



March 28, 2019

Montana Department of Fish, Wildlife & Parks
Attn: Jim Williams, FWP Region 1 Supervisor
490 North Meridian Road
Kalispell, MT 59901

**Subject: MDT Impacts to Sportsman's Bridge FAS
FLATHEAD RIVER – 3 M NW BIGFORK
BR 82-1(5)5
UPN 6850000**

The Montana Department of Transportation (MDT) concludes that the Sportsman's Bridge FAS is subject to the requirements of federal law contained in Section 4(f) of the Department of Transportation Act of 1966. The purpose of this letter is to describe the expected impacts to the FAS from our proposed project and to seek your concurrence with the Section 4(f) mitigation measures proposed and discussed with your agency representatives. These mitigation measures are a requirement of Section 4(f) that prohibits the use of land from significant publicly owned public parks, recreation areas, wildlife and waterfowl refuges, or land from a historic site for transportation projects unless the Federal Highways Administration determines that there is no feasible and prudent avoidance alternative and that all possible planning to minimize harm has occurred. Based on meetings and correspondence with various staff from the Montana Department of Fish, Wildlife & Parks (FWP), MDT is preparing a *Programmatic Section 4(f) Evaluation and Determination for Federal-Aid Transportation Projects That have a Net Benefit to a Section 4(f) Property*. This letter summarizes the potential effects to the Sportsman's Bridge Fishing Access Site (FAS) owned and managed by FWP along with the proposed mitigation measures developed as part of the proposed Flathead River bridge and highway reconstruction project.

Project Overview and Location

MDT in conjunction with the Federal Highway Administration is proposing a bridge replacement project referred to as Flathead River – 3 M NW Big Fork, Project Number BR 82-1(5)5, Control Number 6850000. The work consists of replacing an existing functionally obsolete bridge over the Flathead River, and modifying the approaches on both sides of the river to accommodate the new bridge alignment. The project site is located in Flathead County, approximately 3 miles northwest of Bigfork on MT Primary Highway 82. The legal location of the project is portions of Sections 22 and 23, Township 27 North, Range 20 West, PMM, Flathead County, Montana. The MDT project limits are from reference post RP 5.0 to 6.4 for a total project length of 1.4 miles.

Purpose and Need

The existing steel bridge known as the "Sportsman's Bridge" provides access across the Flathead River between the towns of Bigfork and Kalispell on MT Primary Highway 82. The bridge and road were constructed in 1955. The roadway was widened in 2005. The existing road section has a 31.5-foot top width consisting of two 12-foot lanes and two 3.75-foot

shoulders. Beginning at RP 5.0 and heading west, the existing typical section widens to a 40-foot top width. The road is functionally classified as a Rural Minor Arterial.

The existing structure is deficient based on deck width and traffic volume. It also has a two girder system and is ranked high for seismic retrofit. Based on these conditions, the existing bridge is functionally obsolete, therefore rehabilitation and widening or replacement is necessary.

Existing Condition

The subject bridge is located at a transition between flat terrain located to the west and rolling hills located to the east. The area in the project vicinity is generally rural with farm land located west of the bridge. Residences are located to the north east of the bridge. The Sportsman's Bridge FAS and the Hanging Rock Subdivision are located to the south and east of the bridge.

The existing six-span bridge is 686 feet long and has an overall deck width of 29.33 feet. The bridge consists of concrete approach spans and four steel main spans supported by three in-stream concrete piers. Each pier is founded on timber piling and was constructed with a cofferdam and concrete seal.

Project History and Description

The Flathead River Bridge project was nominated in 2009 by MDT to rehabilitate and widen or replace the existing bridge and approaches on the structure over Flathead River on MT Primary Highway 82 at RP 5.58. An initial public meeting was held on July 14, 2011, at which three alignment options for constructing a new bridge upstream or downstream of the existing structure were presented. An initial meeting with area landowners, MDT staff and FWP representatives was held on November 16, 2011, at which significant opposition to the upstream options was expressed by the affected landowners.

Based on the outcome of a Risk Assessment workshop conducted by MDT on June 17, 2012, MDT made the decision to advance the downstream option, involving reconfiguring the FAS at its existing location. Preliminary structure design and roadway plans were prepared for review at a meeting on March 11, 2013, to determine and compare environmental resource impacts, traffic, bridge, hydraulics, soils, and floodplain considerations, as well as right-of-way requirements and project costs. At this time, Flathead County and FWP requested that a shared use path be included with the project as part of the Flathead County's master trail plan. The path would be provided along the north side of the bridge and would taper into the roadway shoulder beyond the guardrail runs at each end of the bridge.

