

Taylor Hills Land Exchange

Decision Notice and Finding of No Significant Impact

**Lewis and Clark National Forest
White Sulphur Springs Ranger District
Meagher County, Montana**

October 2008

Lead Agency:

USDA Forest Service
Northern Region
Lewis and Clark National Forest
White Sulphur Springs Ranger District

Responsible Official:

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Forest Supervisor

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I. Introduction

This Decision Notice documents my decision and “finding of no significant impact” to select Alternative 1, the Proposed Action as described in the Environmental Assessment (EA) for Taylor Hills Land Exchange issued August 2008.

The involved lands and roads are located in the Tenderfoot Creek area northwest of White Sulphur Springs, Montana. All lands are in Meagher County. In this proposal, the United States would convey 158.83 acres of National Forest System (NFS) lands, and the United States would acquire 151.52 acres. In addition, the United States will acquire road right-of-way easements on the South Fork Tenderfoot NFS Road No. 6424 and Tenderfoot NFS Road No. 16372, trail right-of-way easement on Tenderfoot Creek NFS Trail No. 342 and Bald Hills NFS Trail No. 345 and bridge crossing right-of-way easement on an existing bridge at the terminus of Tenderfoot NFS Road No. 6372. The Forest Service will grant road right-of-way easements to Zehntner on NFS Road Nos. 6424 and 6372 and NFS Trail No. 342 to allow access into their private in-holdings for agricultural purposes.

The Federal and non-Federal lands identified for exchange have been appraised in accordance with Federal standards. All appraisal reports were completed by Kathleen Lowry-Rickett, ARA, formerly of the Forest Service. All reports were reviewed and approved by Forest Service Qualified Review Appraiser C. Kim Zier.

On October 17, 2007 appraisal reports for the identified Federal lands, non-Federal lands and right-of-way easements were completed with a date of value of October 9, 2007. Both reports were approved December 13, 2007. The current appraisals remain valid through October 9, 2008.

The current estimated market value of the non-Federal lands identified for exchange, which in total consists of 151.52 acres, is \$380,000. The current estimated market value of the Federal lands, which in total consists of 158.83 acres, is \$358,000. The exchange will be completed on the basis of equal market values. The United States will pay the non-Federal party \$22,000 equalization payment as allowed by 36 CFR 254.12.

The exchange will be completed in accordance with the General Exchange Act of 1922, as amended, the Federal Land Policy and Management Act of October 21, 1976, as amended and the Federal Land Exchange Facilitation Act of August 20, 1988.

I am the responsible official for this project. The scope of my decision is limited to the actions described in the EA and this Decision Notice and Finding of No Significant Impact (DN/FONSI). This decision is site specific.

Please refer to maps of the identified lands and roads in **Appendix A**.

Legal Description of the Federal and non-Federal lands, including mineral estate, in Meagher County, Montana, to be exchanged,

Non-Federal land:

T. 14 N., Rgs. 5 and 6 E., P.M.M.
HES 185 located in sections 13, 24 and 18, 19.

Containing 151.52 acres, more or less.

Federal land:

T. 14 N., R. 5 E., P.M.M.
sec. 30, lots 16, 18, 19 and 20;
sec. 32, lots 1 and 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing 158.83 acres, more or less.

II. Project Background

Howard Zehntner owns the isolated 151.52 acre Taylor Hills Homestead Entry Survey (HES) 185 which is surrounded by NFS lands within the Tenderfoot-Deep Creek Inventoried Roadless Area (I-726). The homestead is located on a south facing aspect about 2 miles down slope and south from the Logging Creek/Tenderfoot Creek divide at the Taylor Hills trailhead. The homestead is located at approximately 6,100 feet elevation. From the homestead, the terrain drops steeply to the south, about $\frac{3}{4}$ mile to Tenderfoot Creek. A dilapidated log cabin, barn and storage shed are located on the property.

The Zehntner Brothers Tenderfoot ranch headquarters is located five miles west of HES 185 and downstream on Tenderfoot Creek, near the junction of Tenderfoot Creek and South Fork Tenderfoot Creek. The ranch headquarters resides adjoins an array of intermixed ownership and irregular boundaries (National Forest, State, and private). Zehntner's desire is to consolidate their ownership for management efficiency.

