



# Montana Fish, Wildlife & Parks

1400 South 19<sup>th</sup> Avenue  
Bozeman, MT 59718

September 18, 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  
Turner Enterprises Inc, 5048 Gateway South Rd, Gallatin Gateway MT 59730-8560  
Bill Fairhurst, 105 3<sup>rd</sup> Ave E., Three Forks MT 59758  
Robin Cunningham, Glenn Hockett, Irv Wilke, Dennis Grundman, David Pfaffenbach, Bert Otis, Kris Kumlien, Dave Kumlien, Ed Lawrence

Ladies and Gentlemen:

The enclosed Decision Notice has been prepared for the Damselfly Fishing Access Site Proposed Perpetual Easement Draft Environmental Assessment. Montana Fish, Wildlife & Parks (FWP) proposed to obtain a perpetual easement from DNRC for a 2.25-acre tract of land in order to establish a formal fishing access site and provide continued public access at this location on the Madison River. Ten public comments were received during the comment period that began July 29, 2009 and ended August 28, 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 obtaining the proposed perpetual easement.

Questions regarding this Decision Notice should be mailed to:

Fish, Wildlife & Parks, C/O Todd Garrett, 1400 S 19<sup>th</sup> Avenue, Bozeman, MT 59718

Or e-mailed to: tgarrett@mt.gov

Sincerely,

Gerald Walker  
Regional Parks Manager





Region Three Montana Fish, Wildlife & Parks  
1400 South 19<sup>th</sup> Ave  
Bozeman, MT 59718  
September 18, 2009

Decision Notice for

**Damselfly Fishing Access Site Proposed Perpetual Easement  
Draft Environmental Assessment**

**Proposed Action**

Montana Fish, Wildlife & Parks (FWP) proposed to obtain a perpetual easement from DNRC for a 2.25-acre tract of land in order to establish a formal fishing access site and provide continued public access at this location on the Madison River.

**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 July 29, 2009.

Public comments on the proposed project were taken from July 29 through August 28, 2009. The EA was mailed to 30 groups and individuals.

**Summary of Public Comment**

Public comment letters, 10 total, expressed support for the proposed action. FWP did not receive comments opposed to the proposal.

**Examples of Comments Supportive of the Project: 10 Total**

“Official recognition/development of this pioneered site will create quality access mid-point between Canaday FAS and Black’s Ford FAS and may well reduce the continued spread of other such non-official intrusions along this river corridor.”

“The proposed Perpetual Easement for the Damselfly FAS looks very good. With little or no negative impacts and lots of positives, this will be a great project.”

**FWP Response:** FWP acknowledges support of the perpetual easement and resulting continued public access.

## **Decision**

Based on the Environmental Assessment, public comment, and FWP evaluation, it is my decision to proceed with negotiating a perpetual easement on State School Trust Land for a fishing access site on the Madison River adjacent to the mouth of Cherry Creek. The site will be managed as a public recreation site to facilitate angling and other recreational activities.

A handwritten signature in blue ink that reads "Gerald Walker".

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Gerald Walker  
Regional Parks Manager

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