

MDT's Response to Comments on the Sportsman's Bridge 404 Permit Application

1. Response to USACE on Northern Alignment Option & Impacts
2. Response to USACE & Ayers on West Side FAS Option
3. Response to Peter Fergen & Debra Koehler-Fergen
4. Response to Hanging Rock Harbor Homeowners Association
5. Attachments Used in Responses

1. Response to USACE on Bridge Northern Alignment Option & Impacts

Rodway, Grant

From: Rodway, Grant
Sent: Thursday, March 9, 2023 9:28 AM
To: McNew, Timothy M CIV CPMS (US)
Subject: FW: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River
Attachments: Impacted Residential Properties.pdf

Tim,

The estimated wetland impacts from a northern bridge alignment total 1.42 acres as described in Ms. Cline's email below.

Per Ms. Jensen's email below and attachment, a northerly alignment would result in proximity damages to three properties, with a possibility of full purchase/relocation.

Please let me know if you have any additional questions as you develop the decision document.

Thanks,



Grant Rodway

Project Development Engineer | Environmental Services Bureau
Montana Department of Transportation
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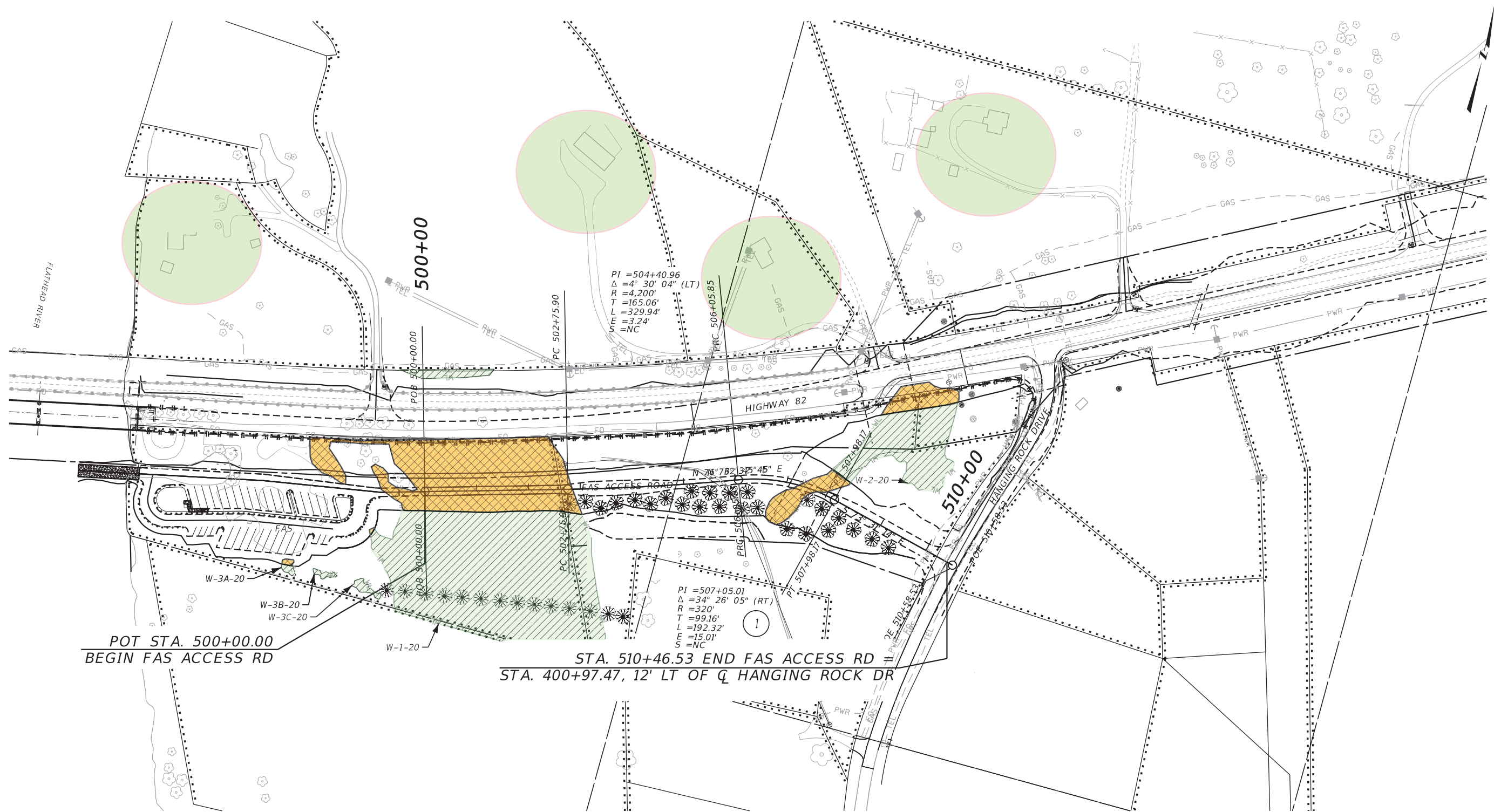


From: Jensen, Amber <ajensen@mt.gov>
Sent: Monday, March 6, 2023 9:42 PM
To: Rodway, Grant <grrodway@mt.gov>; Breanne Cline <bcline@m-m.net>
Cc: Charlie E. Brisko <cbrisko@m-m.net>; Studt, Mark <mstudt@mt.gov>; Gocksch, Tom <tgocksch@mt.gov>
Subject: RE: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River

Good Evening Team –

Please see the attached map. The potential impacted residential properties for the northerly alignment are circled in green. In the initial discussions and planning of this project the westerly property owners indicated that they would not sell a portion of their land for this project. If the northerly option was selected the landowners would then require us to purchase the entire property with relocation to a like kind property. A similar design with a shift of 70' north would at the very least create proximity damages to the other three properties indicated by the green circles with a possibility of full purchase/relocation on these as well. In the initial preliminary engineering report it was estimated that the northerly alignment would result in right of way acquisition costs that were 4x the cost of the southerly alignment. The southerly alignment significantly reduced the impacts to privately owned residential properties and had better support from the public as a whole.

Please let me know if you need any additional information or discussion on this.



POT STA. 500+00.00
BEGIN FAS ACCESS RD

STA. 510+46.53 END FAS ACCESS RD
STA. 400+97.47, 12' LT OF Q HANGING ROCK DR

SHORTENED PARKING LOT
FAS ACCESS ROAD

3	MONTANA Department of Transportation	...6850000rdp03_SHORTENED PARKING LOT_NOPRO.dgn	DESIGNED BY	ROAD PLANS	FLATHEAD RIVER - 3 M NW BIGFORK	BR STPB 82-1(6)5
		9/20/2022	REVIEWED BY	FLATHEAD COUNTY	UPN 6850000	42
2		10:36:29 AM Mpool	CHECKED BY			

Thanks



Amber Jensen

Right of Way Agent

Montana Department of Transportation

District 1 (Kalispell • Missoula)

85 5th Ave EN • Kalispell, MT 59901

☎ 406-751-2067

✉ ajensen@mt.gov

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From: Breanne Cline <bcline@m-m.net>

Sent: Monday, March 6, 2023 1:54 PM

To: Rodway, Grant <grrodway@mt.gov>

Cc: Charlie E. Brisko <cbrisko@m-m.net>; Studt, Mark <mstudt@mt.gov>; Gocksch, Tom <tgocksch@mt.gov>

Subject: [EXTERNAL] RE: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River

Grant,

I came up with potential wetlands boundaries based on NWI, aerial signatures, and the small area of delineation on the north side of the highway. The green is our existing delineation data. The red outline below is what we used to evaluate wetland impacts for the northern alignment. The wetland continues further north but I just stopped the polygon since we would not impact that far north.




Matt used our current design widths and shifted them north for these calculations. Additionally, our impacts to wetlands on the south side for the FAS access road alignment is assumed to be the same as the current design. With that information, we came up with the following impacts for the northern alignment alternative:

0.73 acres of wetland impacts to the north of the highway.
0.55 acres of impacts to W-1-20 for FAS road
0.14 acres of impacts to W-2-20 for FAS road
TOTAL = 1.42 acres of wetland impacts for northern bridge alignment

Our preferred alternative is a total of 1.45 acres of wetland impacts. Let me know if there is any other information you need to respond to Tim.

Thank you,

 **Breanne Cline**
Environmental Scientist, Morrison-Maierle

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-----Original Message-----

From: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>
Sent: Friday, March 3, 2023 1:52 PM
To: Rodway, Grant <grrodway@mt.gov>
Subject: [EXTERNAL] RE: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River

I see that, but what would the projected wetland impacts be if the bridge was located to the north

Tim McNew
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-----Original Message-----

From: Rodway, Grant <grrodway@mt.gov>
Sent: Friday, March 03, 2023 1:39 PM
To: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>

Subject: [URL Verdict: Neutral]RE: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River

Tim,

The North Bridge Alignment Option was included in section 4.1.3 of the submitted LEDPA Analysis:

This alternative would involve moving the new bridge alignment to the north of the existing bridge alignment. Therefore, there would be no impacts to the FAS site. This alternative would likely still include a new approach off Hanging Rock Drive rather than Highway 82 to address safety concerns with the current FAS access point off Highway 82. During the November 16, 2011 landowner and FWP meeting, there was strong opposition from the landowner to the northeast of the bridge for this alternative. The new toe of slope for the bridge approach and roadway would be close to the house located on this property and would likely force the landowner to move to another location. Wetland impacts would be incurred to the north of the bridge for the roadway slope. This alternative has been dismissed based on these reasons.

As stated above, this option would likely force the landowner to re-locate. Residence re-location was not considered a practicable alternative and was dismissed during project development and design. As such, wetlands were not fully delineated to the north of Highway 82. National Wetland Inventory boundaries are available in this area and were provided to the U.S. Army Corps of Engineers when discussing permitting options during the summer of 2022. NWI data and aerial signatures suggest wetland impacts would be incurred for the northern bridge alignment option. Additionally, the FAS road approach would still be relocated similarly to the preferred alternative, which also results in wetland impacts.

If you would like to discuss this further, MDT can meet with you to better understand what other questions you may have as you develop the decision document.

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-----Original Message-----

From: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>
Sent: Wednesday, March 1, 2023 3:24 PM
To: Rodway, Grant <grrodway@mt.gov>
Subject: [EXTERNAL] RE: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River

Grant:

If you were to move the bridge north what would the project wetland impacts be. I understand this one is not the most favored based on that you may have to force a landowner to move but what other factors would support your argument that this option would not be the LEDPA.

As I work through my decision document I may have other questions but there are a lot of moving pieces to this

Tim McNew
US Army Corps of Engineers, Senior Project Manager
100 Neill Ave, Suite 200
Helena, Montana 59601

2. Response to USACE & Ayers on West Side FAS Option

Rodway, Grant

From: Rodway, Grant
Sent: Monday, February 13, 2023 1:06 PM
To: McNew, Timothy M CIV CPMS (US)
Subject: RE: sportsman bridge

Hi Tim, Thank you for the e-mail.

We would like to address your comment stating that you do not believe that MDT has adequately addressed the alternative that would move the FAS to the west side of the river. We believe that the following information previously provided in the LEDPA provides a robust justification for the determination that relocating the FAS to the West side of the river would not be considered the Least Environmentally Damaging Practicable Alternative. If, after reviewing the following information, there is additional analysis necessary for you to agree with that determination we would like to have a meeting with you so that we can discuss this and get a full understanding of the concerns that continue to keep you from agreeing with the determination that moving the FAS to the west side of the river would not be the LEDPA.

Pages 8-9 of the LEDPA:

4.2.3 FAS Location Option 3 – FAS Location on West Side of Flathead River This alternative would include construction of the bridge on the southern alignment and relocation of the FAS to the west side of the Flathead River on the south side of Highway 82. The land is currently private agricultural land. New turn lanes may be required on Highway 82 for the FAS access off Oldenburg Road. A new traffic study would be required to know if turn lanes would need to be installed. In order to meet MDT and FHWA requirements, the Oldenburg Road and Highway 82 intersection may require reconstruction to reduce the skew angle and improve line of site for users. No design figure has been developed for this alternative due to lack of available studies and survey data.

Practicability

During early meetings with FWP, it was noted that the FAS should be located on the inside bend of the river (east side) downstream from the bridge to reduce the risk of erosion issues. This alternative would require additional river bank stabilization due to the actively eroding banks on the west side of the Flathead River. It was determined that without significant bank modifications, the outside bend of the river is not conducive for a boat launch.

A new Section 4(f) agreement and landowner negotiations would be required to move the FAS to the west side of the river. During the Risk Assessment meeting in June 2012, placing the FAS to the southwest of the bridge was identified as a large cost and schedule risk to the project due to the amount of land needed from this river-front parcel to facilitate a new FAS. As stated previously, condemnation is not allowed for a Section 4(f) property. Due to the potential opposition from FWP and the landowners, this alternative has been determined not practicable or available, and would likely be significantly higher construction cost for bank stabilization efforts.

