



930 Custer Avenue W
Helena, MT 59620

June 8, 2001

*Elk Horn Mountains Westslope Cutthroat
trout Recovery*

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

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

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Glen Hockett, 745 Doane Road, Bozeman, MT 59715
Perry Backus, 65 Redtail, Dillon, MT 59725
Tom Sathers, Headwaters Fish & Game Assoc., P.O. Box 1941, Bozeman, MT 59771-1941
Broadwater County Commissioners, Broadwater County Courthouse, Townsend, MT 59644
Lewis and Clark County Commissioners, 316 N Park, Helena, MT 59601
Jefferson County Commissioners, Box H, Boulder, MT 59632
Bruce Farling, Montana Trout Unlimited, Box 7186, Missoula, MT 59807
Steve Luebeck, George Grant TU, Box 563, Butte, MT 59703
David Payne, Missouri River TU, 4620 Liberty, Helena, MT 59601
John Wilson, Montana Trout Unlimited, 405 Monroe, Helena, MT 59601
Jack Sautter, Broadwater Stream and Lake Comm., 41 River Road, Townsend, MT 59644
Virgil Binkley, Broadwater Rod and Gun, Box 641, Townsend, MT 59644
Prickly Pear Sportsman's Association, Box 48, East Helena, MT 59635
Tom Gannon, Backcountry Horsemen of Montana, Box 2106, Clancy, MT 59634
James Mahaer, Last Chance Backcountry Horsemen, Box 4008, Helena, MT 59601
Paul Updike, Box 460, Townsend, MT 59644
Loren Davis, 1429 Helena Avenue, Helena, MT 59601

Susan Williams, 985 1/2 Rinay Rd., Helena, MT 59601
Joel Davis, 3892 E. US Highway 12, East Helena, MT 59635
Kenneth and Patricia Peterson, 1024 Peosta, Helena, MT 59601
Tom Williams, 48 Highway 437, Toston, MT 59643
Keith Kirscher, 49 Lower Ray Creek Road, Townsend, MT 59644
Ken Romo, 74 Meyer Road, Townsend, MT 59644
Gerald Reller, 300 Goose Bay Lane, Townsend, MT 59644
John Stoner, 63 River Road, Townsend, MT 59644
Aaron Shewman, 3895 Kismet, Helena, MT 59601
Neil Larson, Box 9506, Helena, MT 59604
Maurice Smith, Box 852, Boulder, MT 59632
Michael Turcotte, 644 Ambrose Creek Road, Stevensville, MT 59870
Kenneth Liston, 1909 Luck Strike Rd, Helena, MT 59602
Tom Russ, 700 McClellan Creek Road, Clancy, MT 59634
Gordon Thompson, 1027 N. Jackson Street, Helena, MT 59601
Robert Tomich, Box 229, Boulder, MT 59632
Jim Stipcich, 8856 Jackpine Drive, Helena, MT 59602
Sam Samson, Box H, Boulder, MT 59632
Michael Garrity, 2216 5th Ave, Helena, MT 59601
Ken Gardner, 41 Strawberry Lookout Rd, Clancy, MT 59634
Ed Finstad, Box 592, East Helena, MT 59635
Leslie O'Neil, Box 305, Clancy, MT 59634
Marshall and Carol Sewell, Box 840, Boulder, MT 59632
Iwy Obrigewitch, 201 N. Oak, Townsend, MT 59644
Neil Larson, Box 9506, Helena, MT 59604
Earl Dorsey, 805 Mill Road, Helena, MT 59602
Ecology Center, 801 Sherwood St. Suite B, Missoula, MT 59802
Roger Sanderson, 152 Hwy 437, Toston, MT 59643
Don Hulett, 5850 York Road, Helena, MT 59602
Bill Koehnke, 7 Greaves Road, Toston, MT 59643
Tim Meloy, 1324 9th, Helena, MT 59601
Tim Mulligan, 91 E Hwy 2, Whitehall, MT 59759
Dave Ewan, 26 Crazy Mountain, Clancy, MT 59634
Tom and Judy Kilmer, 621 2nd St., Helena, MT 59601
Melissa Kwasney, Box 123, Jefferson City, MT 59638
Darrell Baum, 430 Quarter Circle Rd., Box 470181, Winston, MT 59647
Jane Hartman, Wilsall, MT 59086
Stewart Brandborg, 187 Tin Cup Rd., Darby, MT 59829
Duane Grimes, 20 Hole in the Wall, Clancy, MT 59634
Gay Ann Masolo, 20 Buck Drive, Townsend, MT 59644
Rick Dale, 5 Rocky MTN Drive, Whitehall, MT 59759
Tim Ravndal, PO Box 287, Townsend, MT 59644
Robert Ament, American Wildlands, 40 E. Main Street, Suite 2, Bozeman, MT 59715
Stan Frasier, Montana Wildlife Federation, Box 1175, Helena, MT 59624

