was also a press release and the EA was posted on FWP's web site.

A total of 4 comments (2 emails, 1 phone call, and 1 letter) were received. Three were very supportive of the acquisition and one provisionally supportive. Two of the respondents had additional comments.

Following are the comments and agency responses:

- Concerned that the agency has underestimated the amount of money needed to adequately control weeds on the site. *FWP Response: The agency will re-evaluate its estimates. Currently FWP is paying \$50/acre for herbicide applications. This site is a little over 4 acres in size and some of that is obviously in the riparian zone where other methods would be employed. Will do a site visit to confirm needs and weed control action.*
- Provisional support was given if adjacent landowners supported the FAS. *FWP Response: Of the 3 other comments received (all positive), none identified themselves as adjacent landowners but one apparently lives in the general vicinity. We mailed the EA to the adjacent landowners to notify them of the proposed FAS and to get their comments, if they desired.*
- Comment was that we did not classify any of the area as floodplain but noted that the area had flooded, an apparent contradiction. *FWP Response: We classified the area as Wetlands/Riparian Areas, which we believe is accurate. However, we also concur with the commenter that the proposed FAS is within the*

floodplain, so it could have been classified as floodplain as well. A more accurate description of the site is Wetlands/Riparian Areas within the floodplain of the Little Blackfoot River.

- FWP may need a County Floodplain Permit from Powell County to do construction. *FWP Response: We will be happy to work with Powell County to comply with their floodplain regulations.*

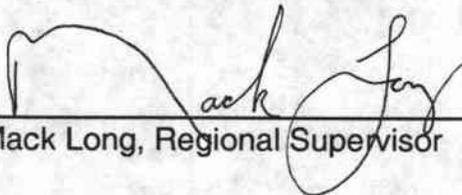
DECISION

Based on the analysis in the 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 the proposed action with the identified FWP responses and proceed with the acquisition and management of these parcels. This action also requires the approval of the FWP Commission, scheduled in July.

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 FWP at the above address.

Please direct any further requests or questions to Mack Long, Region 2 Supervisor, or Lee Bastian, Region 2 Park Manager.



Mack Long, Regional Supervisor

6/20/05

Date