Availability

It is unknown if landowner negotiations would be successful for acquisition of enough land to relocate the FAS site to the appropriate size and layout. Multiple landowners would be affected to construct this alternative if Oldenburg Road required reconfiguration. Additionally, the river-adjacent landowner has expressed concern for the eroding river bank on multiple occasions and is intending to pursue bank stabilization for a substantial length of their river frontage that is susceptible to wave-action erosion. If this alternative was implemented, it is likely that additional length of bank stabilization would be part of landowner negotiations. The area most effected by wave action is approximately 2,500 linear feet of crop land, but their parcel extends much farther upstream and is over 1.3 miles long.

Waters of the U.S.

It is anticipated this alternative would result in 0.61 acres of impacts to wetlands on the east side of the Flathead River due to bridge construction and fill slopes. Based on aerial imagery and NWI data, it is unlikely wetlands are present in the potential footprint of the FAS southwest of the bridge. However, impacts to the Flathead River bank from placement of permanent erosion could be much higher than the Applicant's Preferred Alternative because of the unstable banks and increased wave action from boat ramp activity. It is estimated that a minimum of 0.27 acres (308 linear feet) would require placement of riprap. However, if landowner negotiations require agreement to stabilize more river bank, this alternative could result in upwards of 2.30 acres (2,500 linear feet) or more of rip rap installation below the ordinary high-water mark of the Flathead River.

4.2.4 FAS to Southeast of Bridge (discussed in Section 4.3.4) Placement of the FAS to the southeast of the bridge was determined the most practicable solution based on FWP preference and land acquisition obstacles. The FAS would remain downstream of the bridge on the inside bend of the river, which has less risk for erosion issues. Placing the FAS to the southeast would utilize the existing FAS site to the extent possible, requiring less purchase costs. FWP would be involved with design of the FAS to ensure it meets Section 4(f) requirements. As part of the bridge reconstruction and the goal to increase the safety of the area, a new approach for the FAS will be created off Hanging Rock Drive to utilize the new proposed turn lanes.

At this point in this LEDPA analysis, the most practicable solution has been to place the bridge on a southern alignment and to reconfigure the FAS to the southeast of the new Sportsman's Bridge.

Thank you for reviewing this information.

Grant Rodway
Project Development Engineer | Environmental Services Bureau Montana Department of Transportation
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-----Original Message-----

From: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>
Sent: Tuesday, February 7, 2023 9:46 AM
To: Rodway, Grant <grrodway@mt.gov>
Subject: [EXTERNAL] FW: sportsman bridge

Grant:

We seem to have more and more concerns about this project more specifically the FAS. Even though the public comment period has closed Mr. Ayers concerns are similar. One thing that keeps popping up is the idea of relocating the FAS to the other side of the river, I don't believe you have adequately addressed this and most likely be less impacts and could potentially fall back into a NWP. Please explore this idea further and seriously take this into consideration.

Being that we did not seem to capture everyone I am entertaining the idea that this may need to be put back out for a shortened comment period. Please address the alternative more adequately that I identified above.

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-----Original Message-----

From: McNew, Timothy M CIV CPMS (USA)
Sent: Tuesday, February 07, 2023 9:37 AM
To: 'Jason Ayers' <jasona@pellamt.com>
Subject: RE: sportsman bridge

Mr. Ayers:

Although the public comment period has closed others have expressed similar concerns and have been addressed (see attached) and we will still take your concerns into consideration. I will pass your concerns onto MDT for further consideration.

We try and identify and involve all those who are effected the best we can.

The materials that were put out for public comment were from the Montana Department of Transportation's (MDT) report. I have outlined MDT's previous responses from others but also attached their official response.

"It is disturbing to think that we were not formally notified and had to hear of this by word of mouth being that it has a direct impact on us."

MDT's Response: "The new FAS access road design where it intersects with Hanging Rock Drive has been available for public review and input on the MDT website as well as at multiple public forums for several years. The FAS access road has been designed to minimize impacts to the forested wetland to the north and the private property to the south, as explained in the LEDPA starting on page 9."

"This would be very detrimental to our property value along with our neighbors up and down Hanging Rock Drive. The current fishing access unfortunately has not just been used for boat launching but for other items (fireworks, ATV riding who knows what else) at all hours of the day and night. It is quite concerning to have people entering and exiting directly across from our property for safety reasons."

MDT's response "The FAS is an existing condition and would not be a new impact to property values. There is no way to quantify any change in value of homes near the proposed project. The FAS has been in its current location since 1959, prior to most of the residences that are now on Hanging Rock Drive. Homes constructed since 1959 were done so with the knowledge of the FAS's existence and continued operation. The

FAS and the Flathead River is a popular public recreation site. The existing boat launch is a public resource that must remain accessible by the public under protection by Section 4(f) of the US DOT Act.

"Hanging Rock Drive has become a heavily traveled road due to the increase in the multiple subdivisions that it feeds. Eagle Bend Golf course with restaurant, Montana Athletic Center and the Eagle Bend Yacht Club also add additional traffic to an already busy road, and we feel adding the fishing access to Hanging Rock Drive would just be another nail in the coffin. This would be very detrimental to our property value along with our neighbors up and down Hanging Rock Drive. The current fishing access unfortunately has not just been used for boat launching but for other items (fireworks, ATV riding who knows what else) at all hours of the day and night. It is quite concerning to have people entering and exiting directly across from our property for safety reasons."

MDT's Response: "FWP records indicate the current location of the Sportsman's Bridge FAS has provided important public access to the mainstem of the Flathead River since 1959. Significant capital investments have been made in this FAS to provide for sanitation and safe boating and recreational access to the river. FWP believes the mitigation work done on the FAS will not change the general operations of the site. FWP maintenance staff will continue to provide routine janitorial, grounds keeping and upkeep at the site to ensure cleanliness and sanitation. FWP law enforcement staff will continue to patrol the site and enforce state statutes and administrative rules (ARMS) specific to department owned or operated recreation sites. The ARMS specifically address the prohibition of fireworks, littering, camping or other disturbances at the site. Enforcement staff will also work directly with county law enforcement on handling issues outside their normal scope and authority. FWP believes the proposed mitigation work will improve the site's aesthetics and the public's enjoyment of this important location, while significantly improving safety by relocating the road access from the busy highway to Hanging Rock Drive."

"If we can make a suggestion, we would like to recommend that the alternative to rebuild the bridge in its existing location and to move the fishing access to the southwest side off Oldenberg Rd be taken into serious consideration. We believe this better fits the sensitive wetlands that you are proposing to use, help reduce the amount of traffic on Hanging Rock Drive, maintain our property values and finally help in the safety of the residents on Hanging Rock drive. Yes, keeping the bridge in the same location and rebuilding is going to cause traffic delays and rerouting, but this is all temporary. The effects of moving the bridge and changing the fishing access to Hanging Rock Drive has permanent consequences in a very negative way to the landowners along Hanging Rock Drive."

MDT's Response: Replacing the bridge in place has been discussed in the LEDPA on page 6. Furthermore, construction is anticipated to span three years. Constructing the new bridge in the same location as the existing would require the bridge be shut down for the entire length of construction. This has been determined not feasible with current traffic counts on both MT-82 and MT-35. Replacement of the bridge in its current location would require the removal of the existing bridge prior to starting construction of the new bridge. This will further lengthen the timing of construction and the need to detour drivers. Maintaining detour routes and traffic control for that long would have impacts on construction costs and to commuters. The proposed design allows traffic to use the existing bridge while the new bridge is being constructed. Once construction of the new bridge is completed, traffic can travel on the new bridge while the existing bridge is being removed.

Tim McNew

US Army Corps of Engineers, Senior Project Manager

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-----Original Message-----

From: Jason Ayers <jasona@pellamt.com>

Sent: Tuesday, February 07, 2023 8:42 AM

To: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>

Subject: [Non-DoD Source] sportsman bridge

See attached

Jason Ayers

Sales Representative

Mobile: 406-499-6621

Email: jasona@pellamt.com

1825 Hwy 93 S.

Kalispell MT., 59901

[https://urldefense.com/v3/__http://www.pella.com__;!!GaaboA!uSdvGS6ETQXJQJitEa-ys80DjzjO2TsaQ28NoTDDck0A7TzD_JhUacubLwbBW7IneMbtkr9CIsQ3TbXD_xoTIM6-MRY7rNGE\\$](https://urldefense.com/v3/__http://www.pella.com__;!!GaaboA!uSdvGS6ETQXJQJitEa-ys80DjzjO2TsaQ28NoTDDck0A7TzD_JhUacubLwbBW7IneMbtkr9CIsQ3TbXD_xoTIM6-MRY7rNGE$<Blockedhttp://www.pella.com>)
<Blockedhttp://www.pella.com>

3. Response to Peter Fergen & Debra Koehler-Fergen

Rodway, Grant

From: Rodway, Grant
Sent: Friday, February 3, 2023 4:10 PM
To: McNew, Timothy M CIV CPMS (US)
Cc: 'Joyce, Sage Lanette CIV USARMY CENWO (USA)'
Subject: RE: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River
Attachments: Public Comment Respose Letter 2 Fergen.pdf; PeterFergen_1-13-23.pdf; 6850000 LEDPA Alternatives Analysis_Z04.pdf; FWP Information 1 24 2023.pdf; Hanging Rock Drive Intersection Figure.pdf

Tim,

Please see the attached response document to Comment Letter 2 and supporting information (Fergen comment key, LEDPA analysis, intersection figure, and information provided by MT FWP).

MDT staff will contact the Fergens to schedule a site visit.

Please let me know if you have any questions or need any additional information.

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-----Original Message-----

From: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>
Sent: Friday, February 3, 2023 1:05 PM
To: Rodway, Grant <grrodway@mt.gov>
Cc: Joyce, Sage Lanette CIV USARMY CENWO (USA) <Sage.L.Joyce@usace.army.mil>
Subject: [EXTERNAL] RE: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River

OK thanks Grant

Tim McNew
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Peter Fergen & Debra Koehler-Fergen Comment Key & Responses

Breanne Cline

From: Rodway, Grant <grrodway@mt.gov>
Sent: Tuesday, January 17, 2023 7:09 AM
To: Studt, Mark; Breanne Cline; Jensen, Amber; Gocksch, Tom; Vosen, Bob; Charlie E. Brisko
Subject: FW: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River

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FYI

-----Original Message-----

From: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>
Sent: Tuesday, January 17, 2023 6:54 AM
To: Rodway, Grant <grrodway@mt.gov>
Subject: [EXTERNAL] FW: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River

Grant:

Please address these questions below

Tim McNew
US Army Corps of Engineers, Senior Project Manager
100 Neill Ave, Suite 200
Helena, Montana 59601
406.441.1378
Cell 406.439.5470
Timothy.M.McNew@usace.army.mil
[https://urldefense.com/v3/http://www.nwo.usace.army.mil/Missions/Regulatory-Program/Montana/Nationwide-Permits/_;!!GaaboA!pMKLuhV30WrZAcujEJvwCfYYm5vzA-6Y9Z0IEmuww5nvLdKqrvF65FOe8bZKQNRtaGdRIlvTM7HKDhHYfft1g2DqspkFBIFr\\$](https://urldefense.com/v3/http://www.nwo.usace.army.mil/Missions/Regulatory-Program/Montana/Nationwide-Permits/_;!!GaaboA!pMKLuhV30WrZAcujEJvwCfYYm5vzA-6Y9Z0IEmuww5nvLdKqrvF65FOe8bZKQNRtaGdRIlvTM7HKDhHYfft1g2DqspkFBIFr$)

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-----Original Message-----

From: Peter Fergen <bmweurotrash@hotmail.com>
Sent: Friday, January 13, 2023 10:12 PM
To: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>
Subject: [Non-DoD Source] Bridge on Highway 82 crossing the Flathead River

Mr. McNew,

My name is Peter Fergen, I live at 355 Hanging Rock Drive. I just received a copy of your permit to move the Sportsman Bridge to the south of its existing location. It is my understanding that the access to the boat launch will

be directly across from the Southwest corner of our property. I have several issues I would like to know about, the most pressing would be why I was not part of the notifications back on December 16, 2022.

2-1

1). The Expiration date for the Public Notice is January 16, 2022, how is that possible? Why would a notice like this be sent out with so many holidays during the 30 day period, and Families focusing on the holidays and their loved ones.

2). How is it going to impact the traffic on Hanging Rock Drive? The traffic has increased 10 fold already since we purchased this property in 2014. There are times when the traffic turning left off of Hanging Rock Drive is backed up to our Driveway. Sometimes farther in the winter. I am being told by my neighbors the MDOT is concerned about the traffic turning into the boat launch off of Highway 82, yet the traffic will still be turning off Highway 82 onto Hanging Rock Drive. For the record there are many more left turns than there are right so a right turn lane is not the answer.