At a subsequent meeting with resource agencies on April 22, 2013, existing pier removal options were discussed due to the approximately 40-foot depth to the channel bottom. A Value Analysis study was performed by MDT from January 27 through January 31, 2014, without major changes to the highway alignment or grade. In order to keep the highway open to traffic during construction, a new bridge will be constructed on an offset alignment before the old bridge is removed. As the project development progressed, a meeting was held on October 17, 2017, with MDT staff and FWP representatives to discuss project impacts.

The existing bridge will be replaced with a new 706-foot, four-span structure. The bridge typical section will include two 12-foot lanes, one in each direction, two 8-foot shoulders, a 10-foot

shared use path, concrete barrier and a pedestrian rail. The concrete barrier will be placed on the edge of the structure between the shoulder and shared use path located north of the vehicle lanes. The pedestrian rail will be placed on the outside of the shared use path at the edge of the deck. It is anticipated that project construction will occur over a 2.5-year period starting sometime in 2022 or thereafter depending on project funding.

Impacts to Sportsman's Bridge FAS

The project will require new right-of-way from the Sportsman's Bridge FAS, a site owned and administered by the Montana Department of Fish, Wildlife & Parks (FWP). Through previous coordination, FWP has determined that the Sportsman's Bridge FAS is an important and popular public recreation site. As such, the property is subject to the provisions for Section 4(f) properties of the *U.S. Department of Transportation Act (49 U.S.C. 303)*. This means MDT is obligated to evaluate feasible and prudent alternatives to the use of land from the FAS and to include all possible planning to minimize harm to the FAS from the highway use. In addition, in order to use transportation funding for Section 4(f) properties, MDT must demonstrate that the funding is for mitigation of impacts from a transportation project and that there is an overall net benefit to the Section 4(f) property.

MDT has solicited input and comment from FWP (and other agencies) since 2011 as described above. Since that time regular communication, correspondence, and meetings between MDT and their consultant team and FWP have been held to discuss potential impacts and associated mitigation measures at the Sportsman's Bridge FAS.

Although the alignment was designed to minimize impacts to the Sportsman's Bridge FAS, the need to maintain traffic during construction on the existing highway and bridge results in a shift of the highway and bridge alignment to the south of approximately 60 feet resulting in impacts to the FAS. There are two broad categories of potential effects:

1. Those resulting strictly from the replacement of the Sportsman's Bridge and associated realignment of MT Primary Highway 82; and
2. Those associated with the reconfiguration of the FAS and new access road construction.

Based on the preliminary design and discussions during project coordination meetings, the impacts apparent from this project are described below.

1. Potential Effects on 4(f) Property resulting from Bridge Replacement and Associated Highway Realignment

- The conversion of about 1.5 acres of land from the recreation site to transportation use would be necessary due to the realignment of the Flathead River crossing on MT Primary Highway 82. This conversion also involves the loss of 70 feet of river frontage on the north end of the FAS.
- Currently, the FAS access road and low water boat launch are located on MDT Right-of-Way (ROW). Any potential expansion of MT Highway 82 using only the existing ROW without acquisition of ROW from the FAS would affect the FAS access road and low water boat launch and would require redesign and construction expenses to be incurred by FWP.

- Some existing vegetation including wetlands within the FAS would be impacted due to the realignment of the highway east of the new bridge.
- Parking for approximately 7 vehicle/trailer combos and 9 single vehicle defined spaces will be displaced by the conversion of FAS property to a transportation use.
- General highway and bridge construction activities may limit fishing and recreation opportunities due to noise and other temporary impacts during this work.

2. Potential Effects on 4(f) Property resulting from Reconfiguration of the FAS and New Access Road Construction Activities

- Some existing fencing, landscaping/barrier rocks, vegetation and wetlands within the FAS would be impacted due to the reconfiguration of the FAS and construction of the new access road to the FAS.
- The existing pit toilet, informational and traffic signage, and radio antenna would be impacted with the reconfiguration of the FAS.
- The realignment of the access road will change the point of access to the FAS from the existing approach to MT Primary Highway 82 to a new approach to Hanging Rock Road.
- The existing high-water boat launch would be impacted with the construction of a new high- and low-water boat launch.
- Existing parking layout and FAS traffic flow would be impacted with the revised design to meet current FAS design criteria and preferences by FWP.
- General road and parking lot construction activities for the reconfiguration of the FAS and access road may impact parking, traffic flow, fishing and recreation opportunities due to noise and other temporary impacts during this work.

