



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

September 8, 2004

TO: Governor's Office, Todd O'Hair, State Capitol, Room 204, POB 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, POB 201704, Helena, MT 59620-1704
Dept. Environmental Quality, Metcalf Building, POB 200901, Helena, MT 59620-0901
Montana Fish, Wildlife & Parks:

Director's Office	Legal Unit	Parks Division
Wildlife Division	FWP Commissioners	Design & Construction
Enforcement Division	Lands Division	Fisheries Division

MT Historical Society, State Historic Preservation Office, POB 201202, Helena, MT 59620-1202

MT State Parks Association, POB 699, Billings, MT 59103

MT State Library, 1515 E. Sixth Ave., POB 201800, Helena, MT 59620

James Jensen, Montana Environmental Information Center, POB 1184, Helena, MT 59624

Janet Ellis, Montana Audubon Council, POB 595, Helena, MT 59624

George Ochenski, POB 689, Helena, MT 59624

Jack Atcheson, State Lands Coalition, 3210 Ottawa Street, Butte, MT 59701

Jerry DiMarco, POB 1571, Bozeman, MT 59771

Montana Wildlife Federation, POB 1175, Helena, MT 59624

Wayne Hurst, POB 728, Libby, MT 59923

Rep. Steve Gallus, 2701 Phillips St., Butte, MT 59701-4135

Skyline Sportsman's Association, POB 173, Butte, MT 59701

Anaconda Sportsman's Club, #2 Cherry, Anaconda, MT 59711

Jefferson Valley Sportsman's Association, POB 663, Whitehall, MT 59759

Bob Raney, 112 S. 6th St., Livingston, MT 59047

George Grant Chapter of Trout Unlimited, P.O. Box 563 Butte, MT 59703

Tim LaMarr, U.S. Forest Service, 1820 Meadowlark Lane, Butte, MT 59701

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LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Ladies and Gentlemen:

Attached is the Decision Notice for the Poison Lake Westslope Cutthroat Trout Introduction Project. This project proposes to establish a sport fishery by regularly scheduled plants of westslope cutthroat trout in Poison Lake on lands managed by the Montana Department of Natural Resources and Conservation in the Tendoy Mountains of southwest Montana. Eleven public comments were received over a 31-day period, which ended on September 2, 2004, following release of the Environmental Assessment on August 3, 2004. Ten of the comments favored implementation of the project via the Preferred Alternative, while one comment favored the No Action Alternative.

It is my decision to proceed with the introduction of westslope cutthroat trout into Poison Lake as described in the Environmental Assessment. Further details are included in the attached Decision Notice.

Questions regarding this project should be directed to Richard Oswald, FWP Fisheries Biologist, 730 N. Montana Street, Dillon, MT 59725; (406) 683-9310; or fishfwpdillon@7pks.com.

Sincerely,

Patrick J. Flowers
Region Three Supervisor

Decision Notice

Poison Lake Westslope Cutthroat Trout Introduction Project

Proposal

The proposed project is intended to establish a sport fishery based upon regular stocking of westslope cutthroat trout (WCT) in Poison Lake in the Tendoy Mountain Range of southwest Montana. Poison Lake is located on lands managed by the Montana Department of Natural Resources and Conservation (DNRC), which is supportive of the proposed action. Public access is available on designated roadways by vehicle to the ridge top to the east of Poison Lake and by foot or horseback to the lakeshore. The project is also part of an effort to evaluate the performance of westslope cutthroat trout in mountain lakes.

Environmental Policy Act Process

Montana Fish, Wildlife & Parks (FWP) is required to assess potential impacts of the proposal to the human and physical environment. In compliance with requirements of the Montana Environmental Policy Act (MEPA), an Environmental Assessment (currently available from Richard Oswald, (406) 683-9310) was completed for the proposed project by FWP and released for public comment on August 3, 2004.

Public comments on the project were taken a 31-day period ending September 2, 2004. The Environmental Assessment was mailed to 43 individuals and groups on the FWP MEPA mailing list. The EA was also available on the FWP website.

No significant issues were raised during the public comment period on the EA. Ten public comments received were in support of the action and the Preferred Alternative, while one was in support of the No Action Alternative. There are no modifications to the Draft Environmental Assessment based on public comment, and the Draft Environmental Assessment and this Decision Notice together serve as the final document for this proposal.

Summary of Issues Addressed in the Environmental Assessment

The Environmental Assessment lists the issues in detail. These include:

- Establishment of a sport fishery in a currently fishless lake via regular hatchery plants
- Introduction and evaluation of native westslope cutthroat trout
- Current land management and public access
- Potential of Poison Lake to support a fish population
- Status of macroinvertebrate and amphibian populations

Summary of Public Comment

FWP received eleven written comments during the EA process.

Public Comments on the Proposal

Comment #1. "Proposal is a sound and wise idea. Proceed by all means."

Response: Noted

Comment #2. "We (Montana Historical Society) feel there is a low likelihood cultural resources will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time." SHPO Project #: 2004080408

Response: Noted

Comment #3. "We (Anaconda Sportsman's Club) think this is a good project."

Response: Noted

Comment #4. "I am writing in support of the Poison Lake Project in the Tendoy Mountain Range."