2-2

3). How is the traffic noise from the boat launch going to be mitigated since there will not be the tree's and brush blocking the present Boat launch? The existing landscape not only blocks vehicular noise but also the boat traffic on the river. The noise is bad enough with the Jake Brake noise from the increased truck traffic on Highway 82.

2-3

4.) What will be done to mitigate the light trespass from the vehicles exiting the boat launch area and turning either North or South on Hanging Rock Drive? Vehicles lights exiting to the North may shine directly into our bedroom.

2-4

5). What will be done about the decrease in the salability and value of our property? The boat launch does nothing for the home owners on Hanging Rock Drive as the majority of us have access to the boat launch in Hanging Rock Bay.

2-5

6). Has there been an Environmental study on how the Deer and other wild game will be affected by this? Numerous deer, turkeys and an occasional bear cross Hanging Rock Drive to head to the river and/or to bed down in the wetlands.

2-6

7). Why does the boat launch still need to be there? Why can't it be relocated to the location of the existing bridge, that land is already in the right of way of the Highway (I do not see that as an option in your Permit Application)? Those using the launch could be required to enter from the East and exit to the East. Those living to the West have another boat launch in Lakeside/Somers.

2-7

8). Can I have a location in Flathead to get a full size drawing to see where the road widening will be and how it will affect entering and exiting our property? It appears you are widening Hanging Rock Drive to the East and West, since you are already reducing the Wetlands why not just expand it to the West?

2-8

9). Has anybody looked at the location of the boat launch drive in reference to the curve on Hanging Rock Drive just to the South of the Proposed location? There are many times people are exceeding the posted speed limit coming around the curve and coming up the hill. There have been times when they have had to brake hard for deer crossing the road.

2-9

10). Who is going to do litter patrol? I already have to pick up beer bottles/cans, food wrappers etc. from those driving on Hanging Rock Drive. With people coming off the river I am sure it will increase.

2-10

Concerned Homeowners,
Peter Fergen & Debra Koehler-Fergen
355 Hanging Rock Drive
Bigfork, Montana 59911
406-261-2966

BMWeurotrash@hotmail.com

Sent from my iPad

Responses to Comment Letter 2 – Peter Fergen & Debra Koehler-Fergen

2-1 USACE responded to this comment via email on 2/2/2023.

2-2 The purpose of the project is to increase the safety of travelers on MT-82 across the Sportsman's Bridge and drivers turning off the highway. Eliminating the current FAS road will decrease the chance of collisions from drivers departing the highway. The addition of the turn lanes on MT-82 should help improve the function of Hanging Rock Drive at the intersection. There will be a dedicated right turn lane onto Hanging Rock Drive on east-bound MT-82 and a left turn bay for west-bound MT-82 traffic. Benefits of the dedicated right and left turn lanes from Hwy 82 to Hanging Rock Drive include:

- The dedicated turn lanes will provide improved clarity to the vehicle on Hanging Rock Drive entering HWY 82 as to the intent of vehicles traveling on HWY 82. The driver on Hanging Rock Drive will know the HWY 82 vehicles intent to either turn onto Hanging Rock Drive or travel through the intersection.
- The dedicated turn lanes will provide storage for vehicles turning from HWY 82 to Hanging Rock Drive that does not impede the thru traffic on HWY 82. This will reduce, if not eliminate, any traffic backups associated with turning vehicles. The result will be a more efficient intersection with less wait times for all users including those turning on to HWY 82 from Hanging Rock Drive.

A Signing Plan figure showing the intersection layout has been attached to this response letter to more clearly show the proposed intersection design.

2-3 Some trees will be eliminated for construction of the new FAS access road. However, new trees will be planted along the FAS road to mitigate this loss. This is discussed in the LEDPA on page 21 and depicted on Figure 5 on page 22. Additionally, the FAS access road will be paved which will reduce traffic noise as well as dust on the FAS road.

2-4 The new FAS access road design where it intersects with Hanging Rock Drive has been available for public review and input on the MDT website as well as at multiple public forums for several years. The FAS access road has been designed to minimize impacts to the forested wetland to the north and the private property to the south, as explained in the LEDPA starting on page 9.

Proposed trees along the new FAS access road and the existing trees on the Fergen property will help reduce light infiltration to the home. If agreeable to the landowner, additional trees may be added on the north side of the FAS access on the edge of the clear zone to help reduce light infiltration.

2-5 The FAS is an existing condition and would not be a new impact to property values. There is no way to quantify any change in value of homes near the proposed project. The FAS has been in its current location since 1959, prior to most of the residences that are now on Hanging Rock Drive. Homes constructed since 1959 were done so with the

knowledge of the FAS's existence and continued operation. The FAS and the Flathead River is a popular public recreation site. The existing boat launch is a public resource that must remain accessible by the public under protection by Section 4(f) of the US DOT Act.

- 2-6 Environmental factors such as wildlife were evaluated during the Categorical Exclusion NEPA review, provided to USACE with the permit application materials. Deer, turkeys, bears and other wildlife will be able to continue using the area similar to how they have done so in the past. Consultation with the US Fish & Wildlife Service has been completed to address potential effects to bull trout and grizzly bears, species that are protected under the Endangered Species Act.
- 2-7 The existing boat launch is a public resource that must remain accessible by the public under protection by Section 4(f) of the US DOT Act. After the bridge is relocated, the remaining right-of-way on the north side of the road is far less than the area required for a new FAS. This alternative is discussed on page 7 of the LEDPA.
- 2-8 MDT Right-of-Way personnel will reach out to the Fergens to provide them with the document requested. The project scope along Hanging Rock Drive was meant to provide only minimal improvements associated with the relocation of the FAS access road. The widening along Hanging Rock Drive is meant to meet current road standards, and there is minimal widening along the Fergen's property. The LEDPA process is meant to ensure impacts to wetlands are minimized to the extent practicable while meeting the project purpose and need.
- 2-9 The proposed design will provide a wider roadway surface on Hanging Rock Drive, which will increase the ability to avoid conflicts between vehicles and wildlife. The existing curve in question is outside the limits of this project. However, adequate intersection sight distance for the proposed intersection is provided in the design.
- 2-10 FWP records indicate the current location of the Sportsman's Bridge FAS has provided important public access to the mainstem of the Flathead River since 1959. Significant capital investments have been made in this FAS to provide for sanitation and safe boating and recreational access to the river. FWP believes the mitigation work done on the FAS will not change the general operations of the site. FWP maintenance staff will continue to provide routine janitorial, grounds keeping and upkeep at the site to ensure cleanliness and sanitation. FWP law enforcement staff will continue to patrol the site and enforce state statutes and administrative rules (ARMS) specific to department owned or operated recreation sites. The ARMS specifically address the prohibition of fireworks, littering, camping or other disturbances at the site. Enforcement staff will also work directly with county law enforcement on handling issues outside their normal scope and authority. FWP believes the proposed mitigation work will improve the site's aesthetics and the public's enjoyment of this important location, while significantly improving safety by relocating the road access from the busy highway to Hanging Rock Drive.

4. Response to Hanging Rock Harbor Homeowners Association

Rodway, Grant

From: Rodway, Grant
Sent: Wednesday, February 1, 2023 3:19 PM
To: McNew, Timothy M CIV CPMS (US)
Subject: RE: [Non-DoD Source] RE: Application No. NWO-2011-00403-MTH
Attachments: Public Comment Respose 2 1 2023 HOA.pdf; HOA response to US Army Corps of Engineers Permit.pdf; 6850000 LEDPA Alternatives Analysis_Z04.pdf; Hanging Rock Drive Intersection Figure.pdf; FWP Information 1 24 2023.pdf

Tim,

Please see the attached response document and supporting information (HOA response to US Army Corps of Engineers Permit comment key, LEDPA analysis, intersection figure, and information provided by MT FWP).

Please let me know if you have any questions or need any additional information.

Thanks,

Grant Rodway
Project Development Engineer | Environmental Services Bureau Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, MT 59620
406-444-0825 | grrodway@mt.gov
Follow Us: mdt.mt.gov

-----Original Message-----

From: Rodway, Grant
Sent: Monday, January 23, 2023 11:31 AM
To: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>
Subject: RE: [Non-DoD Source] RE: Application No. NWO-2011-00403-MTH

Tim,

Thanks for sending us the comments. We are working on a response.

Thanks,

Grant Rodway
Project Development Engineer | Environmental Services Bureau Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, MT 59620
406-444-0825 | grrodway@mt.gov
Follow Us: mdt.mt.gov

-----Original Message-----

From: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>
Sent: Friday, January 13, 2023 1:34 PM
To: Rodway, Grant <grrodway@mt.gov>
Subject: [EXTERNAL] FW: [Non-DoD Source] RE: Application No. NWO-2011-00403-MTH

Grant:

Please address this ladies concerns

Tim McNew
US Army Corps of Engineers, Senior Project Manager
100 Neill Ave, Suite 200
Helena, Montana 59601
406.441.1378
Cell 406.439.5470
Timothy.M.McNew@usace.army.mil
[https://urldefense.com/v3/__http://www.nwo.usace.army.mil/Missions/Regulatory-Program/Montana/Nationwide-Permits/__;!!GaaboA!vz11X-s7nPOYKKse1En666dn7Olo-x_JJY4baBsvpApnk33aWPuzvaNuFb-RINEx-rEWml1aOIZkwA8OqA50JyndTwq7nDon\\$](https://urldefense.com/v3/__http://www.nwo.usace.army.mil/Missions/Regulatory-Program/Montana/Nationwide-Permits/__;!!GaaboA!vz11X-s7nPOYKKse1En666dn7Olo-x_JJY4baBsvpApnk33aWPuzvaNuFb-RINEx-rEWml1aOIZkwA8OqA50JyndTwq7nDon$)

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-----Original Message-----

From: Scarlett Sherman <3shermans@gmail.com>
Sent: Friday, January 13, 2023 12:51 PM
To: McNew, Timothy M CIV CPMS (USA) <Timothy.M.McNew@usace.army.mil>
Subject: [Non-DoD Source] RE: Application No. NWO-2011-00403-MTH

Dear Mr. McNew,

Please include our objection letter with any and all public comments for review.

Thank you,

Hanging Rock Harbor Homeowners Association Scarlett Sherman, Secretary
330 Hanging Rock Dr, Bigfork, MT 59911
3shermans@gmail.com <<mailto:3shermans@gmail.com>>

HOA Comment Letter

Comment Letter 1 - Hanging Rock Harbor Homeowners Association

January 12, 2023

Timothy McNew
Helena Regulatory Office
100 Neill Ave
Helena, MT 59601
timothy.m.mcneill@usace.army.mil
406-441-1378

RE: Application No. **NWO-2011-00403-MTH**

To Mr. McNew:

We are the Hanging Rock Harbor Homeowners Association (HRHHA). We are a small association of 6 lots on Hanging Rock Drive in Bigfork, Montana, which is adjacent to the Sportsman Bridge and Sportsman boat launch in Bigfork, Montana. The homeowners include the following families: Kraus, Fullerton, Malpeli, Sherman & Petersen.

This letter is in reference to the US Army Corps of Engineers report dated December 16th regarding the Sportsman's Bridge in Bigfork. The report outlined several alternatives. Quite frankly, and most appalling, this is the first time we've been made aware of these alternatives. In this letter, we will outline all the reasons why we think reconstructing the bridge in its current location is the best option for all parties involved.

1-1

There are several reasons why we are opposed to the alternative suggested in the Application. The alternative directly and adversely affects our homes. First and foremost, the alternative proposed in this report is an already heavily trafficked area and becoming even busier. The intersection of MT-82 and Hanging Rock Drive sees more traffic accidents than other surrounding areas. First of all, cars gaining speed coming down the hill after turning off MT-35 poses the first risk to drivers turning south onto Hanging Rock. The slight descent adds to the problem, but also light from the setting sun at dusk can be problematic. The Hanging Rock turn has now also become a thoroughfare for the several hundred homes that have been recently built in either Eagle Bend or the new subdivisions near the post office called Bigfork Landing. The Hanging Rock route has also become a shortcut for motorists traveling to Bigfork school or downtown Bigfork during prime hours of the day wishing to avoid the intersection at MT-35 and MT-82 because of the lack of a traffic light and the ability to get to work on time. The lack of a traffic light has grossly impacted the times that people are able to travel through this area to get to where they need to be effectively and efficiently. The MT-35 and MT-82 intersection is also heavily avoided several times a year now because of the event center that seemed to pop up overnight hosting parking in the Spring for the Spartan event, and nearly every weekend in the summer whether there's a rodeo or music concert, this area has been hit so hard and people have discovered using Hanging Rock to bypass the mess created by this event center. Frankly,

1-2

Hanging Rock Drive has just been inundated with extreme amounts of traffic and the addition of a boat launch will only exacerbate this situation. Until more infrastructure is put in place to handle all of the traffic in this area, a new bridge and fishing access is only going to add to the congestion.

1-2
cont.