Ladies and Gentlemen:

Based on the Environmental Assessment, public comment, and the high risk of extinction of genetically pure westslope cutthroat trout (WCT) in the Elkhorn Mountains, it is my decision to proceed with the introduction of WCT eggs or live fish from Hall and Prickly Pear creeks into the barren stream reaches in Eureka, Little Tizer, and upper Prickly Pear creeks. The enclosed Decision Notice includes an overview of comments, responses to comments, and a final decision.

This project will help secure pure WCT in the Elkhorn Mountains by expanding their distribution to five additional stream miles, and will provide "genetic reserves" for two populations deemed to have a high risk of extinction. I find there to be no significant impact on the human or physical environment associated with this project, except to help ensure the long-term persistence of genetically pure, locally adapted westslope cutthroat trout in the Elkhorn Mountain Range. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.

If you have any questions regarding the project, please don't hesitate to contact myself at the Helena Area Office (406-449-8864) or Lee Nelson, Elkhorns Fisheries Biologist (406-266-3425). Thank you for your interest.

Sincerely,

 June 8, 2001.

Michael Korn
Helena Area Coordinator, FWP

**Decision Notice: Elkhorn Mountains Westslope Cutthroat Trout Recovery
Program: Expansion of Hall Creek and Prickly Pear Creek Westslope
Cutthroat Trout Populations**

June 8, 2001

Proposal

The proposed action is intended to increase the distribution of pure westslope cutthroat trout (WCT) by introduction of fertilized WCT eggs and/or live fish into fishless stream areas above natural barriers. The project is part of the overall Elkhorn Mountains Cutthroat Trout Recovery Program, which is intended to expand the current distribution and reduce the extinction risk of the six remaining pure WCT populations in the Elkhorn Mountain Range near Helena, Montana.

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 (EA, currently available from Lee Nelson, 406-266-3425) was completed by FWP and released for public comment in April 2001. There are no ground disturbing actions proposed on forest system lands that would require the U.S. Forest Service to complete an analysis under the National Environmental Policy Act.

Public comments on this project were taken for 31 days (April 20, 2001, to May 21, 2001). Public meetings regarding the project were held in Boulder (May 1, 2001) and Helena (May 2, 2001). The EA was mailed to 70 individuals/ groups on the FWP MEPA mailing list and from a list of those who had previously expressed interest in cutthroat trout restoration projects in the Elkhorn Mountains. News releases or Legal Notices, which announce the availability of the EA and information about the public meetings, were published in the *Boulder Monitor*, *Helena Independent Record*, and *Townsend Star*. Press releases were also sent to local radio and television stations, and a local television station ran a story announcing the public meetings. Additionally, the EA was also posted on the FWP web site.

Issues raised during the public comment period on the EA are addressed in the comment section of this Decision Notice. There are no modifications to the Draft EA based on public comment, and the Draft EA and Decision Notice together serve as the final document.

