



Decision Notice

For the Draft Environmental Assessment Upper Shields River Watershed Yellowstone Cutthroat Trout Conservation and Brook Trout Removal

**Prepared by Region 3, Montana Fish, Wildlife and Parks
July 12, 2022**

Proposal

Montana Fish, Wildlife and Parks (FWP) proposes to remove nonnative brook trout from the upper Shields River watershed upstream of a constructed barrier. Brook trout are a major cause of decline of Yellowstone cutthroat trout, and this nonnative is compatible with native cutthroat, especially in headwater streams. The proposed action includes several phases. In the first year, a pilot study of the persistence and toxicity of rotenone in four tributaries that burned under varying severities in 2021 will be conducted that will guide full treatment in subsequent years. Yellowstone cutthroat trout and Rocky Mountain sculpin will be rescued from these streams before the studies and held in untreated waters, then returned after the rotenone has cleared. The results of the pilot study will inform full treatment with goals of minimizing harm to nontarget organisms while eradicating nonnative brook trout. Rescue of native fishes will precede any rotenone treatment. Rotenone will be deactivated at the downstream end of the treatment areas using potassium permanganate. Post-treatment monitoring using electrofishing and sampling for brook trout DNA in stream water will determine when project goals are met.

Montana Environmental Policy Act (MEPA) Process

FWP prepared an environmental assessment (EA) that analyzed two alternatives: remove brook trout using rotenone and not implementing the project as the no action alternative. The purpose of the EA is to satisfy the letter and intent of the Montana Environmental Policy Act (MEPA). The MEPA process requires FWP to assess the potential of the reviewed alternatives to alter the human and natural environment. The EA was distributed to interested parties, published in three local newspapers, posted on the FWP website, and was available upon request. A 30-day public comment period on the proposal was held from May 23, 2022, to June 23, 2022. Two public meetings were held, one in Livingston and the second in Wilsall. No members of the public attended. A zoom meeting had 3 attendees who did not offer comment.

The EA provides the Region 3 supervisor, who is authorized to make the decision, with the best available information to assist in evaluating the project and deciding whether to approve, not approve, or modify the proposed action in a decision notice. The proposed action was reviewed and approved by the Fish and Wildlife Commission in 2015 as Future Fisheries Improvement Program funds were involved with the barrier construction portion of an earlier phase of the project went through Commission review.

Issues Raised in the Environmental Assessment

The EA describes the potential for the proposed action to affect the natural and human environment. With fish removal projects being conducted worldwide, a robust foundation of research allows for this evaluation. The use of rotenone received considerable scrutiny with a thorough review of the scientific literature on the toxicity of rotenone and the deactivating agent potassium permanganate on nontarget organisms. The analysis concluded that fish remaining in the project area would perish as would some larval aquatic invertebrates and gilled amphibians. Yellowstone cutthroat trout and Rocky Mountain sculpin would recover within 3 to 5 years by natural reproduction of fish returned to the treatment area. Invertebrates and amphibians recover from rotenone treatment through multiple mechanisms within a year, and mitigative actions would rescue tadpoles in standing waters where they are abundant. Terrestrial wildlife would not be harmed. The project is miles upstream of irrigation water uses, and measures to protect livestock would prevent them being exposed to treated waters. Area closures would be a temporary recreational inconvenience to people in this portion of the Custer Gallatin National Forest for 5 days a year. Angling quality would be reduced until fish recover in 3 to 5 years.

Summary of Public Comments

Three parties submitted written comments. No comments were opposed to the proposed action. Two commenters expressed their support for removing brook trout from the treatment area. A third commenter commented on not being able to find the EA on the website. After FWP directed this commenter to the site and assisted in explaining the project, the person considered their concern to be resolved and expressed support for the project.

Questions and Clarifications Derived During the Public Comment Period

The commenter who had difficulty finding the EA was quickly directed to the correct link on FWP's website, and the concern was resolved.

Final Environmental Assessment

Based on public comment there are no necessary modifications to the draft EA. That draft EA along with the clarifications and considerations in this decision notice will serve as the final environmental assessment for this proposal.

Decision

Based on the detailed analysis provided in the environmental assessment and public comment, I select Alternative 1, to conduct pilot studies, rescue native fishes, and remove brook trout using a formulation of rotenone. In conclusion, the environmental assessment is the appropriate level of analysis and an environmental impact statement (EIS) is not required.



Marina Yoshioka
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July 12, 2022