If you look at all four cardinal areas of the bridge, there is so much more room and ease of access on the west side of the bridge to put in a fishing access that I'm shocked to learn hasn't even been discussed or looked at further. Oldenburg Road would be a prime spot to handle the addition of trucks and boat trailers and that side of the river doesn't have any wetlands to speak of that would be impacted. While the east side of the bridge has houses on both the north and south side of the bridge and these so-called protected and important wetlands, whereas on the other side of the river, there are no houses and no wetlands. This permit reports that the homeowner of the north side came with extreme opposition to moving the bridge north onto his property. That study was done in 2012, years before any of us homeowners had an opportunity to show our extreme opposition.

1-3

Furthermore, we have several concerns about the bridge and the fishing access moving closer to our homes. The fishing access, while not theoretically open all hours of the day, sees traffic and persons all hours of the day and into the night. During the summer months, people use the access to recreate and boat during the day. At times throughout the night, gunfire, fireworks, headlights, and loud music can be seen and heard. We've had people park on Hanging Rock on the shoulder and attempt to walk across our private properties to get to the fishing access when the parking lot is full. In the Fall, we see and hear duck hunters at dawn. Spring, I fear, is the worst time since people have discovered the lure of the low water and the draw of the mud and sandy beach not only to walk up and down but also to drive ATVs or side by sides on. Again, when considering the four areas of the bridge, there is nothing on the west side of the river. No homes to be impacted and no wetlands to have to replace in kind. We are absolutely shocked that more studies haven't been put into the lower impact of utilizing the other side of the bridge. In our neighborhood, two houses in the last two years have been built directly across the street from where you are proposing to place the new turn off for the fishing access which will not only impact us but these two new homes. Consequently, this area is being built up. It's busy already and placing a new fishing access turn is going to contribute to all the vehicles already traveling in the area just to get home. The other side of the bridge doesn't see any traffic. Why not move the fishing access to an area where there is already more room and no loss to wetlands. Furthermore, the area in question off Hanging Rock is rocky, hence the name. It has abrupt drops off of already non-existent road shoulders. And finally, in the event of construction, where is your "staging" area going to be for all of your heavy equipment you would need to have access to? The other side of the road is larger and flat and would allow for such a need.

1-4

Not only are we concerned about our neighborhood which currently has our house plus 8 houses within a quarter mile area being impacted heavily with cars, noise, garbage and the potential of increased accidents, we are extremely concerned with the impact to our personal property and common area property. Moving the bridge and fishing access closer to our homes will more than likely ruin any value added to our home by all of the reasons mentioned above.

1-5

You cannot convince us that the addition of such encroachments listed above will make our home value increase and we all know how important home values are. Furthermore, our subdivision has created and protected a common area not only for the aesthetics of our homeowners, but also those neighboring this area.

1-5
cont.

So, in conclusion, the option that is the least impactful to all the homeowners that would be impacted in this area is to rebuild the bridge exactly where it sits. Rerouting traffic would be inconvenient, but it would be temporary, your alternative to move the bridge toward our homes is most definitely not temporary. It would be permanent and permanently damaging to our homes, our common area, our wetlands, and our neighborhood.

1-6

Please reconsider your chosen alternative and redirect efforts to a solution that makes more sense not only for our neighborhood but the traveling public; namely situating a boat launch on the west side of the river. It is a less impactful option and without question a safer one. We understand that the “train has left the station” and significant resources have already been dedicated to the option chosen by you, Montana FWP and MDT. But that in and of itself is not a good reason to ignore what seems to be a better option for all stakeholders.

Thank you.

Sincerely,

Hanging Rock Harbor Homeowners Association

Hanging Rock Harbor Homeowners Association
Scarlett Sherman, Treasurer and Secretary
330 Hanging Rock Dr
Bigfork, MT 59911
3shermans@gmail.com
406-212-6692

Response to HOA Comments

Responses to Comment Letter 1 – Hanging Rock Harbor Homeowners Association

1-1 The alternatives outlined in the Public Notice, dated December 16, 2022, were a compilation of many years of discussions between MDT, FWP, the public, and landowners. Many of the alternatives were determined to be not feasible, therefore they were not relayed to the public in the recent years of design of this project. This information is provided in pages 3 – 5 of the Least Environmentally Damaging Practicable Alternative (LEDPA) document.

1-2 The proposed design will eliminate the current FAS access point that is only ~300 feet from the Hanging Rock Drive intersection. By combining the two current intersections into one intersection with MT-82 and adding turning lanes on MT-82 for traffic turning onto Hanging Rock Drive, safety will be increased for all drivers. There will be a dedicated right turn lane onto Hanging Rock Drive on east-bound MT-82 and a left turn bay for west-bound MT-82 traffic. Benefits of the dedicated right and left turn lanes from Hwy 82 to Hanging Rock Drive include:

- The dedicated turn lanes will provide improved clarity to the vehicle on Hanging Rock Drive entering HWY 82 as to the intent of vehicles traveling on HWY 82. The driver on Hanging Rock Drive will know the HWY 82 vehicles intent to either turn onto Hanging Rock Drive or travel through the intersection.
- The dedicated turn lanes will provide storage for vehicles turning from HWY 82 to Hanging Rock Drive that does not impede the thru traffic on HWY 82. This will reduce, if not eliminate, any traffic backups associated with turning vehicles. The result will be a more efficient intersection with less wait times for all users including those turning on to HWY 82 from Hanging Rock Drive.

A Signing Plan figure showing the intersection layout has been attached to this response letter to more clearly show the proposed intersection design.

Additionally, the purpose of the project is to create a safer bridge across the Flathead River and is not meant to address the increase in traffic in the area. The MT-35 and MT-82 intersection is outside of the scope of this project. There will be an increase in traffic turning onto Hanging Rock Drive to access the FAS, but they will turn into the FAS access road within 500 feet of MT-82.

1-3 The justification for the FAS location has been discussed in detail in the LEDPA beginning on page 7.

1-4 Montana Fish, Wildlife & Parks (FWP) records indicate the current location of the Sportsman's Bridge FAS has provided important public access to the mainstem of the Flathead River since 1959. Homes constructed since 1959 were done so with the knowledge of the FAS's existence and continued operation. Significant capital investments have been made in this FAS to provide for sanitation and safe boating and recreational access to the river. FWP believes the mitigation work done on the FAS will not change the general operations of the site. FWP maintenance staff will continue to

provide routine janitorial, grounds keeping and upkeep at the site to ensure cleanliness and sanitation. FWP law enforcement staff will continue to patrol the site and enforce state statutes and administrative rules (ARMS) specific to department owned or operated recreation sites. The ARMS specifically address the prohibition of fireworks, littering, camping or other disturbances at the site. Enforcement staff will also work directly with county law enforcement on handling issues outside their normal scope and authority. FWP believes the proposed mitigation work will improve the site's aesthetics and the public's enjoyment of this important location, while significantly improving safety by relocating the road access from the busy highway to Hanging Rock Drive.

The justification for not placing the FAS on the west side of the Flathead River is discussed in the LEDPA on page 8 – 9. The staging area for construction will be left to the discretion of the contractor. All staging areas will be coordinated between the contractor and landowners prior to construction.

- 1-5 The FAS location will only shift approximately 60 feet closer to the Hanging Rock Harbor properties, and the access road will be constructed as close to MT-82 as feasible. Trees will be planted along the FAS access road to reduce aesthetic, noise, and dust impacts to nearby residents. Additionally, fencing will be installed to deter any trespassing. This is discussed in the LEDPA on page 21 and depicted on Figure 5 on page 22. The HOA has had significant input on the location and number of new trees to be planted and the placement of fencing through the Right of Way negotiations. The FAS is an existing condition and would not be a new impact to property values.

- 1-6 Replacing the bridge in place has been discussed in the LEDPA on page 6. Furthermore, construction is anticipated to span three years. Constructing the new bridge in the same location as the existing would require the bridge be shut down for the entire length of construction. This has been determined not feasible with current traffic counts on both MT-82 and MT-35. Replacement of the bridge in its current location would require the removal of the existing bridge prior to starting construction of the new bridge. This will further lengthen the timing of construction and the need to detour drivers. Maintaining detour routes and traffic control for that long would have impacts on construction costs and to commuters. The proposed design allows traffic to use the existing bridge while the new bridge is being constructed. Once construction of the new bridge is completed, traffic can travel on the new bridge while the existing bridge is being removed.

5. Response Attachments:
LEDPA Analysis, Hanging Rock
Drive Intersection Figure,
Information from FWP

LEDPA Analysis

Least Damaging Practicable Alternative Analysis

Project Name: Flathead River – 3 M NW Bigfork

Project Number: BR 82-1(5)5

UPN: 6850000

US Army Corps File Number: NWO-2011-00403-MT

October 2022

Prepared for:

US Army Corps of Engineers
100 Neill Avenue
Helena, Montana 59601

Prepared by:

Morrison-Maierle
1 Engineering Place
Helena, Montana 59602

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1 INTRODUCTION

Under the Section 404(b)(1) Guidelines (40 CFR 230), the U. S. Army Corps of Engineers (Corps) may only permit discharges of dredged or fill material into waters of the United States that represent the least environmentally damaging practicable alternative (LEDPA), so long as the alternative does not have other significant adverse environmental consequences. Based on this provision, the applicant is required to evaluate opportunities for use of non-aquatic areas and other aquatic sites that would result in less adverse impact on the aquatic ecosystem. Pursuant to these guidelines, an alternatives analysis was conducted during for the Flathead River – 3 M NW Bigfork project to illustrate the project has been designed to minimize impacts to project area wetlands to the greatest extent practicable.

1.1 PROJECT LOCATION

The Flathead River Bridge, otherwise known as the Sportsman’s Bridge, is located on Highway 82 in Flathead County near Bigfork, Montana. The project area spans from Reference Post 5.0 to Reference Post 6.4. The Sportsman’s Bridge Fishing Access Site (FAS) is located to the southeast of the existing bridge.

2 NEED AND PURPOSE

The Sportsman’s Bridge, constructed in 1955, has a 24-foot clear roadway consisting of two 11-foot travel lanes and two 1-foot shoulders. Standard deck width per current design standards is 12-foot lanes and 8-foot shoulders. Additionally, the current non-redundant two-girder bridge design does not provide any redundancy in the event of a beam failure. The bridge will be replaced with a redundant five-girder system. Based on these conditions, the existing bridge is functionally obsolete, and replacement is necessary to provide a safer corridor for the increasing traffic in this area.

3 PROJECT HISTORY SUMMARY

The proposed project was nominated for replacement by MDT in 2009. An initial meeting with nearby landowners and Montana Fish, Wildlife and Parks (FWP) was held for the project on November 16, 2011 to assess bridge alignment options, resulting impacts to the FAS, and potential FAS location options. During this meeting, the following items were noted:

- FWP preference for the FAS is on the inside bend of the river downstream from a bridge (current location).
- The landowner at the northeast end of the existing bridge expressed opposition against moving the bridge alignment north because the toe of the slope would only be approximately 150 feet from his house. The landowner was concerned about road noise and expressed they may be forced to move to another location.
- The landowner southwest of the existing bridge noted that there were erosion issues on the west river bank. Their preference was for the FAS to remain southeast of the bridge.

FLATHEAD RIVER – 3 M NW BIGFORK
ALTERNATIVES ANALYSIS

A Risk Assessment meeting was held internally by MDT on June 7, 2012 to formalize the bridge alignment decision and FAS location. Multiple bridge alignment options were discussed during these meetings, and included:

- Phased construction – rebuild the bridge as close to the current bridge as possible, which would require lane closures during project phasing. This option would have high costs and could take much longer to complete construction.
- Rebuild the bridge in place – this would require complete closure of the bridge during construction. This option would have severe impacts to traffic due to the lack of existing bridges over the Flathead River, resulting in the need for a long detour route (~35 miles).
- Retrofit and widen the existing bridge – this option was determined to not be technically or financially feasible because of the two girder system and since the existing structure was near the end of its lifespan.
- Northern alignment – construct a new bridge 50 – 70 feet to the north of the existing bridge. This option had strong landowner opposition and high construction costs.
- Southern alignment and relocation of FAS – would include construction of the bridge 50 – 60 feet to the south of the current alignment and the FAS would be entirely relocated to the west side of the Flathead River. Location of the FAS on the outside bend of the river was a concern to FWP and there was potential for strong landowner opposition that would result in high costs and schedule delays.
- Southern alignment and reconfiguration of FAS – construction of the bridge 50 – 70 feet to the south of the current alignment. Existing FAS site would remain on the southeast side of the bridge and be reconfigured.

The two meetings resulted in a decision to carry forward with the southern alignment of the bridge and reconfiguration of the FAS to the southeast of the bridge. This option was selected because it carried less landowner opposition, fewer schedule delays, and a lower overall cost.