In 2002, Zehntner Brothers LLC (Zehntner) submitted an application to the Forest Service to construct approximately $4\frac{1}{2}$ miles of timber haul road to access and harvest timber from their private homestead in-holding (HES 185). The road would begin near the Taylor Hills trailhead and switch-back down slope and across existing NFS Trail No. 344. An in-holder has rights of reasonable access into private in-holdings isolated by NFS lands. In this case, under the condition that reciprocal public access to isolated public lands would be granted by the in-holder.

Identified concerns of the proposed road construction included potential impacts to Inventoried Roadless Area values, impacts to wildlife habitat, slash and debris damages to trails from private logging with the potential for closure of NFS Trail No. 344 and Trail No. 351. In addition, soil and water erosion caused by road building and timber harvest on these slopes might impact Tenderfoot Creek, a productive, high quality westslope cutthroat trout fishery. Forest Service personnel and Zehntner's felt there must be a better solution to common management needs rather than creating additional issues through construction of the 4.5 miles of access road and harvest of timber across

the homestead in-holding. Discussions ensued and agreement was reached to consider a mutually beneficial land exchange and reciprocal right-of-way (R/W) acquisition.

Zehntner ownership near the ranch headquarters includes 0.91 miles of Roads No. 6424 and 6372 (in two segments) which provide access into NFS lands along Tenderfoot Creek area. The USDA, Forest Service does not have R/W on these roads and NFS lands along Tenderfoot Creek are effectively 'land-locked' by private lands from vehicle access. Zehntner's granting this R/W would provide public road R/W on the sole and historic road route into Tenderfoot Creek, providing connection to the extensive trail system extending upstream and downstream along Tenderfoot Creek.

The County and State segments of Road 6424 allow public access to the boundary of private ownership in Section 30, at which point no public road R/W exists at this time. From that point over the next mile of Road 6424 and 6372, the present good-will of Zehntner allows public vehicle access down into the Tenderfoot Creek bridge vicinity and the associated trails and informal road system on the north side of Tenderfoot Creek, during the spring and summer seasons.

The NFS parcels are not destinations as these are relatively isolated timber areas that are adjacent to or nearly surrounded by private ownership, and do not have road or trail access to their interior areas.

During the fall hunting season however, a lock gate has been installed by Zehntner near the ranch buildings, stopping vehicle traffic ½ mile prior to entering private land in Section 30. Because this lock gate site has provided a safe turn-around location, the public has not complained about being stopped ½ mile prior to the actual private boundary, otherwise the lock gate would be located on top of the steep road pitch with no turn-around facility at the actual Section 30 private boundary.

This good-will access has in the past allowed public vehicle travel to drive across Tenderfoot Creek Bridge and connection to the extensive NFS trails on the north side of Tenderfoot Creek (Trail 342 motorcycle trail and Trail 345 ATV/motorcycle trail). This good-will access has also allowed public vehicle travel within the private lands to drive downstream about ½ mile on the trail as rebuilt logging roads, to the Tenderfoot Falls overlook, and also to drive upstream about ¼ mile on a user created 2-track road into a user developed dispersed camping area that is actually on NFS lands. The Forest Service is now closing that dispersed camping area.

Zehntner has had management problems the past couple years with motorized trail users, and has indicated they will close their private lands on the north side of Tenderfoot Creek to all motorized vehicle travel. The Lewis and Clark National Forest (LCNF) Travel Plan decision signed in 2008 closes Forest travel routes on the north side of Tenderfoot Creek to all motorized traffic.

Public trail use across HES 185 is open by the good-will of the Zehntner for Trails 344 (ATV/motorcycle trail) and 351 (motorcycle trail); these two trails junction within HES 185.

Two parcels of NFS lands totaling 158.83 acres, which are located contiguous to Zehntner's ranch and landlocked to public access, were identified as potential exchange parcels. The private Taylor Hills HES 185 totaling 151.52 acres was identified for acquisition, along with the noted public

access needs. Later, reciprocal road easement R/W needs for Zehntner were identified, thereby completing the proposed land exchange and reciprocal R/W acquisition package. A valuation consultation determined the exchange packages to be of approximate equal value.

