

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION



GREG GIANFORTE, GOVERNOR

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STATE OF MONTANA

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June 16, 2020

Dear Interested Party:

The Montana Department of Natural Resources and Conservation (DNRC) is beginning an Environmental Assessment (EA) on the potential construction of a bridge across the Bitterroot River. The proposed site of construction is located approximately ¼ mile southwest of Hamilton (NE1/4, NE1/4, Section 35, T6N, R21W).

The bridge is being proposed by YC Properties, LLC. The purpose of the bridge is to access land owned by YC Properties, LLC for agricultural purposes. The Bitterroot River splits into two channels south of the proposed location creating an island of land between the two channels. The main channel of the river is on the eastern edge of the island. The proposed bridge would span the smaller channel on the western edge of the island.

The bridge is designed to be a perched 129 foot long, single span prefabricated steel truss bridge with a width of 16 feet. The bridge would span the river with no supporting structures placed within the channel of the river. The height of the bridge has been designed to allow for free passage of ice and debris. In addition, the height would allow for recreators (boats and paddleboarders) to pass under the bridge during high flows. During construction, work would be done at low water and coffer dams would be created during abutment construction to isolate the work area from active river flow.

Montana Code (MCA 70-16-201) provides for state ownership from the low water mark to the low water mark on navigable water bodies. Based on historical evidence the Bitterroot River is commercially navigable from the mouth of Jennings' Camp Creek on the east fork (SW1/4, Sec.27, T2N, R18W) to its confluence with the Clark Fork River. Therefore, the state claims ownership of the riverbed below the low water mark between these two points. YC properties is seeking an easement and land use license from the DNRC (between the low water marks). DNRC has no jurisdiction above the low water mark. YC Properties has applied for permitting from other agencies with jurisdiction above the low water mark (Conservation District, Floodplain Administrator, US Army Corps of Engineers).

By this letter, DNRC is requesting comments under the Montana Environmental Policy Act regarding the granting of an easement and land use license for the construction of the bridge. Comments will be considered if received no later than July 8, 2022. Comment may be sent to: Thayer Jacques, Hamilton Unit Forester, Hamilton DNRC, P.O. Box 713 Hamilton, MT 59840 or tjacques@mt.gov.

Sincerely,
Thayer Jacques
Hamilton Unit Forester DNRC

Cc: Sierra Farmer, Trust Lands Program Manager
Liz Mullins, Land Use Planner