The FAS is a state-owned recreation area that is subject to requirements of federal law contained in Section 4(f) of the Department of Transportation Act of 1966. Section 4(f) negotiations between FWP, MDT, and the Hanging Rock Harbor Homeowner's Association (HOA) began in 2012. In order to shift the new bridge to the south, acquisition from the HOA was required. Therefore, the HOA was involved with the FAS design and Section 4(f) process. The HOA expressed several concerns with the FAS reconfiguration due to the public use of the site, including an increase in noise and dust, public encroachment, trespassing on private land, and the disruption of the aesthetics of the area. Additionally, the HOA was not willing to accept an alternative design that brought the road closer to their subdivision and decreased the green space buffer between the buildings and the FAS approach. Based on discussions with FWP and the public, the FAS is a high-use site and FWP required that the new design include additional parking spaces and a different boat ramp configuration. Overall, the 4(f) negotiations for the proposed project took approximately five years to ultimately come to an agreement in 2017.

The project underwent environmental review in accordance with the National Environmental Policy Act (NEPA) and was approved under a Federal Highway Administration (FHWA)

Categorical Exclusion in April 2020. The Proposed Action has been evaluated in a Biological Assessment and the US Fish and Wildlife Service is in process of completing a Biological Opinion, which will be provided to USACE as part of the permitting package once it is complete.

Big Sky Public Relations was added to the project in February 2021 to have an increased focus on public interaction for MDT projects. The public interaction has shown a high level of support for the project. Negotiations with the HOA for acquisition and easements have been ongoing and have strongly steered the FAS access road design. The Plan in Hand project milestone was completed in March 2021.

4 IDENTIFICATION AND DESCRIPTION OF ALTERNATIVES

This analysis is prepared to satisfy the United States Army Corps of Engineers Section 404(b)(1) Guidelines and the alternatives analysis requirements. The alternatives discussed below follow the order of progression used to get to the Proposed Action design. The following alternatives are described in greater detail in the sections to follow.

Bridge Alignment Alternatives

As discussed in the Project History Summary above, alternatives for bridge alignment included a northern alignment, southern alignment, and replacing the bridge in place.

- Bridge Alignment Option 1 – No Impact Alternative (No Build)
- Bridge Alignment Option 2 – Replace Bridge in Place
- Bridge Alignment Option 3 – North Bridge Alignment
- *Southern Bridge Alignment (discussed in Proposed Action)*

The decision was made to move forward with a southern bridge alignment based on landowner preference, schedule risks, and overall project cost factors.

FAS Location Alternatives

The southern bridge alignment resulted in impacts to the FAS and access road. Therefore, alternatives for the location of the FAS were evaluated.

- FAS Location Option 1 – Relocate FAS to Offsite Location
- FAS Location Option 2 – FAS Location on North Side of Highway 82
- FAS Location Option 3 – FAS Location on West Side of Flathead River
- *FAS Location to Southeast of Bridge (discussed in Proposed Action)*

Placement of the FAS to the southeast of the bridge was determined the most practicable solution based on FWP preference and land acquisition obstacles.

FAS Design Alternatives

The FAS design took into consideration the preferences of effected landowners, the Hanging Rock Harbor HOA, and FWP. Additionally, it was important to maintain at least the same number of parking spaces for this high-use FAS and to improve the safety of users turning off Highway 82.

- FAS Design Option 1 – Design without Avoidance/Minimization
- FAS Design Option 2 – Bridge over Wetland
- FAS Design Option 3 – Southern FAS Access Road Alignment
- FAS Design Option 4 – FAS Parking Lot with Tree Island
- Shortened FAS Design Option (Proposed Action)

The alternatives listed above have been assessed for practicability based on cost, existing technology factors, logistics, and availability. Cost is difficult to determine for alternatives other than the Applicant's Preferred because of rapidly changing economic factors. Therefore, cost is listed as a practicability factor in the table below but is not discussed in further detail in this analysis.

Design for the bridge has been ongoing since 2013 and has included extensive coordination with Montana Fish, Wildlife and Parks (FWP) due to the Section 4(f) designation of the FAS, landowners and homeowner's association (HOA), and the general public/recreational users. The FAS has been identified as one of the area's most highly used recreational sites for access to the Flathead River. These factors have been taken into consideration in development of this LEDPA analysis.

4.1 Bridge Alignment Location Alternatives

4.1.1 Bridge Alignment Option 1 - No Build

Due to the required expansion of the bridge deck width to meet standard shoulder widths, there are no construction alternatives that would result in no permit required or no impacts to wetlands. The only no impact alternative would be the No Build alternative. The existing Sportsman's Bridge would remain as is and continue to be a safety hazard due to narrow lanes, a lack of shoulder and turn lanes, and increasing traffic volumes. This alternative would not meet the project purpose and need.

4.1.2 Bridge Alignment Option 2 – Replace Bridge in Place

This alternative would involve complete replacement of the Sportsman's Bridge in its existing alignment, which would result in a wider bridge to meet MDT and FHWA requirements. Replacing the bridge in place would require a detour to route all traffic around the bridge. The nearest bridge crossing for the Flathead River is on Highway 35 in Evergreen. Detour routes for traffic, east bound or west bound, would be approximately 17 miles and range from 17 – 22 minutes one way during low traffic volume hours. Traffic delays could be substantially greater during rush hour times for both work commuters and school buses. Replacing the bridge in place with a wider bridge would force the FAS to be shifted or relocated. Impacts to wetlands would be incurred both to the south and the north of the bridge alignment. The Risk Assessment meeting in June 2012 supports the elimination of this alternative based on the costly nature of impacts to the public. This alternative has been determined not practicable.

4.1.3 Bridge Alignment Option 3 – North Bridge Alignment

This alternative would involve moving the new bridge alignment to the north of the existing bridge alignment. Therefore, there would be no impacts to the FAS site. This alternative would likely still include a new approach off Hanging Rock Drive rather than Highway 82 to address safety concerns with the current FAS access point off Highway 82. During the November 16, 2011 landowner and FWP meeting, there was strong opposition from the landowner to the northeast of the bridge for this alternative. The new toe of slope for the bridge approach and roadway would be close to the house located on this property and would likely force the landowner to move to another location. Wetland impacts would be incurred to the north of the bridge for the roadway slope. This alternative has been dismissed based on these reasons.

4.1.4 Southern Bridge Alignment (discussed in Section 4.3.5)

The decision was made to move forward with a southern bridge alignment based on landowner preference, schedule risks, and overall project cost factors. The southern alignment would result in required updates to the FAS. However, there was overall less opposition by FWP and landowners for this option. The southern bridge alignment is discussed in Section 4.3.5.

4.2 FAS Location Alternatives

4.2.1 FAS Location Option 1 – Relocate FAS to Offsite Location

This alternative would involve relocating the FAS to an entirely different location along the Flathead River. There are no other state-owned parcels along the Flathead River and near highway access to the north or south of the Sportsman's Bridge. These areas are heavily residential or agricultural and undeveloped areas appear to have high concentrations of wetlands according to the USFWS NWI. Availability of privately owned upland parcels is unknown. However, FWP would have to acquire new lands and easements and entirely restart the 4(f) process. This alternative is not practicable or available.

4.2.2 FAS Location Option 2 – FAS Location on North Side of Highway 82

This alternative would involve relocation of the FAS to the northeast of the proposed southern bridge alignment. All parcels to the north of Highway 82 near the east side of the bridge are privately owned residential properties. The FAS would have to be located adjacent to the Flathead River for boat launch access. Condemnation or complete sale of the parcel in that location would be required to have enough land for the FAS to be designed in that location. During public landowner meetings early in the design process, the landowner to the north along the river expressed strong opposition against any facilities being constructed closer to his residence. Easements would be required through five private property parcels to gain access to the FAS from Highway 82 with the required turn off setbacks from the bridge approach. Additionally, FWP stated their preference for the FAS to be located on the downstream side of the bridge. Placing the boat ramp on the upstream side of the bridge would have a higher risk of wave action erosion and would

require additional erosion protection measures. This alternative would result in a new Section 4(f) agreement and would present significant schedule risks to the project. Lack of available property and FWP preference determined this alternative to be not practicable or available.

4.2.3 FAS Location Option 3 – FAS Location on West Side of Flathead River

This alternative would include construction of the bridge on the southern alignment and relocation of the FAS to the west side of the Flathead River on the south side of Highway 82. The land is currently private agricultural land. New turn lanes may be required on Highway 82 for the FAS access off Oldenburg Road. A new traffic study would be required to know if turn lanes would need to be installed. In order to meet MDT and FHWA requirements, the Oldenburg Road and Highway 82 intersection may require reconstruction to reduce the skew angle and improve line of site for users. No design figure has been developed for this alternative due to lack of available studies and survey data.

Practicability

During early meetings with FWP, it was noted that the FAS should be located on the inside bend of the river (east side) downstream from the bridge to reduce the risk of erosion issues. This alternative would require additional river bank stabilization due to the actively eroding banks on the west side of the Flathead River. It was determined that without significant bank modifications, the outside bend of the river is not conducive for a boat launch.

A new Section 4(f) agreement and landowner negotiations would be required to move the FAS to the west side of the river. During the Risk Assessment meeting in June 2012, placing the FAS to the southwest of the bridge was identified as a large cost and schedule risk to the project due to the amount of land needed from this river-front parcel to facilitate a new FAS. As stated previously, condemnation is not allowed for a Section 4(f) property. Due to the potential opposition from FWP and the landowners, this alternative has been determined not practicable or available, and would likely be significantly higher construction cost for bank stabilization efforts.

Availability

It is unknown if landowner negotiations would be successful for acquisition of enough land to relocate the FAS site to the appropriate size and layout. Multiple landowners would be affected to construct this alternative if Oldenburg Road required reconfiguration. Additionally, the river-adjacent landowner has expressed concern for the eroding river bank on multiple occasions and is intending to pursue bank stabilization for a substantial length of their river frontage that is susceptible to wave-action erosion. If this alternative was implemented, it is likely that additional length of bank stabilization would be part of landowner negotiations. The area most effected by wave action is approximately 2,500

linear feet of crop land, but their parcel extends much farther upstream and is over 1.3 miles long.

Waters of the U.S.

It is anticipated this alternative would result in 0.61 acres of impacts to wetlands on the east side of the Flathead River due to bridge construction and fill slopes. Based on aerial imagery and NWI data, it is unlikely wetlands are present in the potential footprint of the FAS southwest of the bridge. However, impacts to the Flathead River bank from placement of permanent erosion could be much higher than the Applicant's Preferred Alternative because of the unstable banks and increased wave action from boat ramp activity. It is estimated that a minimum of 0.27 acres (308 linear feet) would require placement of riprap. However, if landowner negotiations require agreement to stabilize more river bank, this alternative could result in upwards of 2.30 acres (2,500 linear feet) or more of rip rap installation below the ordinary high-water mark of the Flathead River.

4.2.4 FAS to Southeast of Bridge (discussed in Section 4.3.5)

Placement of the FAS to the southeast of the bridge was determined the most practicable solution based on FWP preference and land acquisition obstacles. The FAS would remain downstream of the bridge on the inside bend of the river, which has less risk for erosion issues. Placing the FAS to the southeast would utilize the existing FAS site to the extent possible, requiring less purchase costs. FWP would be involved with design of the FAS to ensure it meets Section 4(f) requirements. As part of the bridge reconstruction and the goal to increase the safety of the area, a new approach for the FAS will be created off Hanging Rock Drive to utilize the new proposed turn lanes.

At this point in this LEDPA analysis, the most practicable solution has been to place the bridge on a southern alignment and to reconfigure the FAS to the southeast of the new Sportsman's Bridge.

4.3 FAS Design Alternatives

4.3.1 FAS Design Option 1 – Standard Design

This alternative includes design of the replacement bridge structure on a southern alignment approximately 57 feet to the south of its existing location. Additionally, the FAS would be shifted the same distance to the southeast of the new bridge and reconfigured to meet FWP preferences. Turn lanes would be added at the intersection of Hanging Rock Drive and Highway 82 to improve safety for left- and right-hand turns off the highway at the intersection. Fill slopes for the road and FAS site would follow MDT and FHWA standard fill slope requirements. The new FAS access road would be two-lanes all the way from Hanging Rock Drive to the FAS, including through the wetland areas. No wetland avoidance or minimization measures would be incorporated into this design alternative. See Figure 1 for design details.