Refer to Figures 1 & 2 for exhibits that illustrate these potential effects to the existing FAS. MDT developed a list of proposed mitigating measures for these impacts based on input and discussions between FWP and MDT staff, as well as from the Hanging Rock Harbor Homeowner's Association. These mitigating measures to be implemented with this project are summarized in the following section.

Mitigation Measures

As a result of these coordination efforts, the following measures to minimize adverse impacts to the features, facilities, and use of the Sportsman's Bridge FAS are proposed:

- 1) MDT will compensate FWP at fair market value for the conversion of 1.5 acres of the existing FAS.** The ROW impacts were minimized during design; however, approximately 1.5 acres for additional property will have to be acquired from the FAS. An appraisal of the property will be conducted by MDT, and FWP will be offered fair market value compensation for the purchase of this additional ROW. FWP agrees to permit MDT to undertake reconstruction of the FAS site and access road on its property.
- 2) MDT will facilitate the replacement of 70 feet of river frontage on the south end of the FAS.** This conversion of 1.5 acres of the FAS to highway ROW will also result in the loss of approximately 70 feet of public river frontage access which will be replaced by the acquisition of approximately 70 additional feet of river frontage from the Hanging Rock HOA through realignment of the southern boundary of the FAS. The boundary

adjustment will result in no net change of property areas for the HOA open space parcel and the FAS.

- 3) **MDT will replace the existing approach to the site access.** MDT will design and construct a new FAS access road. The new road will serve as the access to a new boat launch and have an alignment and length similar to that shown on current draft exhibits for the FAS. The new road will be approximately 16 feet wide with parallel intermittent 6' bulb outs for two-way traffic and have a paved surface. Construction of the new access road will occur while the existing access is in operation resulting in no loss of access to the FAS by the public except during paving. Paving will likely occur near the conclusion of the overall project resulting in temporary access restrictions. MDT will also acquire an associated 1.9-acre easement for the access road in FWP's name.
- 4) **MDT will design and construct a paved-surfaced parking area for the FAS.** MDT will consult with FWP to determine the final location and dimensions of the area to be graded and surfaced for parking. The current number of parking spaces will be maintained. The proposed parking lot plan may provide an additional four vehicle/trailer combo parking spaces and one of the replaced single vehicle parking spaces will be ADA accessible (see Figure 1 and Figure 2). Construction of the reconfigured FAS will occur while sufficient parking is maintained equivalent to the existing FAS resulting in no significant loss of function and use of the FAS by the public except during paving.
- 5) **MDT will design and construct a new boat launch at the FAS.** MDT will consult with FWP to determine the design, specifications and location of a new boat launch that will meet FWP's current design criteria. The existing high-water boat launch will be removed at the request of FWP as part of this design. Construction of the new boat launch will occur while either a temporary or the existing boat launch is in operation resulting in no significant loss of function and use of the boat launch by the public.
- 6) **MDT will reestablish vegetation, landscaping rocks, and fencing disturbed by construction.** FWP will be consulted to identify desirable vegetative species for reseeded or native bushes for replanting disturbed areas of the FAS. FWP and the Hanging Rock HOA will also identify locations where impacted boundary fencing will be replaced. MDT will require the contractor to salvage and relocate the existing landscape rocks present at the FAS. MDT also will determine suitable locations to plant a new row of trees to screen the new access road and parking lot from the adjacent open space, HOA open space parcel and private lots in the approximate location shown on Figure 2.
- 7) **MDT will mitigate permanent wetland impacts resulting from both the highway and bridge reconstruction project as well as the wetland impacts resulting from the reconstructed FAS and access road.** Approximately 1.34 acres of permanent wetland impacts will be mitigated by MDT at an existing wetland mitigation reserve approved by the US Army Corps of Engineers. MDT will handle all associated permitting and agency coordination for impacts to jurisdictional wetlands affected by this project.
- 8) **MDT will reset existing informational signing for the FAS disturbed by construction.** FWP will be consulted to identify where impacted signs need to be relocated.

