



Region 2
3201 Spurgin Road
Missoula, MT 59804
July 20, 2022

Dear Interested Citizens:

Thank you for your thoughtful reviews and comments on a proposal by Montana Fish, Wildlife and Parks (FWP) to acquire a recreation permit from the Montana Department of Transportation to manage a proposed overflow parking lot extension of the Sha-Ron Fishing Access Site (FAS) in Missoula County. As part of this proposal, FWP proposes to manage the site on MDT land if the parking lot is constructed by Missoula County. This proposal is designed to address public safety and private property concerns that have lingered for decades.

Enclosed is a decision document in which I explain my rationale for recommending that the Fish & Wildlife Commission approve acquisition of the permit and FWP management of the site. Upon completion of the public involvement process and by inclusion of the amendment and information noted in this Decision Notice, FWP accepts the draft environmental assessment (EA) as final. The decision document also includes public comment on the proposed acquisition and development.

FWP will request approval for the acquisition of this permit at the regularly scheduled Fish and Wildlife Commission meeting on August 25. This meeting is open to the public, as are other regularly scheduled Commission meetings.

Please feel free to contact me at 406-542-5500 with any questions you may have. Thank you for your interest and participation.

Sincerely,

Randy Arnold
Regional Supervisor

RA:lf

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Decision Notice for the Draft Environmental Assessment: Proposed Recreation Permit for Sha-Ron FAS Overflow Parking

July 2022

AMENDMENTS, ADDITIONS OR CLARIFICATIONS TO THE DRAFT EA

This EA is specifically for acquisition of a recreational permit to assume long-term management of the proposed parking lot. Missoula County is responsible for the design and construction of the proposed lot.

PROPOSAL

Type of Proposed State Action

Montana FWP proposes to acquire a recreation permit from the Montana Department of Transportation that would allow for public parking and river access approximately 0.2 miles northeast of the Sha-Ron Fishing Access Site (FAS). The parking lot and access would be constructed by Missoula County on the south side of Old MT-200. The existing Sha-Ron FAS is a river access point used heavily in the summer by river recreationalists, including a boat launch.

NARRATIVE SUMMARY OF THE PROPOSED ACTION

Missoula County proposes to build an overflow parking lot and connected pedestrian trail directly northeast (approximately 0.20 miles) of the Sha-Ron River Access, on the south side of Old MT-200, which is a river access point used heavily in the summer by river recreationalists, including a boat launch. Currently at the access point, there is a parking lot that can hold approximately 25 vehicles. However, over the past 10 years, there has been a very large increase in users. Parking is overflowing from the current parking lot, and recreationalists are parking along the shoulder off Old MT-200 and along Speedway Avenue, creating an unsafe environment for pedestrians and vehicles alike. The proposed location is within the Montana Department of Transportation (MDT) right of way.

Once the construction is complete, Montana Fish, Wildlife and Parks (FWP) proposes to manage the site via a recreation permit issued from MDT. The scope of this EA is FWP's proposal to assume long-term management of the project through a recreation permit from MDT. However, FWP will collect comments related to the design and implementation of the parking area and share those comments with Missoula County prior to construction plans being finalized.

The benefits of the project include adding overflow parking for the existing Sha-Ron

river access that will reduce the number of parked cars on the shoulder of Old MT 200. At 55 mph, parking along the shoulder of the state highway poses a safety risk to pedestrians and the traveling public. The addition of a separated shared use facility that connects the new parking lot to the existing river access will safely facilitate travel between the two locations.

DESCRIPTION OF REASONABLE ALTERNATIVES

Alternative A: No Action

If no action is taken, parking would continue to overflow onto Old MT-200 from an excess of users at the Sha-Ron River Access Point and it will continue to be a safety issue. If no action is taken, the open space currently north of the Sha-Ron River Access Point, which is in part existing MDT public transportation right-of-way (ROW), will be undisturbed and remain as status quo.

Alternative B (Proposed Action): Construct overflow parking lot and connected pedestrian trail.