An **Agreement to Initiate** (ATI)¹ the land exchange between Zehntner and the United States was formally signed on March 27, 2007 by landowner Howard Zehntner and by Lewis and Clark National Forest Supervisor Lesley W. Thompson.

PURPOSE AND NEED

The purpose and need for this action is fully identified in the Taylor Hills Land Exchange Environmental Assessment, August 2008, on pages I-4 and I-5. In summary, the purpose and need is to maintain wildland values and roadless characteristics of the Tenderfoot-Deep Creek Inventoried Roadless Area; maintain high quality wildlife habitat for lynx, a threatened species and maintain undisturbed watersheds downslope in the Tenderfoot Creek for Westslope cutthroat trout habitat, a sensitive species; and acquire needed public access into South Fork of Tenderfoot Creek and in the Tenderfoot areas; as well as to consolidate NFS and private lands providing for more efficient management of these lands.

PROPOSED ACTION

The United States would acquire the following lands and road and trails R/W easements located in Meagher County, Montana:

- Fee title (surface and mineral estate) to 151.52 acre Taylor Hills HES 185, located within Sections 13 and 24, T14N, R5E and Sections 18 and 19, T14N, R6E. This action would eliminate the need to acquire 1.2 miles of trail R/W on Trails Nos. 344 and 351.
- One water right in HES 185 for stock use at the rate of 10 gallons per minute (gpm) and total annual volume of 2 acre-feet, with a priority date of December 31, 1917.
- 0.91 miles of public road R/W, 66 feet wide, on Roads Nos. 6424 and 6372, located within Section 30, T14N, R5E through Zehntner property, thereby securing public road access to the South Fork Tenderfoot Creek area and the NFS trails along Tenderfoot Creek;
- One 53 public foot trail bridge R/W, 66 feet wide, on an existing private bridge crossing of Tenderfoot Creek at the terminus of Road No. 6372, located within Section 30, T14N, R5E, thereby providing access to the NFS trail system on the north side of Tenderfoot Creek;
- 2.07 miles of public trail R/W, 20 feet wide, on Trails Nos. 342 and 345, located within Sections 19 and 30, T14N, R5E, and Sections 24 and 25, T14N, R4E, thereby securing public trail R/W on the existing trails through the Zehntner private property, connecting with the road and bridge R/W access from the South Fork Tenderfoot Creek road, connecting with the Tenderfoot Creek NFS Trail No. 342 traversing up and down Tenderfoot Creek, and

¹ AN ATI is a non-binding document that identifies the parcels of Federal and non-Federal land considered for exchange. It also describes the terms and conditions of the proposed exchange, how the costs of completing an exchange will be shared between the two parties, and includes a proposed schedule for implementation.

connecting with Bald Hills NFS Trail No. 345 that traverses north-easterly out of Tenderfoot Creek;

- Retain 447 feet of public road R/W reservation, 66 feet wide, on existing NFS Road No. 6424, located in Section 30, Government Lot 18, as part of the conveyance of Lot 18 to Zehntner, thereby retaining needed public road R/W to Tenderfoot Creek.

The United States would convey the following lands and grant the following road easements to Zehntner property located in Meagher County, Montana:

- Fee title (surface and mineral estate) to 158.83 acres NFS land, located within Section 30, Lots 16, 18, 19 and 20; and Section 32, Lots 1, 2, NW¹/₄NE¹/₄NW¹/₄, S¹/₂NE¹/₄NW¹/₄, T14N, R5E.
- Grant a 1,556 feet forest road easement on NFS Road No. 6372, Section 30, Lot 14, T14N, R5E, as 66 foot wide road access into Zehntner property along Tenderfoot Creek.
- Grant a 440 feet forest road easement on NFS Road No. 6424, Section 30, Lot 14, T14N, R5E, as 40 foot wide road access into Zehntner property at west end of HES 668; and
- Grant a 1,506 feet forest road easement on road segment of NFS Trail No. 342, Section 30, Lot 15, T14N, R5E, as 40 foot wide road access into Zehntner property on north side of Tenderfoot Creek.