Practicability

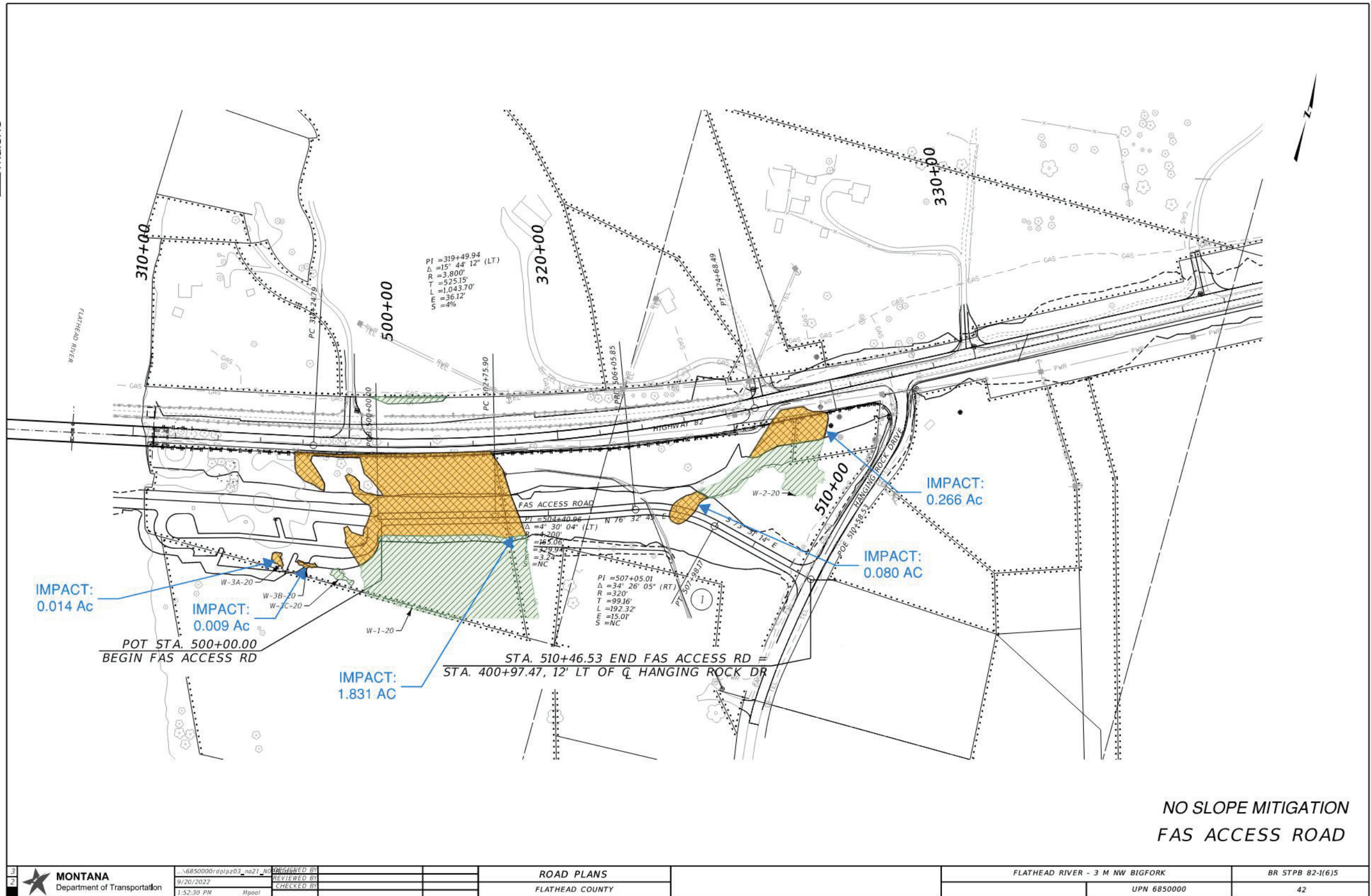
This alternative would be constructable based on available site knowledge. However, a new Section 4(f) agreement would be required to accommodate for the expanded area for the FAS site. Land acquisition would likely result in condemnation, which is not allowed for a fishing access site under the Section 4(f) regulations.

Availability

Additional land would need to be acquired to the south of the current alignment to accommodate for the wider fill slopes across the project. Based on negotiations with the Hanging Rock HOA, it is unlikely they would agree to the loss of additional river front and other acreage. This alternative would likely result in condemnation.

Waters of the U.S.

This alternative would result in 2.20 acres of impacts to wetlands, 0.23 additional acres of impacts than the Proposed Action. The Flathead River bank stabilization (riprap) extents would be 0.27 acres (308 linear feet). This alternative does not incorporate any of the avoidance or minimization measures that have been implemented in the Proposed Action.



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Figure 1. FAS Design Option 1 – Standard Design

4.3.2 FAS Design Option 2 – Southern FAS Access Road Alignment

This alternative would include the southern bridge alignment and the placement of the FAS to the southeast of the new bridge. Facilities associated with the FAS would be relocated and a single 80-foot-long concrete boat launch would be constructed to replace the existing high water boat launch. Replacement of the boat launch design was a requirement by FWP to reduce sedimentation impacts to the Flathead River from recreational usage. The new FAS site would consist of 26 truck/trailer, 2 handicap accessible parking stalls and eight standard vehicle parking stalls. The two handicap stalls would be located next to the relocated pit toilet.

The FAS access road would be located off Hanging Rock Drive to the south of the wetland identified as W-2-20 on the design figure included below. The FAS road would be designed as a one-lane road south of W-2-20 and through W-1-20. The access road was designed to the maximum allowable skew while still providing good line of sight through the single-lane areas and space to pass vehicles through two-lane areas.

A ditch needed for capture of runoff water from the roadway, adjacent properties, and the groundwater seep (part of W-2-20) would need realigned to the south of the new FAS access road. Realignment of this ditch would result in impacts to parcel 1, as identified in Figure 2.

Practicability

This alternative would also result in the need for a new 4(f) agreement due to the extensive design change and shift into an additional parcel. It is unlikely this FAS road alignment would be negotiable due to opposition from the HOA and landowners of parcel 1. Section 4(f) does not allow for condemnation for a fishing access site and therefore this alternative would not be practicable.

Availability

This alternative would require additional land acquisition from the Hanging Rock HOA compared to the Proposed Action. During land negotiations, the Hanging Rock HOA was not willing to accept an alternative design that brought the road closer to their subdivision and decreased the green space buffer between the buildings and the FAS approach. The homeowners in this subdivision view the potential impacts of alternate designs of this site as a depreciation of value to their properties which in today's market would be valued in excess of a million dollars. Therefore, it is assumed acquiring additional property from the HOA would result in condemnation and this alternative would not be available based on Section 4(f) regulations.

Waters of the U.S.

This FAS road alignment would reduce impacts to W-2-20 from the FAS access road but impacts from the highway would remain the same. This alternative would result in a total

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of 1.43 acres of wetland impacts. Impacts to the Flathead River would be 0.27 acres (308 linear feet).

Avoidance and Minimization Measures

- Fill slopes on the east roadway approach to the Flathead River Bridge have been steepened from 4:1 to 2:1 to reduce impacts to W-1-20.
- Fill slopes associated with the Sportsman FAS road have been reduced from 4:1 to 3:1 at W-1-20 and W-2-20 to further minimize wetland impacts to those two wetland areas.
- The FAS access road width is reduced to one lane through W-1-20 and south of W-2-20 to reduce impacts and is widened outside of wetland areas for passing lanes and for the Hanging Rock Drive approach.

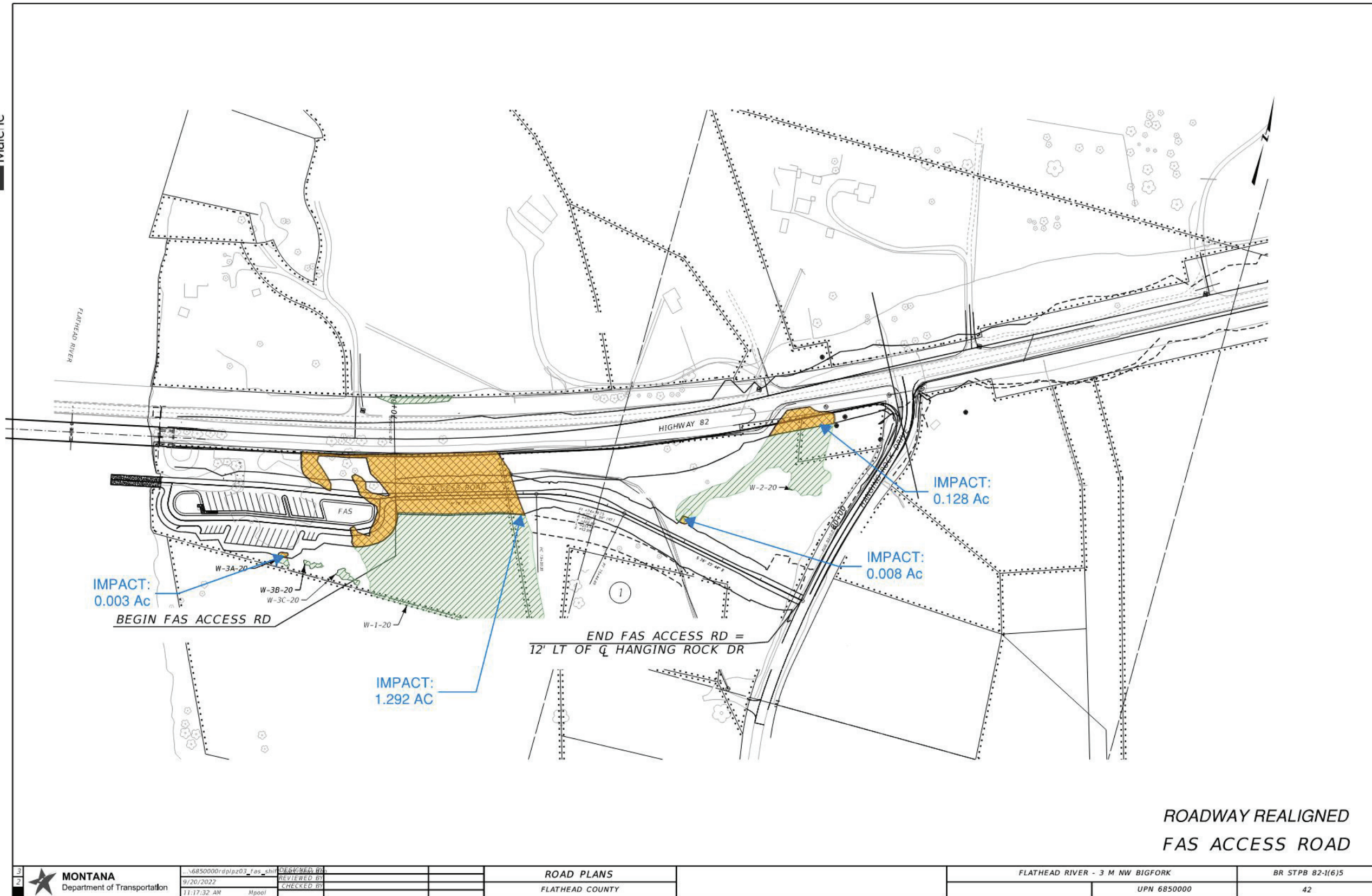


Figure 2. FAS Design Option 2 – Southern FAS Access Road Alignment

4.3.3 FAS Design Option 3 – FAS Parking Lot with Tree Island

This alternative would include the southern bridge alignment and maintain the same FAS parking area and boat launch design as FAS Design Option 2. The FAS access road would be located off Hanging Rock Drive but would be farther north than FAS Design Option 2. The access road would be two-lanes but condensed down to one-lane through W-1-20 and W-2-20. The east end of the FAS parking area would be expanded to include preservation of an island of cottonwood trees. This island was a request by the HOA to preserve trees for a visual barrier between their property and the FAS. See Figure 3 below for site design details.

Practicability

Construction of the new bridge to the south of the existing bridge will eliminate the need for a full detour or lane closures during construction that would cause extensive costs to users. Geotechnical studies drove the fill slope design on the south side of the road due to the unstable and permeable wetland and floodplain soils. The fill slope has been steepened to a 2:1 with the caveat that the placement of the FAS access road at the toe of the slope will provide the additional stability needed to prevent the highway slopes from settling.

Additionally, installation of turn lanes and relocation of the FAS access to Hanging Rock Drive will address safety hazards associated with the existing FAS access point. The FAS road and parking area design has undergone extensive public comment and negotiations, and this alternative would meet FWP, HOA, and landowner requests for property acquisition and design elements.

Availability

New right-of-way and/or construction permits from adjoining landowners will be required. This alternative includes acquisition of a new road easement to construct the realigned FAS Road, new FWP property to construct the relocated FAS, and other land negotiations with the Hanging Rock HOA. Extensive work has been completed to alleviate landowner and HOA concerns and create a working relationship with the HOA.

Waters of the U.S.

This alternative would result in 1.56 acres of permanent wetland impacts from placement of the bridge and FAS site. Additionally, 0.27 acres of impacts to the Flathead River would occur from placement of bank/abutment stabilization methods. Impacts to wetlands have been minimized while also meeting the project purpose and need.

Avoidance and Minimization Measures

- Fill slopes on the east roadway approach to the Flathead River Bridge have been steepened from 4:1 to 2:1 to reduce impacts to W-1-20.

FLATHEAD RIVER – 3 M NW BIGFORK
ALTERNATIVES ANALYSIS

- Fill slopes associated with the Sportsman FAS road have been reduced from 4:1 to 3:1 at W-1-20 and W-2-20 to further minimize wetland impacts to those two wetland areas.
- The FAS access road width is reduced to one lane through W-1-20 and W-2-20 to reduce impacts and is widened outside of wetland areas for passing lanes and for the Hanging Rock Drive approach.