- 9) **MDT will relocate the existing single unit vault toilet at a site specified by FWP.** MDT will design the relocated pit toilet location as a fully accessible facility meeting current Americans with Disabilities Act standards and the contractor will relocate the existing toilet as part of this project.
- 10) **MDT will not utilize the FAS for a Contractor staging and/or stockpiling area, nor authorize use of the existing FAS latrine by the project Contractor or any subcontractors.**
- 11) **MDT will perpetuate recreational floating through the work zone except on occasions when construction activities for the new bridge dictate temporary closures for safety.** MDT's contractor will follow the procedures and requirements described in Standard Special Provision BR 201.24 "Waterway Passage and Signing" (2/23/2010) to ensure safe passage for river users through the work zone for the bridge. This specification provides for 20 feet wide by 6 feet high opening in the contractor's work bridge, warning signs installed on the upstream and downstream banks of the river, the use of buoys to mark a navigation channel, and public notice of the waterway restrictions in the area of the project.
- 12) **MDT will obtain and comply with necessary permits (i.e. 404, 124SPA, and MPDES Stormwater Permits) for permanent structures associated with the bridge replacement and highway realignment project to protect water quality and aquatic resources in the project area.** MDT's contractor(s) may have their own permitting requirements for the project.
- 13) **MDT's standard specifications and requirements and any associated special provisions should mitigate noise, traffic signage and control during construction and other temporary impacts resulting from this work to the extent practicable.**

The overall result of these mitigation measures is a net benefit to the Sportsman's Bridge FAS by improving the operation, use, and enjoyment of this site by the public. Specific benefits resulting from these mitigation efforts are:

1. Safety for users of the FAS will be improved with the relocation of the FAS approach from MT Primary Highway 82 to Hanging Rock Road, and construction of left- and right-turn auxiliary lanes for vehicles and trailers on Highway 82 to turn onto Hanging Rock Road.
2. Additional parking spaces for both single vehicles and vehicle/trailer combos will be provided on fully paved surfaces.
3. Boat launch improvements for both high water and low water river access meeting current FWP Design Standards.

MDT is committed to continued discussions on these net benefits and other improvements to the FAS resulting from the improvements from the Flathead River Bridge project.

Conclusion and Concurrence

If you concur with our conclusions about the mitigation measures proposed and the net benefits to the Sportsman's Bridge FAS, please sign both originals on the appropriate line below and

return one original to my office. If you do not agree or believe other measures should be implemented as mitigation, please provide me with a written response outlining your reasons so we can further coordinate this project and its effects with you or other representatives of your agency.

We would appreciate your prompt response since FWP's concurrence is needed before we can complete the Final Section 4(f) Evaluation and the environmental document for this project. If you need additional information concerning the proposed project in the meantime, please contact me at 444-0879. Thank you for your continued cooperation and assistance.

Tom Martin, P.E.



Bureau Chief
Environmental Services

Date: 3/28/2019

Concur: 

Montana Department of Fish, Wildlife & Parks

Date: 4/9/2019

Enclosures: Figure 1: Sportsman's Bridge FAS Site Existing Parking Lot & Boat Ramp Detail
Figure 2: Sportsman's Bridge FAS Proposed Plan February 2019

e-copy:

Ed Toavs, P.E., MDT Missoula District Administrator
Mark Studt, P.E., MDT Project Design Manager
Dustin Rouse, P.E., MDT Preconstruction Engineer
Stephanie Brandenberger, P.E., MDT Bridge Engineer
Robert Stapley, MDT Right-of-Way Bureau Chief
Susan Kilcrease, MDT Missoula District Project Development Engineer
Joe Weigand, MDT Missoula District Biologist
Tony Powell, FWP Region 1 FAS Program Manager
Bardell Mangum, PLA, FWP Landscape Architect (Helena)
Allan Kuser, FWP Statewide FAS Program Manager (Helena)
Mike Hensler, FWP Region 1 Fisheries Manager
Adam Brooks, FWP Federal Aid Program Manager (Helena)
Darlene Edge, FWP Lands (Helena)
Charlie Brisko, P.E., Morrison Maierle, Inc. Project Manager
Mark Brooke, P.E., Morrison Maierle, Inc. Environmental Manager