SCOPE OF DECISION

The scope of the decision is limited to selecting the Alternative 1, proposed action, or Alternative 2, no action. The decision is reached at the conclusion of this analysis would be effective upon completion of the formal land exchange process.

The responsible official for this Decision is the Forest Supervisor of the Lewis and Clark National Forest, whose authority is delegated by the Forest Service, Northern Region, Director of Recreation, Minerals, Lands, Heritage, and Wilderness, whose authority is delegated by the Regional Forester.

PUBLIC INVOLVEMENT

The public was notified of the proposed exchange and reciprocal rights-of-way being listed in the 2004 NEPA Quarterly Project list for the LCNF and has been listed on each Quarterly to date. The Quarterly is on the LCNF public web site.

On May 4, 2004 a scoping letter was mailed to 68 potentially interested individuals, groups and organizations, describing the proposed action. On May 5, 2004 a Forest Service News Release regarding the proposed land exchange was mailed to newspapers in Helena, Townsend, Great Falls, Harlowton and White Sulphur Springs. Sixteen interested parties responded. Copies of external scoping efforts are in the project file.

Legal notice of the proposed land exchange and reciprocal right-of-way acquisition was published in the Great Falls Tribune Newspaper on July 19 and 26 and August 2 and 9, 2008. It was also published in the Meagher County News on July 17, 24, 31 and August 7, 2008. The Meagher County Commissioners, Montana Congressional delegation, State Clearinghouse, and Tribal governments were contacted and as of this date have not provided comment. Internal scoping involved consulting with key specialists on the White Sulphur Springs District and Forest Supervisor's Offices. Copies of specialists' comments are in the project file.

An interdisciplinary team (IDT) was created to coordinate the scoping process and assist in identification of issues and development of alternatives in response to issues.

Through scoping, the Forest Service identified issues; including two issues that helped frame the purpose and need, eight issues as not significant to the decision and two issues identified as significant to the decision. The alternatives were analyzed in detail, and the environmental effects were disclosed in EA issued August 2008. Legal notice of the EA was published in the in the Great Falls Tribune on August 12, 2008 and the EA was posted on the Lewis and Clark Forest website.

A total of 21 comment letters or e-mails were received in response to the EA within the comment deadline. Comments on the EA are summarized in the Response to Comments section in the Decision Notice and are available in the project record.

Issues

During the scoping process, the public expressed some concerns and posed several questions regarding the proposal and the analysis. The two key issues listed below were addressed in the EA.

Issue #1 --- How will the proposal and its alternative affect the Tenderfoot-Deep Creek Roadless Area resources?

Issue #2 --- How will the proposal and its alternative affect Threatened and Endangered Species (TES) and Sensitive Species (SS)?

The environmental analysis addresses the potential impacts to the roadless area as well as the effects on threatened, endangered and sensitive species. Table 2-1 on pages 9 and 10 "Comparison of Effects of Alternatives According to Key Issues" summarizes the issues and the consequences of the alternatives relative to the issues.

Other concerns expressed during scoping are described in the EA (August 2008).

ALTERNATIVES NOT CONSIDERED IN DETAIL

Purchase the non-Federal lands:

Obtain necessary funds to purchase the land. Secure monies needed to purchase land from the Land and Water Conservation Fund (LWCF).

This alternative was dropped from further consideration due to the following:

- The Forest Service has extremely limited funds for purchase of resource properties, via Land and Water Conservation Fund (LWCF) program. Taylor Hills HES 185 has been nominated by the LCNF for LWCF funding but was not competitive for the limited LWCF funding in comparison with lands with higher priority (nationally) for significant wildlife habitat, endangered species habitat and other values.
- Zehntner indicated to the forest that he has no interest in donating or selling his land or rights-of-way; Zehntner's primary interest is to consolidate ownership for economic efficiency.

Deed Restrictions:

Such an alternative would place conservation easement on Federal parcels prior to conveyance.