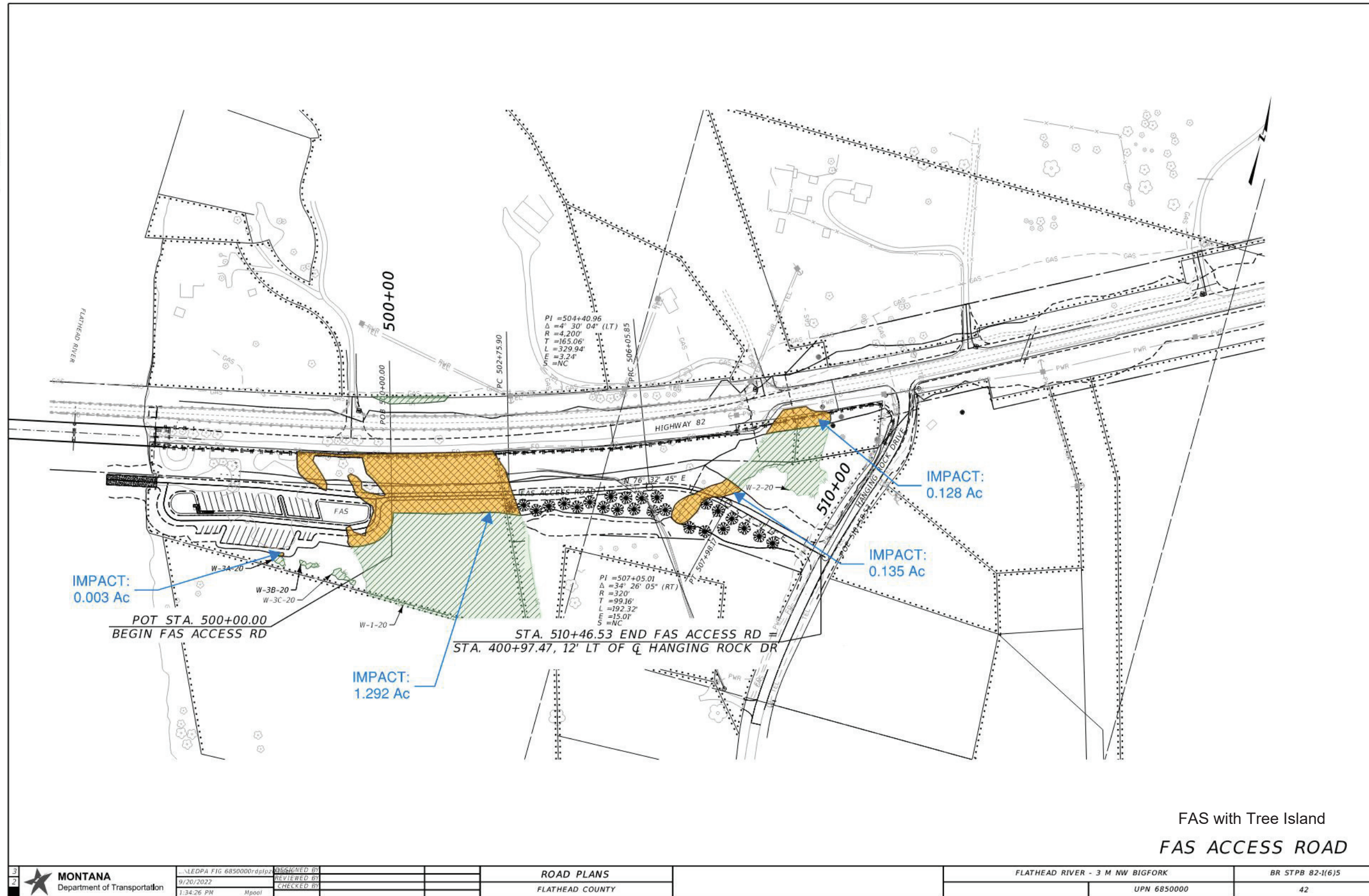


Figure 3. FAS Design Option 3 – FAS Parking Lot with Tree Island
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4.3.4 FAS Design Option 4 – Bridge over Wetlands

This alternative would include placement of the FAS access road in its northern alignment as shown in FAS Design Option 3. Instead of the alignment traversing through the wetlands, bridges would be constructed over each wetland. The crossing at W-2-20 would be at least 70 feet to span the wetland, which eliminates the possibility of using a culvert. The proposed grade of the FAS road through W-2-20 includes approximately 14 feet of fill. Therefore, the bridge over W-2-20 would have to be approximately 200 feet in length to span the wetland and meet the proposed grade at either end of the bridge. W-1-20 is approximately 370 feet across where the proposed FAS road traverses. A grade raise for both the roadway and FAS parking area would be required to create a smooth transition from one side of the wetland to the other and result in a bridge approximately 350 feet long. Multiple piers would have to be installed within W-1-20 to cross the wetland. See Figure 4 below for site design details.

Practicability

Bridging over the wetlands presents a high-cost scenario due to the length of the bridges and the need for a more expensive foundation system in wetland soils. It is estimated that the bridge over W-2-20 would increase construction costs by more than \$500,000 and the bridge over W-1-20 would likely exceed one million dollars. Additionally, FWP has stressed the importance of reducing their long-term maintenance costs for the FAS and access road, and bridge maintenance would be costly. It is unlikely FWP would agree to this alternative and they would not sign the updated Section 4(f) agreement.

Availability

This alternative would stay within currently negotiated parcels and right of ways that have been agreed upon with FWP and the HOA. Parcel 1 would not be impacted by this alternative and would therefore not lead to the need for condemnation. However, as stated above, it is unlikely FWP would sign a new Section 4(f) agreement with this design due to maintenance costs.

Waters of the U.S.

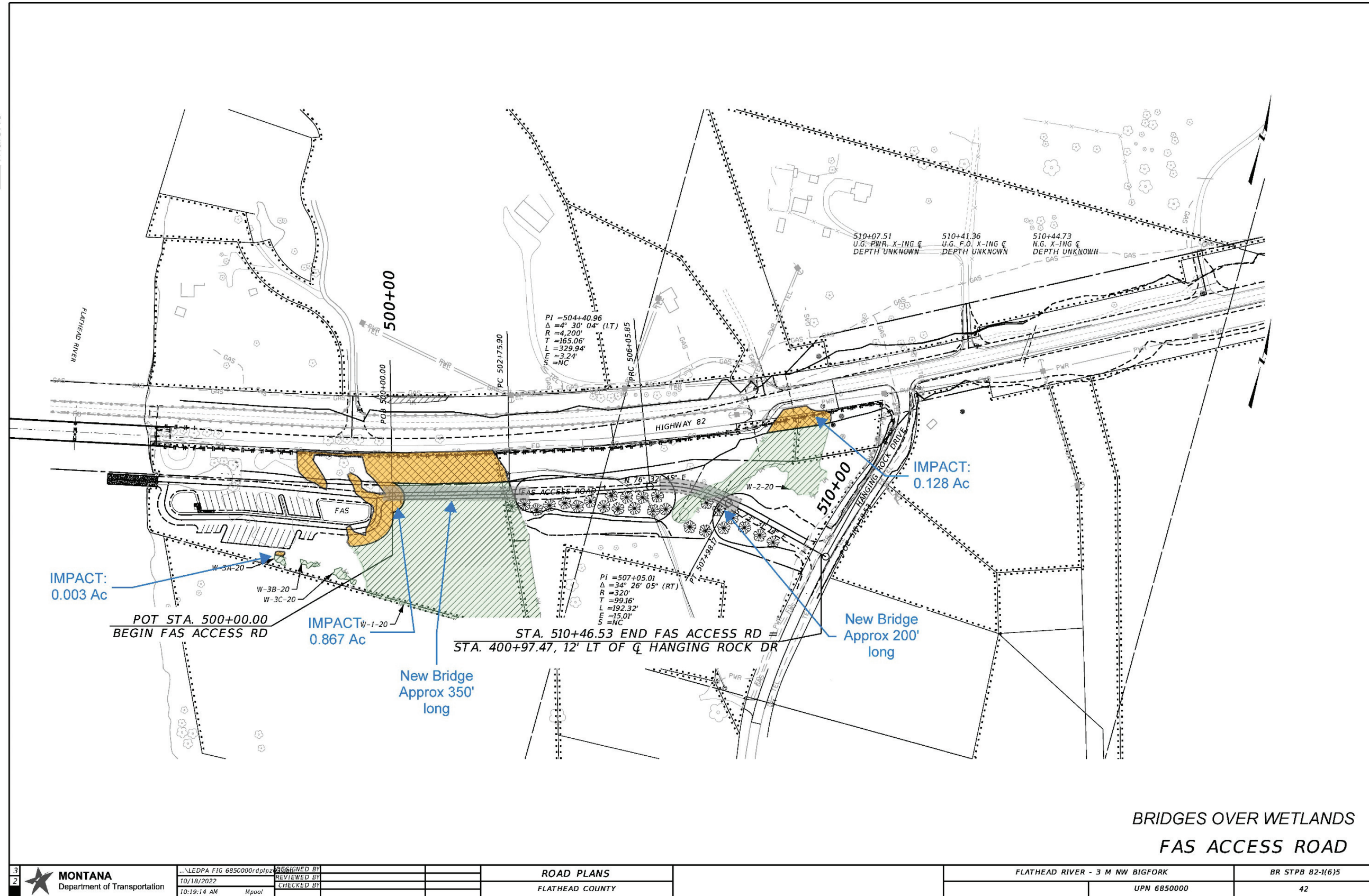
This alternative would result in 1.00 acres of total wetland impacts. Impacts to the Flathead River would be 0.27 acres (308 linear feet). Direct impacts to W-1-20 would be associated with the Highway 82 fill slope and FAS access road bridge piers. However, additional indirect impacts to W-1-20 would occur due to the shading of the wetland vegetation by the access road bridge. Vegetation in W-2-20 would likely not be impacted because that bridge would be raised high enough to allow for sunlight under the bridge.

Avoidance and Minimization Measures

- Fill slopes on the east roadway approach to the Flathead River Bridge have been steepened from 4:1 to 2:1 to reduce impacts to W-1-20.

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- Fill slopes associated with the Sportsman FAS road have been reduced from 4:1 to 3:1 at W-1-20.
- The FAS access road width is reduced to one lane through W-1-20 to reduce impacts and is widened outside of the wetland for passing lanes and for the Hanging Rock Drive approach.
- A bridge would be constructed over W-1-20 and W-2-20 to reduce impacts from fill to wetlands.



BRIDGES OVER WETLANDS
FAS ACCESS ROAD

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Figure 4. FAS Design Option 4 – Bridge over Wetlands
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4.3.5 Shortened FAS Design – Proposed Action

This alternative would involve reducing the east end of the FAS site that would result in removal of a treed area that was requested during negotiations with FWP and the HOA. The number of FAS parking spaces would not be affected by this design change. A row of new trees would be planted along the proposed fence line through the southern portion of W-2-20 to connect forested areas on either side of the wetland. This will create an effective buffer between the HOA and the FAS, including reducing impacts from noise and visual aesthetics. Additionally, the ditch used for stormwater from the adjacent neighborhood would need to be realigned to the south of the new access road to capture various sources of runoff water. See Figure 5 for site design details.

Practicability

This alternative would be constructable based on site conditions and knowledge. FWP has reviewed this conceptual design and are in support of this alternative. This change represents a minor change to the one developed in the original negotiations (FAS Design Option 3). Additional tree clearing would need to occur. New trees would be planted in W-1-20 to provide a visual barrier between the FAS and adjacent landowners.