If the proposed action is taken, an overflow parking lot will be constructed approximately 0.15 miles northeast of the Sha-Ron River Access Point, on the southeast side of Old MT-200, as well as a pedestrian path connecting the two locations¹.

PUBLIC REVIEW PROCESS

Public Notification

A draft environmental assessment (DEA) for the proposed project was made available for public review and comment for a 21-day period from June 15 through July 6, 2022. The DEA was also posted on FWP's website from June 15 through July 6, 2022, and comments could be submitted to Region 2 FWP via mail or email. Legal notices were published twice each in the *Independent Record* (Helena, June 15 and 16) and *Missoulian* June 11 and 12 newspapers. FWP distributed 20 email-notifications of the DEA's availability, to adjacent landowners and interested individuals, groups and agencies. A statewide News Release was prepared and distributed June 16, 2022 to a standard list of media outlets interested in FWP Region 2 issues.

Public Comment

FWP received 4 emailed, mailed and telephoned comments related to the proposed recreation permit. One comment was from Montana Trout Unlimited, the others were from individuals. The comments were all from the Missoula area.

SUMMARY OF PUBLIC COMMENTS

- **Addressing safety and access**
 - I think the proposed parking lot is a good idea in light of the heavy summer use and dangerous parking situation on old Highway 200. (1)

¹ Since the release of the Draft EA, Missoula County has confirmed a bus stop will be added to the project to better serve the community and allow for better public transportation options for recreationists, further reducing traffic congestion and improving public safety.

- We believe this project under Alternative B has practical benefit to this section of the Clark Fork River, minimizing traffic and parking congestion, protecting public safety, providing quality public access and ensuring the long-term conservation for aquatic and associated riparian benefits. Thank you for your work to develop and pursue this project in the highly utilized urban corridor section of the Clark Fork River. (4)

RESPONSE TO PUBLIC COMMENTS

The following comments and FWP responses include specific questions, suggestions or comments received during the public comment period. We acknowledge and thank those who provided positive comments, but responses are not given below. *Public comments* below were grouped and paraphrased for FWP Response below. [Numbers in brackets refer to the Commenter # in the Appendix.]

1. Managing the site for unlawful or inappropriate activity [3]

FWP Response. This proposed site is within the urban corridor, where there is a regular presence of both Missoula County and FWP law enforcement. This presence will dissuade this type of activity.

2. Protecting riparian resources, especially bull trout [2]

FWP Response. (This project is located outside of designated wetlands. Impacts to bull trout are more likely to come from angling pressure than recreational floaters that are likely to frequent this area. Additionally, the area in question is not a prime bull trout rearing area and impacts from use on adult and sub adult bull trout will be negligible.

3. Do not build the auxiliary parking lot and close the existing Sha-Ron Fishing Access site [3].

FWP Response. In recent years, the Missoula Board of County Commissioners and FWP have received many comments and concerns from the public regarding the lack of appropriate parking for recreational access, parking issues, and congestion near the Sha-Ron Fishing Access Site during the busy summer recreation season. These were also identified as key issues in the 2021 East Missoula Highway Corridor Plan (Sha-Ron/Marshall Segment) initiated by the Missoula Metropolitan Planning Organization. Access to public lands and waters continue to be a value held by many in Montana and ever increasing in demand. The purpose of this proposal is to retain public access at Sha-Ron while addressing the mounting public safety issues related to continually increasing summer recreational use.

4. Concern about cost and short season of use [3]

FWP Response. With the recent purchase of Marshall Mountain by a conservation minded buyer (Izzy Dog LLC), and future plans for the city to eventually purchase the property, the city has reached out to enquire about using the parking lot for events at Marshall year-round. Additionally, there is plans for a bus stop that Mountain Line would use on a regular basis. Finally, the parking lot was part of a broader study that was completed by the Metropolitan Planning Organization (MPO), which is comprised of city, county, state, and federal representatives. You can learn more about the study using the following link: <https://www.missoulampo.com/east-missoula-highway-200-corridor->. The process to completing the study included multiple opportunities to provide feedback on the plan.