This alternative was dropped from further consideration due to the following:

- Forest Service direction indicates that deed restrictions are to be retained in those instances when necessary to protect critical Federal interests. Neither scoping nor evaluation of the Federal land by specialists identified any critical resources or NFS lands in need of protection through deed restrictions. In addition, the use of deed restrictions is not consistent with the Forest Service goal of improving the effectiveness and efficiency of its management. Administration of deed restrictions can be extremely complicated, time consuming, and expensive, resulting in a potential decrease in management efficiency, instead of the intended increase.
- The analysis shows the proposal would not adversely affect wetlands, floodplains, wildlife or fish habitat, threatened or endangered species, cultural resources, or prime farmlands or timberlands on the Federal land.
- The environmental analysis shows that deed restrictions are not warranted to comply with legal and regulatory requirements, executive orders, and policy or to meet Forest Plan management objectives.

ALTERNATIVES CONSIDERED IN DETAIL

Alternative 1: Proposed Action - Land Exchange and reciprocal R/W acquisition as Proposed (See map in **Appendix A**)

Land Exchange

- National Forest System (NFS) Parcels, identified in proposed action, exchanged to become private lands:
 - With a reservation to the United States for ditches and canals
 - With a reservation to the United States for R/W on 447 feet of NFS Road No. 6424
- Taylor Hills HES 185 Parcel Z1 exchanged to become NFS land:
 - Trail R/W resolved for Trails 344 and 351 within HES 185

Reciprocal R/W Acquisition

(See R/W Exhibit A -- Roads)

(See R/W Exhibit B – Trails)

- USDA Forest Service to acquire 0.91 miles of public road R/W on Roads 6424 and 6372, and bridge R/W crossing of Tenderfoot Creek at end of road 6372;
- USDA Forest Service to acquire 2.07 miles of public trail R/W on Trails 342 and 345;
- Zehntner to acquire 1,556 feet Forest Road Easement on NFS Road No. 6372;
- Zehntner to acquire 440 feet Forest Road Easement on NFS Road No. 6424;
- Zehntner to acquire 1506 feet Forest Road Easement on road segment of NFS Trail No. 342.

Alternative 2: No Action - No Land Exchange and No Reciprocal R/W Acquisition

No Land Exchange

- Federal Parcels remain NFS lands;
- Taylor Hills HES 185 Parcel remains in private ownership

No Reciprocal R/W Acquisition

- USDA Forest Service would not acquire 0.91 miles of public road R/W on Roads 6424 and 6372 or bridge R/W crossing Tenderfoot Creek.
- USDA Forest Service would not acquire 2.07 miles of public trail R/W on Trails 342 and 345.
- Zehntner would not acquire Forest Road Easements on NFS Road No. 6372, No. 6424 and Trail No. 342.

Table 2-1 Comparison of Effects of Alternatives According to Key Issues

Issue	Alternative 1 (Exchange)	Alternative 2 (No Action)
#1 – Affects to Roadless Area Resources	Would ensure that projects proposed on acquired lands would consider impacts to roadless area characteristics. Would retain natural integrity, apparent naturalness, and opportunities for solitude. Improves boundary management.	Potential for impact to apparent naturalness and natural integrity from logging, timber access road construction. Potential impacts to opportunities for solitude from activities and trail crossing by road.
#2 – Affects to TES and SS include Canada lynx, Westslope cutthroat trout	Maintain existing lynx habit within HES 185 Maintain water quality in Tenderfoot basin for Westslope cutthroat trout habitat.	Potential impacts to lynx habitat from logging, including fragmentation and cover removal. Potential impacts to Westslope cutthroat trout habitat in Tenderfoot basin from sedimentation from logging and road construction.

PUBLIC COMMENT

All comments were placed in the project record as they were received. During the scoping period there were 16 respondents. The content of the comments was analyzed, and the interdisciplinary team responded to the comments in identification of issues for the environmental analysis, and in considering their analysis of the environmental effects of the alternatives. During the comment period for the August 2008 EA, 21 comments were received by the comment period deadline. All comments are available for review in the project record at the White Sulphur Springs Ranger District Office.

RESPONSE TO PUBLIC COMMENT

Twenty one comments letters or e-mails were received by the comment deadline on the EA. Generally, the questions and concerns brought forward by the respondents were addressed in the EA or in other NEPA analyses such as the Little Belts, Castles, and North Half Crazy Mountains Travel Plan EIS. All commentators were in favor of the proposed action. Many commentators asked that certain other conditions be met. Consolidated comments and responses follow:

Comment

I would support the Taylor Hills land exchange as long as the motorized vehicle route down Taylor Hills on Trail #344 is not extended onto the land acquired through the exchange.