Summary of Issues Addressed in the Environmental Assessment

The EA lists the issues in detail. These include:

- Threats to native species (westslope cutthroat trout).
- Current distribution of WCT in the Elkhorn Mountains.
- Methodology of egg/ fish collection and introductions.
- Distribution, abundance, genetic status, and health of donor WCT populations.
- Habitat quality, quantity and suitability of fishless stream reaches.
- Invertebrate species collected in fishless stream reaches.
- Amphibian species presence in fishless stream reaches.
- Effects of WCT introductions on amphibians and aquatic invertebrates in currently fishless stream reaches.
- Recreational fishing opportunity.
- Fish introduction affects on livestock permittees or other Elkhorn Mountains users.

Supplementary information to the Draft EA:

The Draft EA stated that fish tested from both donor WCT populations (Hall and Prickly Pear creeks) tested positive for the bacteria *Renibacterium salmoninarum* that causes Bacterial Kidney Disease (BKD) using an Enzyme-Linked Immunosorbent Assay (ELISA) test. The ELISA test can give inconclusive results for the BKD bacteria (Jim Peterson, Fish Health Coordinator, FWP). An additional test to confirm the presence of *Renibacterium salmoninarum*, a Polymerase Chain Reaction (PCR) test, was conducted after the preparation of the Draft EA. Results of the highly accurate PCR test indicated donor populations were not infected with the bacteria.

Summary of Public Comment

At the close of the comment period, May 21, 2001, FWP had received a total of 5 written comments. Attendance at the public meetings was sparse with one person attending the public meeting in Boulder and one person at Helena. Meeting participants submitted written comments.

Written Comments on the Proposal

Comment 1. We strongly support FWP's proposal to create pure-strain westslope cutthroat trout populations in Eureka, Little Tizer, and upper Prickly Pear creeks in the Elkhorn Mountains. This project demonstrates that it's possible to have native fish restoration (expansion into barren streams) without nonnative fish removal and that might actually increase angling opportunities in the future.

Response: The Department concurs, but points out that in most situations removal of nonnative fish is necessary for increases in native fish distribution and the ultimate recovery of viable populations of westslope cutthroat trout in the Elkhorn Mountains.

Comment 2. I strongly favor the plan as set forth in the proposed action.

Response: Noted.

Comment 3. We request explanation of whether the (introduction stream) stretches were historically fishless, and we are concerned that the (introduction) stream reaches may be important for amphibians and invertebrates and that fish would negatively affect these species.

Response: It is unknown whether westslope cutthroat trout or any other fish species historically occupied the currently fishless reaches in the proposed introduction streams. However, the main natural barriers on Hall and Little Tizer creeks are high waterfalls (more than 10 feet tall) created by stable rock outcrops, and there is little chance that fish naturally migrated above the falls based on their current size. Crow Creek waterfall (more than 50 feet high), which is below the mouth of Little Tizer Creek, would have also have prohibited fish from migrating into Little Tizer Creek. A relatively small (less than 3 feet) waterfall created by a single boulder on Prickly Pear currently prohibits fish from the upper reach of this stream. Streambed shifts and or very high stream flows may have allowed fish to migrate past this structure in the past, or may allow fish to naturally migrate into this reach in the future.

As was described in the EA, amphibian and invertebrate surveys were conducted to determine if any threatened, endangered, or unique species were present in the introduction streams. None were found. Fish introductions into mountain lakes where amphibians reside and breed can negatively impact those amphibian populations; and similarly, fish introduced into streams with stream breeding amphibians could potentially impact those populations. However, stream-breeding species (e.g., Pacific giant salamander and tailed frog) that may be affected by fish introductions have not been found in the Elkhorns Mountains, and were not observed in our surveys. In addition, these species, and those amphibians common to the Elkhorn Mountains (e.g., Columbia spotted frog), have co-evolved and co-exist with cutthroat trout in other areas of their distribution. Finally, beaver ponds, and other backwater areas used by many amphibians for breeding are rare or absent in the introduction streams.

Aquatic invertebrates can also be affected by the introductions of fish. However, those species present (see EA) in the proposed introduction streams are common throughout streams in western Montana, and co-exist with cutthroat trout elsewhere. In addition, sections of the introduction streams will always remain fishless due to their small size.

Comment 4. We are concerned that fish are being introduced above natural barriers, and that those which move downstream over the barrier will be unable to immigrate back upstream.

