

Summary

Introduction

On September 24, 2009, Forest Supervisor Kevin Riordan (Responsible Official) signed a Record of Decision (ROD) for the Marsh Creek and Tarhead Allotment Management Plans (AMP). These two cattle allotments are located east of the Continental Divide on the Lincoln Ranger District, in Lewis & Clark County, Montana. Marsh Creek Allotment (3,380 NFS acres) lies southeast of Granite Butte. Tarhead Allotment (4,675 NFS acres) is southeast of Lincoln, in portions of Tar Head, Trout, Weino, and Specimen Creeks.

The Marsh Creek Allotment includes approximately 3,380 acres of National Forest System (NFS) land, divided into 2 pastures. It is located just east of the Continental Divide, southeast of Granite Butte. It includes the upper reaches of Marsh Creek and the North Fork of Marsh Creek. The Forest Service currently permits the permit holder (permittee) to graze 51 cow/calf pair, or 201 Animal Unit Months (AUMs), under a deferred grazing system within a season of July 1 through September 30. The allotment area consists mostly of timber (Douglas fir and lodgepole pine), mixed with open bunchgrass parks on south aspects.

The Tarhead Allotment includes approximately 4,675 NFS acres, divided into 3 pastures. It is located on the east side of the Continental Divide south of Flesher Pass and includes the uppermost reaches of 4 small streams: Trout, Tarhead, Specimen and Weino Creeks. The permittee is currently permitted to graze 45 cow/calf pair (207 AUMs) under a deferred system with a season of use from June 16 to September 30. Like the Marsh Creek allotment, Tarhead is dominated by timber on north aspects, and open bunchgrass parks on south aspects.

Project History

A Notice of Intent (NOI) to prepare an EIS for Marsh Creek and Tarhead allotments was published in the Federal Register on August 1, 2008. A scoping letter describing the agency's proposal and seeking public comment was mailed to 150+ state, federal and local agencies and individuals who had expressed interest in livestock grazing activities on the Lincoln Ranger District.

An earlier proposal for these 2 allotments, along with several other allotments, was presented to the public in a scoping letter dated January 30, 2007. Our analysis for Marsh Creek and Tarhead revealed that extraordinary circumstances existed, arising from downstream (off Forest) conditions, with cumulative effects to some streams and riparian areas. The additional analysis and documentation required is the reason for proceeding with an EIS. The comments received in 2007, specific to these 2 allotments, were reviewed and used to develop the proposed action presented in the 2008 scoping letter.

Purpose and Need for Action

The goal of this analysis is to determine whether livestock grazing would continue to be authorized on these two allotments. If so, what level of livestock grazing would be authorized and what management prescriptions will be applied. These would need to be in accordance to direction and objectives of the Forest Plan and in compliance with applicable laws, regulations, and policies, (i.e. to utilize forage available for livestock grazing as identified in the Forest Plan while meeting other resource objectives).

The proposed action addresses the need to:

- Reduce riparian disturbance, improve stream bank stability, and increase riparian vegetation abundance and diversity to maintain, or move toward, desired condition.
- Comply with applicable Forest Plan direction and related laws, including the Rescissions Act of 1995.

The amount of primary and secondary range on these allotments is limited to open south-facing slopes and ridgetops. These are naturally occurring open areas dominated by grasses and forbs where livestock typically graze. Water is provided by several small streams crossing the allotments as well as some seeps in the uplands. Livestock use along streambanks and within areas of riparian vegetation has been minimal, with the exception of a few isolated sections (described below) where livestock water and find shade.

Proposed Action

The proposed action (Alternative 2) includes reauthorizing grazing of livestock on the Marsh Creek and Tarhead allotments under 10-year permits. Each permit would incorporate a new AMP, developed to improve range conditions, particularly in riparian areas. The new AMP would also provide opportunities to adapt management as needed, based upon monitoring of both riparian and upland sites.

This proposal establishes an *initial* stocking rate for each allotment, and establishes a maximum *permitted* stocking rate or “cap” for the allotment for the term of the permit. An adaptive management strategy outlines steps (i.e. a sequence of management adjustments) to be implemented if identified monitoring “triggers” are reached. The strategy is designed to ensure that vegetative conditions continue to move toward desired. Stocking rates could be adjusted up or down based on monitoring results, but would not exceed the permitted level.

This proposal also includes management actions to protect localized areas of riparian impacts or accelerate improvement of riparian conditions along longer sections of streams. Adaptive management options would be used to meet allotment management objectives. Monitoring sites would be established at key areas within riparian areas, where both short- and long-term monitoring would be performed. Monitoring results would be used to adjust management to ensure that conditions are moving toward desired.

Scope of the Analysis

The proposed action is limited to the National Forest System Lands within the boundaries of the two allotments and those specific parcels of private land within these allotments that are owned by the current livestock permittee and covered under the existing permit. The geographic extent of some areas used to analyze different components (watershed and wildlife home ranges) may extend beyond the project area. The analysis of effects disclosed in this document includes those occurring from the entire “scope” of the decision. Scope is defined in 40 CFR 1508.25 as the range of actions, alternatives, and impacts to be considered in an EIS. Any new information that develops after the decision of this analysis would be considered prior to implementation.