5. Concern about infringing on private property [3].

FWP Response. Acquisition of private property is not required for this proposal as the site design is within existing Montana Department of Transportation (MDT) right of way or easement

and will be managed by FWP through an agreement with MDT. The adjacent property owner was contacted early in the development of this proposal to explore any potential interest they had in selling their property but no agreements were reached.

6. Questions and suggestions about site design, including removing one of the road accesses to reduce “drive throughs”, adding trailer parking, adding fences and gates; etc. [1] [2] [3] [4].

FWP Response. We refer you to the scope of the Draft EA, Section 1, paragraph 9 “...*The scope of this EA is FWP’s proposal to assume long-term management of the project through a recreation permit from MDT. However, FWP will collect comments related to the design and implementation of the parking area and share those comments with Missoula County prior to construction plans being finalized.*” These comments will be shared with Missoula County prior to final plans being developed.

8. Suggestions regarding a holistic approach to managing river recreation and access in the Missoula area

FWP Response. While outside the scope of this Draft EA, this point is well taken and fits within FWP Region 2 strategy to engage partners and stakeholders via creative solutions such as this project; the River Ambassador program; and public transportation options that are the outgrowth of community efforts such as the Three River Collaborative. We look forward to working with our entire community to help solve these complex issues to provide appropriate recreational access and infrastructure.

DECISION AND RECOMMENDATION

Based upon the Draft Environmental Assessment and the applicable laws, regulations, and policies, I have determined that the proposed action will not have negative effects on the human and physical environments associated with this project. Therefore, I conclude that the EA is the appropriate level of analysis and the preparation of an Environmental Impact Statement is unnecessary.

This proposal for FWP to acquire a recreation permit from the Montana Department of Transportation to manage a proposed overflow parking lot extension of the Sha-Ron Fishing Access Site (FAS) in Missoula County received support from the community. In consideration of these facts and with the addition of this Decision Notice and its Amendment and information herein, I adopt the Draft EA as final.

I have selected the proposed action (Alternative B), FWP to acquire a recreation permit from the Montana Department of Transportation identified in the Draft EA. Therefore, I am pleased to recommend that the Montana Fish and Wildlife Commission (at its regularly scheduled August 25, 2022 meeting) approve that FWP move forward to acquire the recreation permit once the parking lot construction is complete by Missoula County.



Randy Arnold
Region 2 Supervisor
Montana Fish, Wildlife & Parks

July 20, 2022

Date

APPENDIX A

Comments on the proposed Sha-Ron FAS Recreation Permit between June 15 and July 6, 2022. All comments received via E = email.