Response:

Acquisition of the land and trails will be managed and administered in accordance with Record of Decision for the Little Belts, Castles, and North Half Crazy Mountains Travel Plan EIS. According to the travel plan, NFS Trail No. 344 allows ATV/motorcycle use and NFS Trail No. 351 is designated for motorcycle. This type of use was analyzed in the Travel Plan EIS.

Comment:

I would support the Taylor Hills land exchange as long as the trail easements on trails #342 and #345 crossing private land are non-motorized, consistent with the travel plan.

Response:

The Record of Decision for the Little Belts, Castles, and North Half Crazy Mountains Travel Plan EIS designates the trails on the north side of Tenderfoot Creek as non-motorized. Public access is by non-motorized means. However, Zehnter's reciprocal road R/W easement would allow for private motor vehicle travel for their agricultural uses (haying, livestock management) on the roads and on a segment of NFS Trail No. 342 which overlaps onto NFS lands.

Comment:

I would support the Taylor Hills land exchange as long as some enforcement action is taken to ensure that the travel plan is adhered to.

Response:

This is beyond the scope of the analysis; however, the EA notes on page II-5 that Forest Service presence will enforce any road or trail restrictions on NFS lands and R/Ws. In addition, the Record

of Decision for the Little Belts, Castles, and North Half Crazy Mountains Travel Plan EIS emphasizes on the ground contact with users; providing additional law enforcement training for field going personnel, and instituting alternative work schedules to put more employees in the field on weekends and holidays. The forest will continue to work with organized groups to help communicate the importance of complying with the travel plan.

Comment:

The Taylor Hills area of the Little Belts is heavily utilized by hunters and recreationists. ... There is currently no guaranteed access through the private land in Taylor Hills. ... The proposed exchange will make the entire Taylor Hills area public ownership and continue to allow public access to this area and to the Tenderfoot Creek drainage. ... The easement on the main Tenderfoot access road USFS #6424 is particularly significant, especially if the USFS is ultimately successful in purchasing the Bair Trust property in the Tenderfoot area. ... Both Adam (Grove) and I (Cory Loecker, MT Fish, Wildlife and Parks) are in full support of the land exchange and feel that it will be a win for hunters, recreationists and the public in general.

Response:

Thank you for your comment.

SELECTED ALTERNATIVE

The selected alternative is **Alternative 1**, described as the proposed action in the EA, August 2008, on page II-3 and described on pages 5 and 6 of this DN/FONSI. Zehntner's will convey to the United States 151.52 acres of non-Federal land including mineral estate, and road and trail easements (see description below). The acquired lands will be added to the NFS and managed and monitored in accordance with the 1986 Lewis and Clark National Forest Plan. The acquired non-Federal lands will be managed in accordance with Forest Plan Management Area F, which emphasizes semi-primitive recreation opportunities while maintaining and protecting other Forest resources.

The Forest Service will implement immediately the following mitigation and monitoring requirements for the lands and R/W easements that it acquires:

- Noxious weed monitoring and treatment efforts will be increased along the new road and trail R/W's;
- Forest Service will enforce any road or trail restrictions.

The United States will convey fee title interest, including mineral estate, to approximately 158.83 acres of Federal land and road easements (see description below) to Zehntner Brothers, LLC. These lands would no longer be subject to Forest Plan, or subject to future land management plans that may be developed for the national forest under the National Forest Management Act. Zehntner's intent is to use the land for agriculture, to graze cattle and possibly harvest some of the mature and/or diseased timber. They would continue their ranching activities on Tenderfoot as in the past. Timber harvest on these newly acquired private lands would be regulated by State laws for water quality, Streamside Management and Best Management Practices.

Public Access Provisions

In developing the Proposed Action, Alternative 1, the Forest Service and Zehntner made a concerted effort to provide for reasonable, uncontested public and administrative access in the Tenderfoot Creek area to NFS land as well as maintain access to Zehntner's private land.