Response: We do expect that some introduced fish will go downstream over the natural migratory barriers (particularly as fish populations reach their habitat's carrying capacity in 5 to 10 years), with a result that these fish will not be able to return to the upper reaches of the stream. We do not expect that the loss of some introduced fish will significantly affect the success of the introduction project. Downstream movement would be a concern if habitat conditions (e.g., over-wintering habitat) did not permit the populations to maintain themselves

above the natural barrier. However, habitat conditions in the introduction streams appear favorable for all requirements of cutthroat trout.

On a larger scale, the movement of fish between streams may be important for the long-term persistence of some populations. Isolation of fish populations by natural barriers and human-made barriers prevents natural gene flow and reestablishment of populations after local extinctions. These concerns will be addressed if they arise in the future in the new populations. For example, future introductions of additional fish may be required if genetic abnormalities become prevalent in the introduced populations. It is noteworthy that several small populations of cutthroat trout have existed in isolation for many decades due to human-made or natural barriers, including both donor streams in this project. Finally, restoration cutthroat trout populations of large interconnected habitats is a goal of the Elkhorn Mountains Westslope Cutthroat Trout Restoration Program, and two such drainages, upper Crow Creek and McClellan Creek, have been identified for such projects. These large projects, however, will take several years to initiate, and many more to complete. Meanwhile, "replication" of existing populations into isolated headwater reaches will serve to insure perpetuation of the unique adaptations of these populations, and will provide additional donor sources for future projects.

Comment 5. The involvement of the people who live and work in the proposed project area have not been given ample opportunity to participate in this project.

Response: The EA was mailed to 70 individuals/ groups on the FWP MEPA mailing list and from a list of those who previously expressed interest in cutthroat trout restoration projects in the Elkhorn Mountains. Two public meetings (Boulder and Helena) were held to disseminate information on the proposed project. News releases and Legal Notices, which announce the availability of the EA and information about the public meetings, were published in the Boulder Monitor, Helena Independent Record, and Townsend Star. Press releases were also sent to local radio and television stations, and a local television station ran a story announcing the public meetings. One person attended each of the public meetings in Boulder and Helena. Additionally, the EA was also posted on the FWP web site. Comments were accepted on the proposed project for 31 days. Five written comments were received on the project.

Three ranchers who have grazing permits in the Eureka Creek drainage were contacted in person or by phone to discuss issues related to their concerns of cutthroat trout introduction. Two main issues of concern were voiced. One was if the introductions would change U.S. Forest Service land management guidelines in the Eureka Creek drainage. As was discussed in the EA, riparian guidelines in the Elkhorn Mountains are currently set to maintain or enhance wildlife habitats, regardless of whether fish are present or not. As such, the introduction of cutthroat trout to Eureka Creek, or any of the other streams, will not bring any additional restrictions on land use activities.

The second issue permittees were concerned about regarded possible additional land use restrictions if westslope cutthroat trout were listed under the Endangered Species Act in the future. Current land management guidelines adequately protect conditions required for cutthroat trout, and guidelines will not need to be modified, even if listing does occur. The U.S. Fish and Wildlife Service has also indicated that because these introductions will be occurring

outside the historic range of westslope cutthroat trout (i.e., into previously fishless stream reaches), these individual populations likely would not be covered under listing. It is important to note that the U.S. Fish and Wildlife Service has recently determined that Westslope cutthroat trout are not warranted for listing, and introduction projects like these will help insure that listing remains unwarranted.

Since 1998 there has been numerous public informational meetings and media coverages regarding cutthroat trout restoration in the Elkhorn Mountains, and public comments were taken and incorporated into the overall 10-year Cutthroat Trout Restoration Program for the Elkhorn Mountains that was initiated in 2000. Methodologies to be used in this introduction effort were previously introduced in the overall restoration plan.

Comment 6. Hall Creek is in Broadwater County, why was there no public meeting held in Townsend?

Response: Eureka Creek and part of Hall Creek do lie in Broadwater County. However, most of Hall Creek, and all of Prickly Pear Creek and Little Tizer Creek lie in Jefferson County. The location of public meetings was based on the fact that a majority of the project is in Jefferson County, and that Helena is a large population center near the Elkhorn Mountains and within reasonable driving distance of other towns near the project area.

