

United States
Department of
Agriculture

Forest
Service

Lewis and Clark
National Forest

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File Code: 1950

Date: April 20, 2009

Dear Interested Party:

In October 2008, I issued a decision to implement Alternative 1 as displayed and analyzed in the Taylor Hills Land Exchange Environmental Assessment (EA), which included the exchange of 158 acres of National Forest System lands for 151 acres of private land in the Taylor Hills area. The decision also included acquisition of public rights-of-way (ROWs) on roads accessing the Tenderfoot drainage.

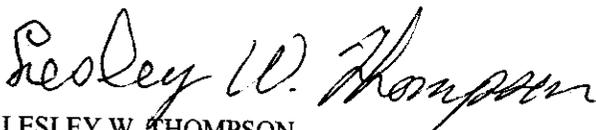
Since the decision was made, the exchange proponent has stated he is not willing to grant the ROWs on Road Nos. 6424 and 6372, located within Section 30, T14N, R5E. Because of this change, the previous decision has been amended to reflect that the United States is **not** acquiring road ROW easements on the South Fork Tenderfoot NFS Road No. 6424 and Tenderfoot NFS Road No. 6372, nor will the U.S. acquire a bridge crossing ROW easement on an existing bridge at the terminus of Tenderfoot NFS Road No. 6372. Neither will the U.S. grant road ROW easements to Zehntner on NFS Road Nos. 6424 and 6372 and NFS Trail No. 342, which currently allow access into their private in-holdings for agricultural purposes. In order to work towards securing legal public access in the Tenderfoot area, the amended decision reserves a public road right-of-way easement, 66 feet wide, on existing road identified as NFS Road No. 6424029, located in Section 30, Government Lot 20, as part of the conveyance of Lot 20 to Zehntner.

The EA and my Amended Decision Notice (DN) can be reviewed on the Lewis and Clark Forest website at <http://www.fs.fed.us/r1/lewisclark/projects/>. If you desire a hard copy of the Amended DN, please contact White Sulphur Springs District Ranger Carol Hatfield at (406) 547-3361. A legal notice of the decision and opportunity to appeal will be published in the Great Falls Tribune. A written appeal must be submitted within 45 days from the day after publication of legal notice of the project in the Great Falls Tribune; please check the Tribune for the exact date and appeal process. This decision is subject to appeal pursuant to 36 CFR 215.11 and must meet the content requirements of 36 CFR 215.14.

It is the responsibility of the appellant to ensure their appeal is received in a timely manner. Paper appeals must be submitted to: USDA Forest Service, Northern Region, ATTN: Appeal Deciding Officer, P.O. Box 7669, Missoula, MT 59807; or submitted to: USDA Forest Service, Northern Region, ATTN: Appeal Deciding Officer, 200 East Broadway, Missoula, MT 59802. Office hours are: 7:30 a.m. to 4:00 p.m. Electronic appeals must be submitted to: appeals-northern-regional-office@fs.fed.us. In electronic appeals, the subject line should contain the name of the project being appealed. An automated response will confirm the electronic appeal has been received. Electronic appeals must be submitted in MS Word, Word Perfect, or Rich Text Format (RTF).

Thank you for your interest in the Lewis and Clark National Forest.

Sincerely,



LESLEY W. THOMPSON
Forest Supervisor

cc: Carol Hatfield, Guy H Adams, Robert Dennee, Lisa M Subcasky