



MONTANA **FWP**

MONTANA STATE PARKS AND RECREATION BOARD AGENDA ITEM COVER SHEET

Meeting Date: September 17, 2020

Agenda Item: Fort Owen State Park Acquisition

Action Needed: Final

Time Needed on Agenda for this Presentation: 15 Minutes

Background: Fort Owen State Park preserves a portion of one of the most significant pieces of Montana history. For decades, however, the Department has faced management challenges as the one-acre park is surrounded by a private ranch and accessed via an easement along a shared ranch road. Parking and access are confusing to the public, which has led to trespass issues and privacy concerns from the neighboring landowner, as well as enforcement challenges by FWP staff. Potential solutions have been proposed since at least the 1980's but did not gain much traction until the ranch was sold to MGY Ranch in late 2017. Subsequent conversations and negotiations have led to the proposal before the board to acquire additional land, with an eye to develop a future parking lot to protect public access and private property. As part of the agreement, FWP will also discharge public access along a portion of the existing easement, while maintaining management and administrative access. At the February 20, 2018 meeting, the Montana State Parks and Recreation Board approved a motion to “work with the new landowner to explore opportunities, up to and including acquisition of additional state park property, to enhance public access and address private landowner concerns for improved management of Fort Owen State Park.”

Public Involvement Process & Results: An Environmental Assessment was released for public comment on August 6, 2020 with comments accepted until September 4, 2020.

Alternatives and Analysis:

Alternative A: The Department would purchase approximately 0.9 acres from MGY Ranch and also discharge a portion of the existing easement for public use. Under this alternative, FWP would acquire additional property to incorporate into its existing Fort Owen SP. The Department would also abandon a portion of its current public roadway easement (the portion east of the existing park boundary) along the private access road leading north off Highway 269. The goal of the property acquisition would be to later develop a parking area, through a separate project proposal and EA process.

Alternative B--No Action: The Department would not purchase the property. If no action is taken, FWP would not purchase the property, and public access and neighbor privacy would continue to be an issue. Due to inadequate parking and restricted access, the public would have limited access to this important historic site and the neighboring landowner would continue to suffer from public intrusion onto private property.

Alternatives Considered or Suggested but Eliminated from Further Analysis: Move the historic building to another location. (St. Mary's Mission, located just west of the Town of Stevensville, has been frequently suggested). This alternative would conflict with historic preservation Best Management Practices that recommend that historic buildings be left in their original location. Close the site to public access and continue to maintain historic buildings and preserve cultural resources. This alternative was rejected due to the interest from the public to have access to this important historic site and the willingness of the adjacent landowner to work with the Department to secure a long-term solution.

Agency Recommendation and Rationale: The Department recommends that the Board approve (Alternative A) the acquisition and move forward with plans to protect public access and private property.

Proposed Motion: I move the Parks and Recreation Board approve that Fish, Wildlife and Parks acquire the additional property and vacate the identified portion of the public road easement at Fort Owen State Park.