Project file

Figure 1. Sportsman's Bridge FAS Site Existing Parking and Boat Ramp Detail

SITE PLAN

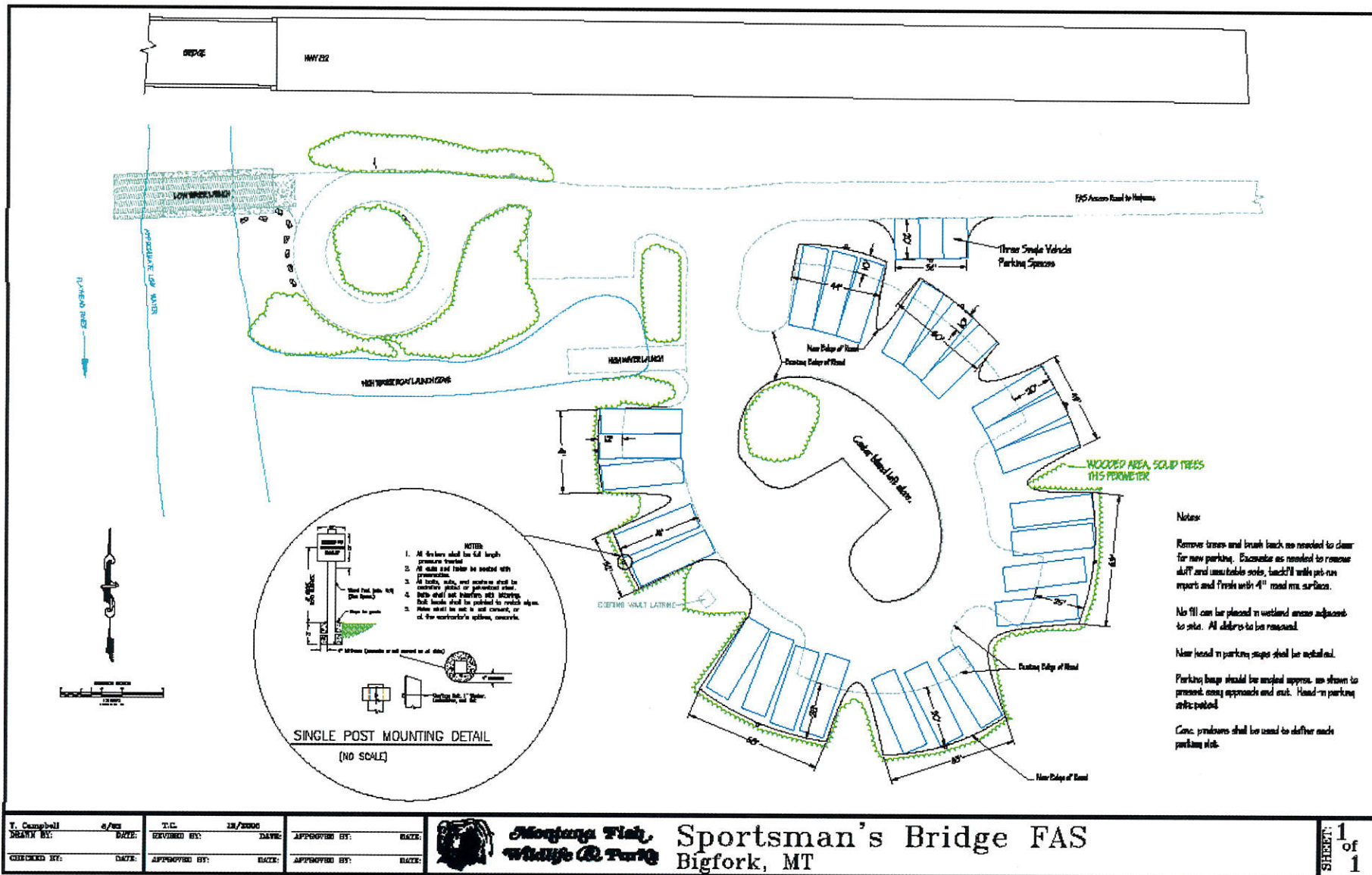
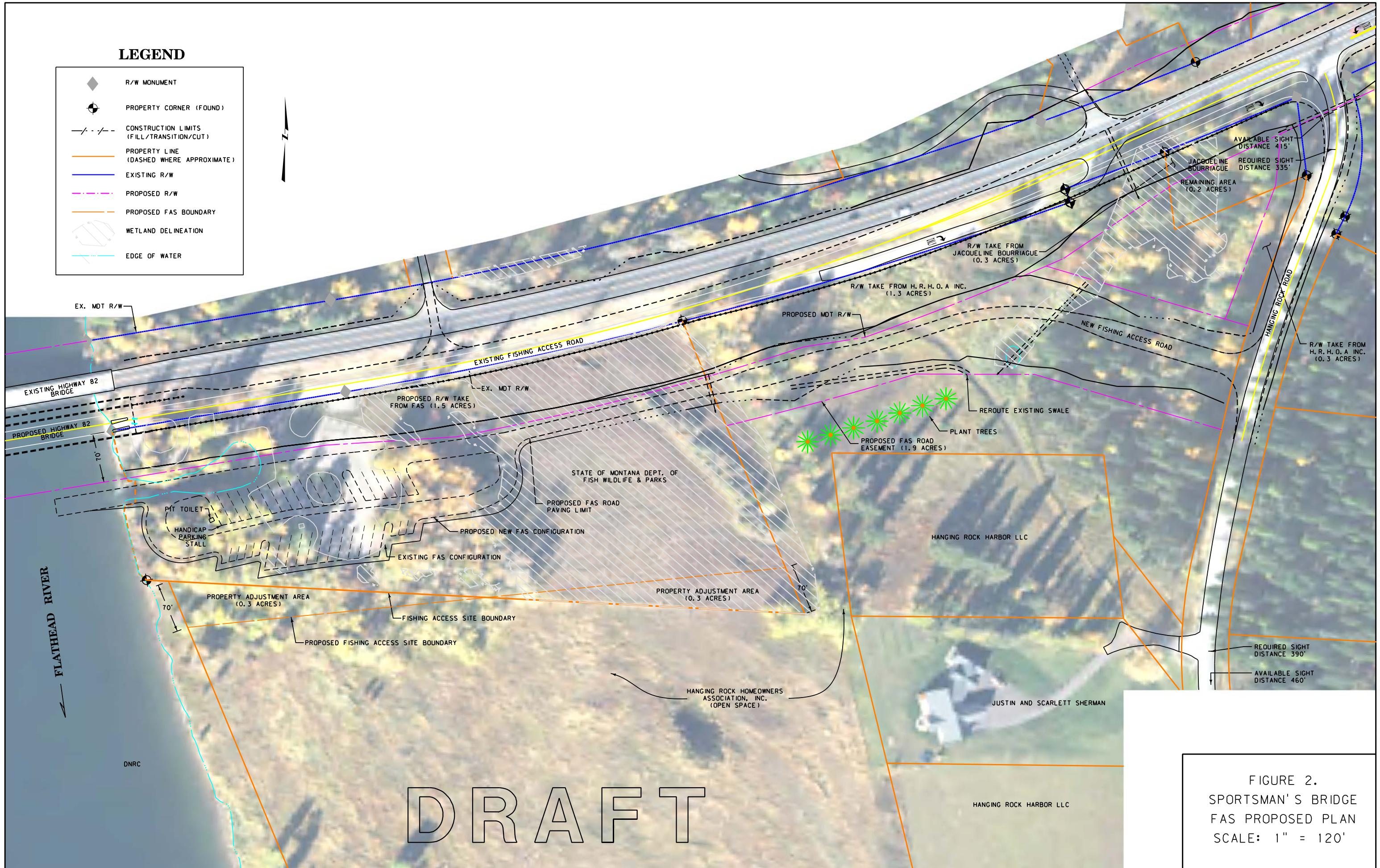


Figure from: Sportsmans Bridge Draft EA 4/5/06

LEGEND

	R/W MONUMENT
	PROPERTY CORNER (FOUND)
	CONSTRUCTION LIMITS (FILL/TRANSITION/CUT)
	PROPERTY LINE (DASHED WHERE APPROXIMATE)
	EXISTING R/W
	PROPOSED R/W
	PROPOSED FAS BOUNDARY
	WETLAND DELINEATION
	EDGE OF WATER



DRAFT

FIGURE 2.
SPORTSMAN'S BRIDGE
FAS PROPOSED PLAN
SCALE: 1" = 120'

3	MDT MONTANA DEPARTMENT OF TRANSPORTATION	FILE ABBREVS	DESIGNED BY	ROAD PLANS	PRELIMINARY	FLATHEAD RIVER - 3 M NW BIG FORK
		DATES	REVIEWED BY	FLATHEAD COUNTY		CSF= 0.99943266
1		STIMES	CHECKED BY			