Response: Noted

Comment #5. "As avid fishermen, we would be pleased to see the introduction of the westslope cutthroat into Poison Lake."

Response: Noted

Comment #6. "I would like to voice my support for the introduction of westslope cutthroat trout into Poison Lake."

Response: Noted

Comment #7. "I strongly support this project."

Response: Noted

Comment #8. "I (DNRC Dillon Unit Manager) am writing in support of the Montana Fish, Wildlife & Parks Poison Lake Westslope Cutthroat Trout Introduction Project. The Proposed Action Alternative of introducing and establishing a native species fishery to Poison Lake would be very beneficial. Especially, as stated before, by promoting indigenous fish species and by providing an additional recreational opportunity on State Land."

Response: Noted

Comment #9. "Our groups (Skyline Sportsmen's Association, Inc., Anaconda Sportsmen's Club, Public Lands/Water Access Association, Inc., and George Grant Chapter of Trout Unlimited) have discussed the Poison Lake Westslope cutthroat introduction in southwest Montana and all agree that this is a worthwhile project. ... The reintroduction will also allow more recreational opportunities to the general public...."

Response: Noted

Comment # 10. "The proposal would be a positive addition to the Medicine Lodge Valley, since the Westslopes were native to the streams of the Medicine Lodge Valley."

Response: Noted

Comment # 11. American Wildlands noted several concerns regarding the proposal and concluded with support of the No Action Alternative, "Thus we (American Wildlands) support the "No Action Alternative"

to leave a historically fishless lake in its natural state.” Summary of the four areas of concern and FWP responses are as follows:

Concern A. Restocking of Fishless Lakes: “We understand that the lower Poison Lake is currently fishless and gather from the EA that this lake is historically fishless.”...”AWL does not believe it is appropriate to introduce or “restore” westslope cutthroat trout to lakes and streams where the fish never naturally occupied.”

Response: The EA clearly states that, “Local oral history and photographs indicate that an unauthorized stocked sport fishery existed sporadically in past years for rainbow trout.” Current status based on genetic sampling of Tendoy Mountain streams indicate that westslope cutthroat trout are and have been native to the waters of the Tendoy Mountains in the Big Sheep Creek and Medicine Lodge Creek drainages at a minimum.

Concern B. Neighbor Stock: “We do not believe the introduction of Washoe Park Hatchery fish in Poison Lake represents true conservation efforts.”

Response: The EA does not infer that the project is a native cutthroat trout population restoration. The dual purpose of the project is clearly stated as the establishment of a legally managed sport fishery and an evaluation of the performance of westslope cutthroat trout in southwest Montana mountain lakes. The evaluation of the westslope cutthroat trout in mountain lake sport fisheries does have a place in the overall conservation of native westslope cutthroat trout populations as lakes currently stocked with nonnative Yellowstone cutthroat or rainbow trout are converted to plants of the native westslope strain. Missouri drainage lakes stocked with the native westslope strain of cutthroat trout represent a reduced threat of genetic loss of existing populations than lakes stocked with the previously more popular and abundant McBride Yellowstone cutthroat trout.

Concern C. Project Monitoring: “The final EA must disclose specifically how the WCT introduction will be monitored. ... Furthermore, the project must monitor the impacts of WCT introduction on other native aquatic species in the Poison Lake area, specifically the Columbian spotted frog.”

Response: The WCT introduction will be monitored via the collection of length, weight, age, growth, and condition factor data from regularly scheduled gill net samples from Poison Lake. This data will be compared with other WCT and YCT samples from similar mountain lakes to provide a basis to evaluate the performance of both strains of cutthroat trout in stocked mountain lake sport fisheries. Prior to circulation of the EA, the presence of Columbian spotted frogs has not been documented for Poison Lake. Poison Lake has no surface inlet or outlet streams. Thus, it is unlikely that WCT introduced into Poison Lake could affect Columbian spotted frogs in other aquatic habitats. The spotted frog is known to occupy waters in the Poison Lake vicinity including Kate and Muddy Creeks in sympatry with native WCT populations. Furthermore, extensive sampling of numerous WCT populations in southwest Montana has revealed the sympatric presence of Columbian spotted frogs. Thus, FWP feels that there is no reason to suspect that the monitoring of Columbian spotted frog populations is warranted as a result of the proposed project.

Concern D. Preferred Action. “Regarding the statement that the No Action Alternative may pose some risk of illegal fish introduction to Poison Lake, as this has not yet posed a threat, we do not believe it constitutes sound reasoning to stock a fishless lake. Maintaining Poison Lake in its natural state offers important and unique ecological values to this landscape.”

Response: The illegal introduction of nonnative rainbow trout into Poison Lake has occurred in the past and could reasonably occur again (see response to Concern A above). The majority of the comments (see 1 through 10 above) supported the Preferred Alternative.

Decision

Based on the Environmental Assessment, public comment, and the unique opportunity to expand sport fisheries on public lands, it is my decision to proceed with the introduction of westslope cutthroat trout in Poison Lake. This project is consistent with statewide strategies, goals and objectives regarding sport fisheries management and the promotion of the use of native species in sport fisheries.

I find there to be no significant impact on the human or physical environment associated with this project, except to promote the expansion of recreational opportunity on State Lands. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.



Patrick J. Flowers
Regional Supervisor