Issues

Comments received as a result of scoping in 2008, were reviewed by the interdisciplinary team and District Ranger and used to refine and to identify significant issues. These significant issues are also called “key” issues, and will be referred to as such in this document.

The issues identified were categorized into two types: key issues and analysis issues. Key issues are defined as those issues utilized in modifying the proposed action or in the development of an alternative to the proposed action. . Analysis issues are already decided by law, regulation or Forest Plan direction or policy, addressed through project design or addressed through comparison of effects of the no action and alternative actions.

Key Issue

Based upon the content analysis of the scoping comments received, the IDT recommended, and the Responsible Official agreed, that one key issue was identified:

- Some riparian areas are not meeting desired conditions (described in Chapter 1) due in part to livestock grazing.

This issue was considered for analysis of effects in the document and used to develop the details of the proposed action. The Responsible Official determined that the modifications to the proposed action following scoping, based on suggestions from the public and the IDT, did *not* result in a substantive change and therefore did not necessitate development of another alternative.

Effects to riparian areas are addressed in the hydrology and fisheries reports. Effects to the following resources were also considered: range vegetation, forest vegetation, noxious weeds, soils, hydrology, fish, wildlife, sensitive plants, heritage, and recreation (including roadless).

Alternatives

Alternatives Considered But Not Given Detailed Study

Current Management

The current management of the Marsh Creek and Tarhead Allotments will not be studied in detail, as it does not fully meet the Purpose and Need for the project. Current management is not resulting in improvement of riparian conditions along some stream sections. The FEIS includes a discussion of the current management (the past 3-5 years) as well as a history of management on the allotment adequate to set the stage for the existing condition, which will serve as the baseline for comparison for the alternatives.

Alternatives Considered in Detail

Alternative 1 – No Action – No Grazing

The FS National Environmental Policy Act (NEPA) Handbook (FSH 1909.15, 14.2) states: "...to update a range allotment plan, the no action alternative is no grazing as specified in the Grazing Permit Administration Handbook (FSH 2209.13, 92.31)." Under this alternative, term grazing permits would not be reissued for the area currently included within the boundaries of the Marsh Creek and Tarhead allotments. The allotments would be considered for permanent closure. Existing range improvements such as drift fences and water developments would be removed. Boundary fences are private and would remain. No allotment-specific range monitoring would occur.

Alternative 2 - Proposed Action

It is proposed to authorize grazing of livestock on the Marsh Creek and Tarhead allotments using an adaptive management strategy that allows adjustment of current management and the implementation of additional improvements, as needed to 1) protect localized areas of riparian impacts and 2) to better facilitate livestock movement between pastures. Initial management, including grazing guidelines to be authorized at the beginning of the permit term and range improvements to be installed within the first or second grazing season, is identified. A maximum stocking level would be established. Desired conditions for these allotments would remain the same, and are described in Chapter 1, Purpose and Need.

Specific management criteria proposed for each allotment, compared to current management, are presented in Tables 2.1. and 2.2. See Figures 2.1 and 2.2 for allotment maps displaying existing and proposed range improvements. Monitoring and best management practices are presented in Tables 2.3, 2.4, 2.5 and 2.6.

Comparison of Alternatives

A "comparison of alternatives" section can be found near the end of Chapter 2. This section includes a comparison of features for Alternative 1, Alternative 2 and the existing condition (Table 2.7), and a summary of effects (Table 2.8).

Decisions to be Made

The Forest Supervisor, Helena National Forest, is the deciding official for this project.

Alternative 2 was selected, based on a thorough review of the Final Environmental Impact Statement (FEIS), the project record with supporting documentation, and the public involvement process. This decision outlines the details of grazing management that will be incorporated into the new Allotment Management Plans (AMP) and become part of a 10-year term grazing permit to be issued prior to the 2010 grazing season. The FEIS includes a summary section at the beginning of each chapter which shows changes between the draft and final. Only new additions or changes to the document are shown in this summary.

Document Structure

This final environmental impact statement (FEIS) discloses the direct, indirect, and cumulative environmental impacts and any irreversible commitment of resources that would result from the alternatives and compliance with the Helena National Forest Plan (1986). This FEIS is prepared according to the format established by

Council on Environmental Quality (CEQ) regulations to implement the National Environmental Policy Act (NEPA) found in 40 CFR 1500-1508.

Chapter 1 of the FEIS discusses the purpose of and need for the project, the summary of the proposed action, Forest Plan direction, and the decision to be made. Chapter 2 of the FEIS describes the public involvement process including key issues that were identified. The proposed action and no action alternatives are described in detail, and rationale is provided for not studying the current management of the allotments in detail. A summary comparison of the alternatives and their effects is provided. Chapter 3 of the FEIS describes the natural and human environments potentially affected by the proposed action and alternatives, and discloses anticipated potential effects. The FEIS also contains a glossary, the list of preparers and literature cited. Appended materials in this document include additional information and analyses.

This EIS hereby incorporates by reference the project record (40 CFR 1502.21). The project record contains specialist reports and other technical documentation used to support the analysis and conclusions in this EIS. These multiple specialist reports were developed specifically for the Marsh Creek and Tarhead Allotment Management Plan project. The project record is available for review at the Helena National Forest, Supervisor's Office in Helena, Montana.