Comment 7. The continued claim that hatchery fish will not work in the Elkhorn Mountains is a good example of FWP refusing to utilize resources that are available to perpetuate this species of fish.

Response: Major goals of this project and the larger Elkhorn's cutthroat restoration program are to protect and perpetuate remaining cutthroat trout populations and their locally adapted genetic characteristics that have evolved in the Elkhorn Mountains. The use of hatchery fish would not accomplish these goals. In addition, by utilizing eggs and fish from cutthroat trout populations adapted to conditions in the Elkhorn Mountains the introduced populations should have a better chance for long-term persistence and project success. The use of a hatchery facility in this project is intended to increase the survival of the egg from wild cutthroat trout prior to introduction into receiving streams.

Comment 8. Previous information indicated that Hall Creek had a dramatic decrease in population density. How can we continue to take fish from a stream that is showing signs of having troubles of its own?

Response: The most recent population surveys, conducted in September 2000, indicate that the cutthroat trout population in Hall Creek is relatively abundant (5 to 8 fish per 100 feet of stream, 300 to 400 fish total), and could support a limited (5 to 7 females worth) removal of eggs. To offset the removal of eggs from the population, about 10% of the collected eggs will be returned to the stream – which represents about what natural reproduction would have provided to the population.

Comment 9. We suggest that FWP detail the type of monitoring that will occur to measure success of the project.

Response: Relative population abundances will be collected annually in areas where eggs are collected from the donor streams, and more detailed population estimates (depletion method) will be collected every two years to determine the current status of the donor populations and if egg removals are affecting abundance. Abundance will be determined with electrofishing. Annual spawning surveys will also be used to identify trends in adult abundance.

Introduction streams will also be surveyed annually to determine population abundance, distribution, and the year-to-year success of the egg or fish introductions. To minimize the chance of disrupting the new populations with electrofishing, sampling of the introduction streams will be kept to a minimum for several years.

Comment 10. We believe that the introduced populations will need some sort of protection status under angling regulations to temporarily protect the introduced population.

Response: Westslope cutthroat trout in streams in the Elkhorn Mountains are currently, and for the foreseeable future, protected under catch and release regulations. Adding that these populations are relatively isolated from receiving significant fishing pressure, we do not believe that any additional angling regulation protection is necessary.

Comment 11. We believe FWP should use this project as an educational tool.

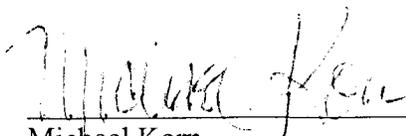
Response: FWP will use this and other projects in the Elkhorn Mountains as a means of involving members of the community, both as participants and in educational presentations. The Department recognizes that public involvement and educational presentations are crucial to the success of the overall statewide cutthroat trout restoration program and to continued support of individual projects.

Decision

Based on the Environmental Assessment, public comment, and the high risk of extinction of genetically pure WCT in the Elkhorn Mountains, it is my decision to proceed with the introduction of eggs or live fish from Hall and Prickly Pear creeks into the barren stream reaches in Eureka, Little Tizer, and upper Prickly Pear creeks. This effort is part of the previously approved *Elkhorn Mountains Westslope Cutthroat Trout Recovery Program* (July 1999), and is consistent with statewide conservation and restoration strategies, goals and objectives as outlined in the *Memorandum of Understanding and Conservation Agreement for Westslope Cutthroat Trout in Montana* (signed by multiple state and federal agencies, and organizations in May 1999).

This project will help secure pure WCT in the Elkhorn Mountains by expanding their distribution to five additional stream miles, and will provide "genetic reserves" for two populations deemed to have a high risk of extinction. I find there to be no significant impact on the human or

physical environment associated with this project, except to help ensure the long-term persistence of genetically pure, locally adapted WCT in the Elkhorn Mountain Range. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.

 June 8, 2001.

Michael Korn
Helena Area Coordinator, FWP