Com- men- ter #	Via	Para- graph	Comment	
1	E	1	As a resident who lives near Sha-Ron and a river user, I had some thoughts on the Sha-Ron parking lot project.	
		2	I think the proposed parking lot is a good idea in light of the heavy summer use and dangerous parking situation on old Highway 200.	
		3	Looking at the map, I didn't see any place for trailer parking - an important issue for a river access. I also see there are two driving accesses into the proposed parking area. My suggestion is to remove the access road that lines up with Sunnyside Lane and use that space for trailer backing. So the trailer parking would be in the SE corner of the lot and a small area in the NE part of the lot would be no parking so trailers could back in and get turned around for departure. Having the trailer parking as far away as possible from the boat launch isn't ideal, but it would reduce the temptation for non trailer parking.	
		4	moving one of the road accesses would have the added benefit or reducing "drive throughs".	
		5	I also think that the existing parking in the boat launch area could be improved to make more room. The rock circle that was installed about a decade ago provides little functionality and consumes parking space.	
		6	One last thought: I know that the speed limit isn't a FWP issue but I do think an effort should be put forth to reduce the speed limit to 45 mph.	
		7	Thanks for considering my input,	
2	E	1	I'm writing in opposition of this EA and no action should taken	1
		2	The area is within a wetland, and while BMPs will be in place during construction, the long term presence of a parking lot adjacent to a wetland will be impacted. What comes to mind are recreationalists tossing their trash, but also wildlife not utilizing the resources from the wetland (food, nesting) just by its existence and presence of more people/traffic	2
		3	Also to note, the EA indicates the parking lot impacts on the bull trout, "would not add more stress than the already existing impact of all river recreationists." By constructing a parking lot, the stress of the bull trout will increase because the parking lot will increase the number of recreationists, more so than the number previously seeking access without the overflow parking lot.	3
		4	Please consider these thoughts and have a great day,	4
3	E	1	<ol style="list-style-type: none"> 1. WHAT ABOUT OVERNIGHT PARKING OR CAMPING? 2. IS THIS GOING TO BE FENCED OFF OR GATED? 3. HOW IS UNAUTHORIZED USAGE GOING TO BE ENFORCED? 4. YOU WILL CREATE A SPACE FOR ALL KINDS OF PROBLEMS, IE: 5. HOMELESS CAMPING, DRUG EXCHANGES, DRINKING PARTIES, ETC. 	1
		2	<ol style="list-style-type: none"> 1. THOSE OF US THAT LIVE ALONG THE HIGHWAY ARE NOT 2. HAPPY ABOUT THIS PROJECT. WE ALL KNOW THAT NO MATTER WHAT 3. OUR COMMENTS ARE AGAINST THIS THEY WILL MEAN NOTHING ANYWAY. 4. WE DO NOT LIKE THE WAY THE RULE OF EMINENT DOMAIN WAS 5. USED TO THREATEN OUR NEIGHBOR TO ACQUIRE HIS LAND. IT SEEMS TO ME 6. THAT THIS IS A HUGE WASTE OF TAXPAYER MONEY FOR A PARKING LOT 7. THAT IS ONLY NEEDED ABOUT THREE WEEKS OUT OF THE ENTIRE YEAR, IF THAT. 	2

3	A BETTER SOLUTION IS JUST TO CLOSE THE SHA-RON ACCESS. PROBLEM SOLVED.	3
4 E 1	Thank you for the opportunity to provide written public comments on the proposed development of an overflow parking lot at the Sha-Ron Fishing Access Site (FAS) near East Missoula conducted by the Montana Department of Fish, Wildlife and Parks (FWP). We have reviewed the proposal and associated draft Environmental Assessment, and we wish to go on record supporting this project under Alternative B.	4
2	Founded in 1964, Montana Trout Unlimited (MTU) is the only statewide grassroots organization dedicated solely to conserving, protecting, and restoring Montana's coldwater fisheries. MTU is comprised of 13 chapters across the state and represents approximately 4,500 TU members. Many of our members are conservation-minded anglers who have an active interest in the health and recreational values of our state's rivers and streams.	
3	We believe this project under Alternative B has practical benefit to this section of the Clark Fork River, minimizing traffic and parking congestion, protecting public safety, providing quality public access, and ensuring the long-term conservation for aquatic and associated riparian benefits. Thank you for your work to develop and pursue this project in the highly utilized urban corridor section of the Clark Fork River.	
4	MTU's support for this good project does come with some caveats moving forward. While this project is a responsible and scale appropriate response to resolving conflicts, promoting access, and benefiting habitats, we should not believe that simply building more parking lots is a longterm solution to increasing water based recreational use. As the demands on our natural resources continue to rapidly grow, FWP will need to convene diverse stakeholders to manage recreation demands comprehensively and responsibly on our most popular streams and rivers in creative ways that think outside of the "more pavement" box. Finally, we believe that issues around parking within the urban corridor of the Clark Fork River from Bonner to Frenchtown will likely persist, even with this proposed development, and FWP and Missoula City and County officials need to start taking enforcement of these issues more seriously. The same goes for other rivers like the Blackfoot and sections of the Bitterroot where dissuading illegal and dangerous parking would help alleviate some of the river crowding issues. If that requires more formal partnerships or new sources of funding to provide the support needed, FWP should be holding those conversations with stakeholders sooner rather than later.	