Availability

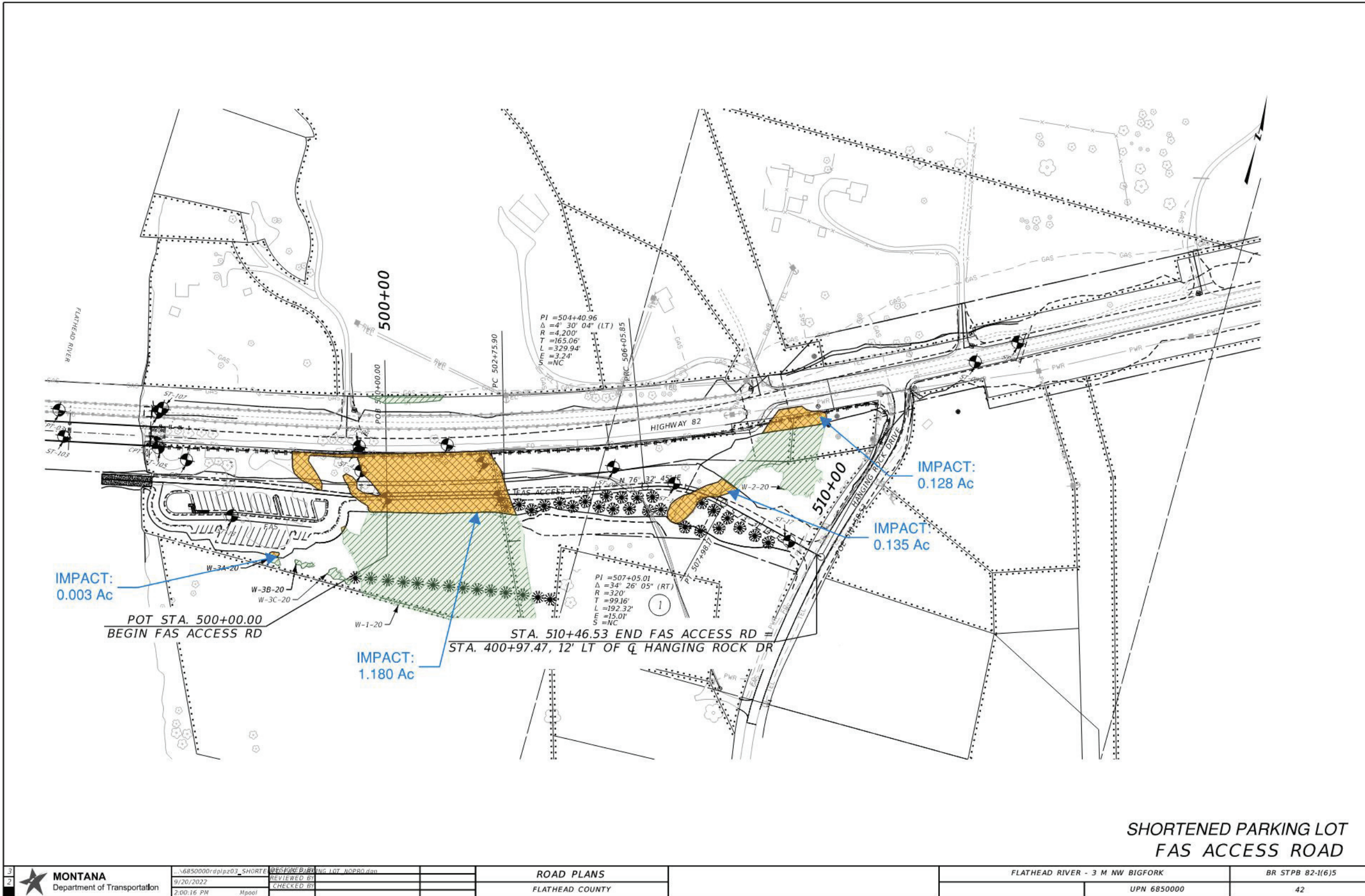
This alternative would stay within currently negotiated parcels and right of ways that have been agreed upon with FWP and the HOA. Parcel 1 would not be impacted by this alternative and would therefore not lead to the need for condemnation.

Waters of the U.S.

This alternative would result in 1.45 acres of total wetland impacts. Impacts to the Flathead River would be 0.27 acres (308 linear feet).

Avoidance and Minimization Measures

- Fill slopes on the east roadway approach to the Flathead River Bridge have been steepened from 4:1 to 2:1 to reduce impacts to W-1-20.
- Fill slopes associated with the Sportsman FAS road have been reduced from 4:1 to 3:1 at W-1-20 and W-2-20 to further minimize wetland impacts to those two wetland areas.
- The FAS access road width is reduced to one lane through W-1-20 and W-2-20 to reduce impacts and is widened outside of wetland areas for passing lanes and for the Hanging Rock Drive approach.
- The east end of the FAS parking lot area has been reduced to the extent possible to minimize impacts to W-1-20 but not reduce the number of FAS parking spaces.



SHORTENED PARKING LOT
FAS ACCESS ROAD

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Figure 5. Shortened FAS Parking Lot (Proposed Action)

4.4 Alternatives Comparison Matrix

The identified alternatives were first analyzed to determine their practicability. According to the Section 404(b)(1) Guidelines, an alternative is practicable if it is “available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.” A matrix was used to determine which of the alternatives are practical based on this definition and the previously stated project purpose. Alternatives that met all of the criteria were considered to be practicable.

Table 1. Alternatives Comparison Matrix

Alternative Options	Practicability Category				Practicability
	Cost	Existing Technology	Logistics	Availability	
	Reasonable Acquisition Cost and Constructability Cost	Topography and Other Site Conditions Feasible for Construction of Project	4(f) Process/FWP Agreement	Available for Acquisition	
BRIDGE ALIGNMENT ALTERNATIVES					
Bridge Alignment Option 1 – No Impact Alternative (No Build)	N/A	NO Does not meet project purpose and need	N/A	N/A	NO
Bridge Alignment Option 2 – Replace Bridge in Place	NO High user cost for ~17-mile one-way detour routes.	NO Detour route options limited – would result in long detours for nearby residents.	YES	YES	NO
Bridge Alignment Option 3 – North Bridge Alignment	NO Potential condemnation for property northeast of existing bridge	YES	NO FWP preference is FAS placement downstream of bridge. Section 4(f) does not allow condemnation.	NO Potential condemnation for property northeast of existing bridge	NO
Southern Bridge Alignment (Applicant's Preferred)	YES	YES	YES	YES	YES
FAS LOCATION ALTERNATIVES					
FAS Location Option 1 – Relocate FAS to Offsite Location	UNKNOWN	NO Flathead River widens out upstream – would likely have higher wetland impacts	UNKNOWN	NO No state-owned parcels in the area that would allow public access	NO
FAS Location Option 2 – FAS Location on North Side of Highway 82	NO Potential condemnation for property northeast of existing bridge	YES Likely high wetland impacts	NO FWP preference is FAS placement downstream of bridge. Section 4(f) does not allow condemnation.	NO Potential condemnation for property northeast of existing bridge	NO
FAS Location Option 3 – FAS Location on West Side of Flathead River	UNKNOWN Potentially high private property purchase costs	YES Would require additional length of bank stabilization	NO FWP preference is FAS placement on inside bend of river to prevent erosion issues	UNKNOWN Would require ~3 or more acres of private river front property to be purchased, multiple landowners	NO
FAS Location to Southeast of Bridge (current location and Applicant's Preferred)	YES	YES	YES	YES	YES
FAS DESIGN ALTERNATIVES					
FAS Design Option 1 – Standard Design (no minimization or avoidance)	NO Potential condemnation for additional acreage from HOA	YES Would result in higher wetland impacts	NO Section 4(f) does not allow condemnation	NO Potential condemnation for additional acreage from HOA	NO
FAS Design Option 2 – Shift FAS Access Road South	NO Potential condemnation for additional acreage from HOA	YES	NO Section 4(f) does not allow condemnation	NO Potential condemnation for additional acreage from HOA	NO
FAS Design Option 3 – FAS Parking Lot with Tree Island	YES	YES	YES	YES	YES
FAS Design Option 4 – Bridge over Wetlands	NO Substantially higher construction cost for bridges. Higher FWP maintenance costs.	YES Expensive foundation systems for bridges.	NO FWP wants low maintenance costs.	YES	NO
Shortened FAS Design Option (Proposed Action)	YES	YES	YES	YES	YES

5 IDENTIFICATION OF LEAST ENVIRONMENTALLY DAMAGING ALTERNATIVE

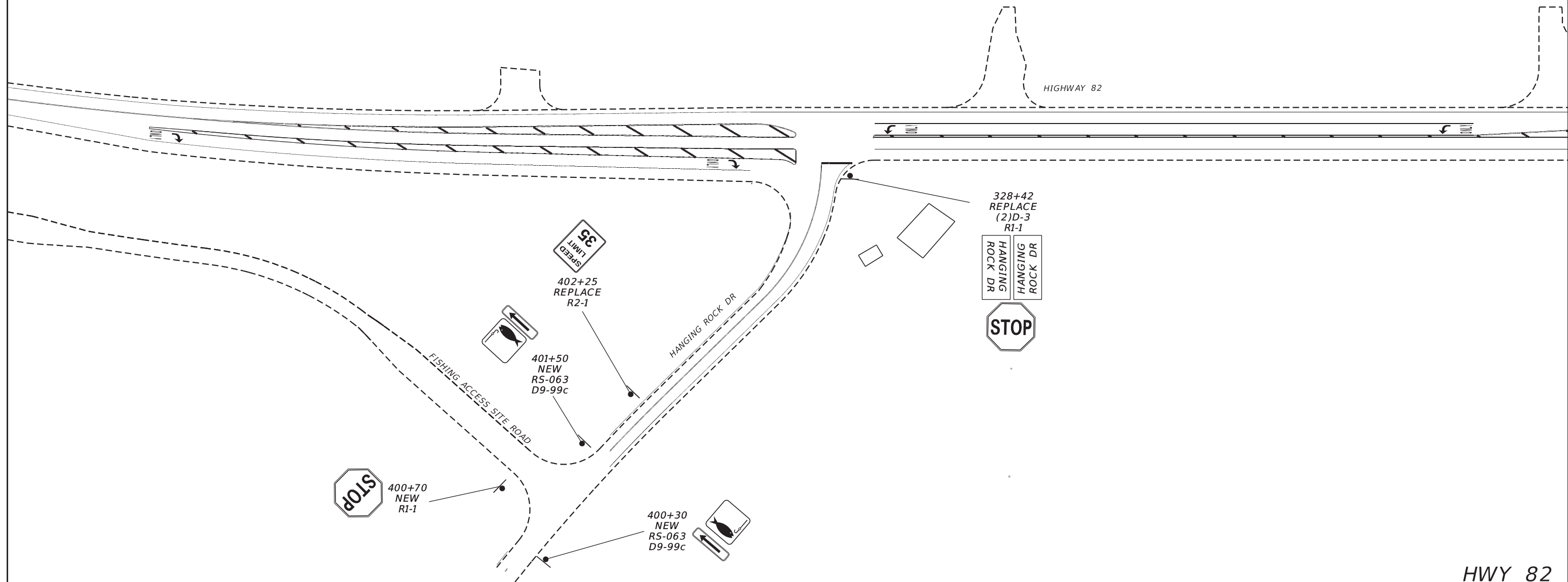
The Corps cannot authorize any activity unless it is identified as the least environmentally damaging practical alternative (LEDPA), meeting the project purpose and using the regulations found at 40 CFR Part 230.

Table 2. Identification of LEDPA

Environmental Factors	FAS Design Option 3 – FAS Parking Lot with Tree Island	Shortened FAS Design Option (Proposed Action)
Wetland Impacts	1.56 acres	1.45 acres
Stream Impacts	0.27 acres / 308 linear feet	0.27 acres / 308 linear feet
<i>Waters of the US Total Impacts</i>	1.83 acres	1.72 acres
Floodplain Impacts	4.62 acres	4.08 acres
LEDPA	NO	YES

Based on the information presented in this analysis, the Shortened FAS Design (Proposed Action) has been identified as the LEDPA. This alternative is practicable, available, and meets the project purpose and need while minimizing impacts to Waters of the US to the extent possible.

Hanging Rock Drive Intersection Figure



HWY 82

3 2 1	<p>MONTANA Department of Transportation</p>	...6850000\si\Response Fig	DESIGNED BY LACEY R FORREY	<p align="center">SIGNING PLANS</p> <p align="center">FLATHEAD COUNTY</p>	<p align="center">FLATHEAD RIVER - 3 M NW BIGFORK</p>	<p align="center">BR STPB 82-1(6)5</p>	
		1/27/2023	REVIEWED BY				UPN 6850000
		12:21:51 PM mpool	CHECKED BY				56

Information from FWP

Rodway, Grant

From: Landstrom, David
Sent: Tuesday, January 24, 2023 4:19 PM
To: Rodway, Grant
Cc: Anderson, Lee
Subject: Sportsman's Bridge

Dear Mr. Rodway:

FWP records indicate the current location of the Sportsman's Bridge Fishing Access Site (FAS) has provided important public access to the mainstem of the Flathead River since 1959. Significant capital investments have been made in this FAS to provide for sanitation and safe boating and recreational access to the river. FWP believes the mitigation work done on the FAS will not change the general operations of the site. FWP maintenance staff will continue to provide routine janitorial, grounds keeping and upkeep at the site to ensure cleanliness and sanitation. FWP law enforcement staff will continue to patrol the site and enforce state statutes and administrative rules (ARMS) specific to department owned or operated recreation sites. The ARMS specifically address the prohibition of fireworks, littering, camping or other disturbances at the site. Enforcement staff will also work directly with county law enforcement on handling issues outside their normal scope and authority. FWP believes the proposed mitigation work will improve the site's aesthetics and the public's enjoyment of this important location, while significantly improving safety by relocating the road access from the busy highway to Hanging Rock Drive. Please feel free to contact me if I can be of assistance.

Dave Landstrom

Regional Recreation Manager, Region 1
Montana Fish, Wildlife & Parks

490 N. Meridian Rd
Kalispell, MT 59901
Ph: (406) 751-4574

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