



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

May 7, 2009

To: Governor's Office, Mike Volesky, State Capitol, Room 204, PO Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, PO Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, PO Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, PO Box 201601, Helena, MT 59620-1601

Montana Fish, Wildlife & Parks:

Director's Office Parks Division Lands Section FWP Commissioners
Fisheries Division Legal Unit Wildlife Division Design & Construction
MT Historical Society, State Historic Preservation Office, PO Box 201202, Helena, MT 59620-1202
MT State Parks Association, PO Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., PO Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, PO Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, PO Box 595, Helena, MT 59624
George Ochenski, PO Box 689, Helena, MT 59624
Jerry DiMarco, PO Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, PO Box 1175, Helena, MT 59624
Wayne Hurst, PO Box 728, Libby, MT 59923
Carl Webb, 2223 US Highway 89 S, Emigrant, MT 59027-6021
Dome Mountain Ranch LLC, 7 Timberpark Ct, Lutherville, MT 21093-1111
R & D Ranch LLC, The Cavanaugh Group, Baltimore, MT 21204-4542
Braune Living Trust, Braune Maximillian Otto & Jutt, 269 E. River Rd, Emigrant, MT 59027-6103
Clair Roberts, P.O. Box 2042, Wawona, CA 95389-2042
Michael & Erin Thompson, 209 S K St., Livingston, MT 59047-3205
Jeffery & Robert Henry, 171 E. River Rd, Emigrant, MT 59027-6103
Cinnabar Foundation, Holmes & Turner, Bozeman, MT 59715-3270
Madison County Commissioners, PO Box 278, Virginia City MT 59755

Ladies and Gentlemen:

The enclosed Decision Notice has been prepared for the Raynold's Pass Fishing Access Site (FAS) Improvement Project Amended Environmental Assessment (EA). Montana Fish, Wildlife & Parks (FWP) proposed to implement several site improvements to Raynold's Pass FAS on the upper Madison River. Twenty-four public comments were received during the comment period that began February 6, 2009 and ended March 23, 2009.

The EA and Decision Notice may be obtained from FWP at the address provided above, or viewed on FWP's Internet website: <http://www.fwp.mt.gov>.

Based on the Environmental Assessment, public comment, and FWP evaluation, it is my decision to proceed with a modified version of the improvement project described in the EA, which will include a single width, gravel boat ramp in place of the hand launch site.

Questions regarding this Decision Notice should be mailed to:

Fish, Wildlife & Parks

C/O Todd Garrett

1400 S 19th Avenue

Bozeman, MT 59718

Or e-mailed to: tgarrett@mt.gov

Sincerely,



Gerald Walker
Regional Parks Manager



Montana Fish, Wildlife & Parks

Region Three Montana Fish, Wildlife & Parks
1400 South 19th Ave
Bozeman, MT 59718
May 7, 2009

Decision Notice for Raynolds' Pass Fishing Access Site Improvement Project Amended Environmental Assessment

Proposed Action

Montana Fish, Wildlife & Parks (FWP) proposed to implement several site improvements to Raynold's Pass Fishing Access Site (FAS). Raynold's Pass is a large 162-acre site along the north bank of the Madison River with approximately one mile of river frontage. Raynold's Pass is the first FWP-managed access site on the Madison after it flows into Montana at river mile 98. The FAS currently consists of a parking/camping area and a latrine on the west side of Highway 87, and an informal, pioneered parking area and boat ramp on the east side. Access to the river on the developed side is walk-in only.

Access to the pioneered parking area off the highway is steep and makes getting off and onto the highway surface unsafe. Informal use of the upstream portion of the FAS is causing damage to the bank and vegetation due to indiscriminate vehicle use. FWP proposed to construct a new gravel parking area and a gravel hand-launch site on the west side of Highway 87 as well as improve the pedestrian trail under the highway bridge to the south. The guardrail will be extended on the eastern portion of the highway to prevent vehicle access to the pioneered area which was not designed for vehicle access. These measures would improve the quality and safety of the access and recreational opportunities to the public as well as protect the site from uncontrolled vehicle use and negative impacts to the resources.

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, an Environmental Assessment (EA) was completed for the proposed project by FWP and released for public comment on February 6, 2009.

Public comments on the proposed project were taken from February 6 through March 23, 2009. The EA was mailed to 29 individuals and groups; legal notices were printed in the *Helena Independent Record*, *Bozeman Chronicle* and the *Livingston Enterprise*; and the Draft EA was posted on the FWP webpage: <http://fwp.mt.gov//publicnotices/>.

Summary of Public Comment

The proposed project received 24 comments from the public. 19 of the comments opposed aspects of the project and five comments were supportive of improvements

while offering suggestions or alternatives. Eleven comments from individuals associated with outfitter services, including a comment from the Fishing Outfitters Association of Montana, opposed the project and expressed a desire for a boat ramp that would allow trailer access to the river. Five comments opposed the project stating the FAS does not need improvements and they would like the funding used for other purposes. Three comments opposed the project expressing interests in prohibiting trailer-launched watercraft in this section of the river. The remaining five comments offered suggestions to the project with most approving of at least minor aspects of the proposed improvements.

Comments Opposed to Project: 19 Total

Eleven comments opposed to the project shared a common concern. Comments in this category generally expressed opposition to the hand launch site specifically as it restricts trailer launching of watercraft. While this feedback opposed the hand launch, comments were supportive of other proposed improvements.

Examples of Comment Statements

“The proposed hand launch only access and elimination of trailered boat launching clearly discriminates against drift boat users...”

“An established launch area will be eliminated and the historical, if occasional, use by recreationists to launch trailered watercraft will be curtailed.”

“The proposed hand launch only access contained in the proposal will eliminate this traditional and legal use and severely and unnecessarily discriminate against drift boat users.”

FWP Response: The fishing access site program intends to provide safe, equitable access to rivers in Montana. Concerns related to historical use and the launching of hard sided boats were analyzed and incorporated into this decision notice.

Additional project opposition, five comments total, felt the project was not necessary and funding should be allocated for other purposes or improvements.

Example of Comment Statements

“The proposal to spend money on a new parking area, boat launch, etc. at the Raynolds Bridge fishing access is not necessary. I would rather see you spend funds on fish habitat, research, etc. and also on trying to control noxious weeds.”

FWP Response: FWP will continue to fund programs, such as noxious weed control, and site protection efforts, including the project addressed in this notice. Whether protecting resources through a site protection project or managing noxious weeds, FWP funds multiple efforts that comprise comprehensive resource stewardship. Improvements at Raynolds’ Pass are necessary to protect natural resources, improve visitor safety, and accommodate recreational use of the Madison River.

Finally, three comments opposed the proposal indicating a desire to further restrict watercraft and not allow launching of trailered watercraft, such as drift boats. Comments included statements such as those listed below.

Examples of Comment Statements

“I am in opposition to the planned hand launched boat area at Raynolds' Pass. It is my belief that with the rest of the Madison River open to drift boats there should be one small area for wade fishing.”

“I would prefer to see the improvement with the stipulation that the site would not allow for the launching of "trailered drift boat" size watercraft, and it be restricted to canoe or small raft type watercraft.

FWP Response: Under the Montana Stream Access Law, the public may use rivers and streams for recreational purposes up to the ordinary high-water mark; watercraft types, such as drift boat, raft, and canoe, are not restricted and have equitable use of this stream.

Comments Supportive of the Project: Five Total

Five supportive feedback letters expressed support for Fishing Access Site improvements in general while offering suggestions such as:

“Make minor safety/environmental protection improvements to conserve and share funding with other Madison sites in need of improvements such as Varney.”

“One thing I would like to see implemented along with the improvements is providing parking during the snow season at Raynolds' and plowing if need be.”

FWP Response: Fishing Access Site projects are prioritized and accomplished as funding allows. Current funding does not allow for additional services such as snow plowing.

Decision

Based on the Environmental Assessment, public comment, and FWP evaluation, it is my decision to proceed with a modified version of the improvement project described in the EA. Public comments included concerns that a hand launch site would eliminate the ability of the public to launch hard-sided, trailered watercraft. In the interest of providing safe, equitable access to the Madison River, Raynolds' Pass improvements will include constructing an approximately 12 foot wide gravel boat ramp in place of the hand launch site.

Appeal

This project is subject to appeal, which must be submitted to the FWP Director (Mr. Joe Maurier, Director, Montana Fish, Wildlife & Parks, PO Box 200701, Helena, MT 59620-0701) in writing and postmarked within 30 days of the date on this decision notice. The appeal must specifically describe the basis for the appeal, explain how the appellant has

previously commented to the department or participated in the decision-making process, and lay out how FWP may address the concerns in the appeal. If you have questions regarding this decision notice, please contact Todd Garrett, Fishing Access Site Manager at 406-994-6987.

A handwritten signature in blue ink that reads "Gerald Walker". The signature is written in a cursive style.

Gerald Walker
Regional Parks Manager