United States reserve 447 feet of public road, 66 feet wide, on existing NFS Road No. 6424, located in Section 30, Government Lot 18, as part of the conveyance of Lot 18 to Zehntner, thereby retaining needed public road R/W to Tenderfoot Creek. This road will be managed in accordance with Federal regulations.

Forest Service grants road easement to Zehntner on:

- 1,556 feet forest road easement on NFS Road No. 6372, Section 30, Lot 14, T14N, R5E, as 66 foot wide road access into Zehntner property along Tenderfoot Creek;
- 440 feet forest road easement on NFS Road No. 6424, Section 30, Lot 14, T14N, R5E, as 40 foot wide road access into Zehntner property at west end of HES 668; and
- 1,506 feet forest road easement on road segment of NFS Trail No. 342, Section 30, Lot 15, T14N, R5E, as 40 foot wide road access into Zehntner property on north side of Tenderfoot Creek.

Zehntner grants easements to United States for:

- 0.91 miles of public road R/W, 66 feet wide, on Roads Nos. 6424 and 6372, located within Section 30, T14N, R5E through Zehntner property, thereby securing public road access to the South Fork Tenderfoot Creek area and the NFS trail along Tenderfoot Creek;
- One 53 foot trail bridge R/W, 66 feet wide, on an existing private bridge crossing of Tenderfoot Creek at the terminus of Road No. 6372, located within Section 30, T14N, R5E, thereby providing access to the NFS trail on the north side of Tenderfoot Creek;
- 2.07 miles of public trail R/W, 20 feet wide, on Trails Nos. 342 and 345, located within Sections 19 and 30, T14N, R5E, and Sections 24 and 25, T14N, R4E, thereby securing public trail R/W on the existing trails through the Zehntner private property, connecting with the road and bridge R/W access from the South Fork Tenderfoot Creek road, connecting with the Tenderfoot Creek NFS Trail No. 342 traversing up and down Tenderfoot Creek, and connecting with Bald Hills NFS Trail No. 345 that traverses north-easterly out of Tenderfoot Creek;

Range and Allotment Management:

A sliver of the Tenderfoot Allotment, formerly leased by Keith and Becky Ledger, extends into the Federal parcel in section 30 on the south/southwest edge. It borders the Zehntner Special Use Pasture permit fence. Federal regulations require the Forest Service to notify holders of term grazing permits two years in advance of any proposal including land exchanges, which could result in NFS lands being devoted to another public use which excludes livestock grazing. Allotment permit holders may waive this requirement in writing. The LCNF sent this letter of notification to Legers' on 4/21/04, asking for a waiver. They refused to sign the waiver; however, the two year notification requirement expired in May 2006.

The Federal parcel located in section 32 is located within the Bald Hills Allotment which is issued to Zehntner, and thus is not an issue.

Water Rights

One water right pertinent to the land exchange was found, 41J207111-00, claimed by Zehntner. It is a statement of claim for surface waters from Taylor Hills Creek in the NE¹/₄NE¹/₄ Section 24. The purpose is stock use at the rate of 10 gallons/minute and total annual volume of 2 acre-feet. This water right will be transferred to the Forest Service.

Wetlands

Executive Order 11990 (May 24, 1977, 42 F.R. 26961) directs Federal agencies to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in acquiring, managing and disposing of Federal lands and facilities. Wetlands generally include swamps, marshes, bogs, sloughs, potholes, wet meadows and natural ponds.

The non-Federal tract contains wetlands. An unnamed tributary of Tenderfoot Creek begins in the large meadow of the tract and flows north to south in a wet meadow with riparian sedge, for and shrub cover. Within the property, willow and birch cover is fair. The property is grazed by livestock which has an impact on streambanks. A second unnamed tributary to Tenderfoot Creek begins from springs on the east edge of the non-Federal tract. This tributary also has fair riparian sedge, forb and shrub cover. Both tributaries appear to have functioning condition within the tract.

The non-Federal tract includes approximately 5.2 acres of wetlands (See Appendix B of the EA). The condition of the wetlands on the non-Federal tract based on riparian function is fair.

No wetlands were found on the Federal tracts except a negligible narrow band immediately associated with the streams themselves.

Floodplains

Floodplains are defined as the lowland and relatively flat areas adjoining inland and coastal waters, including at a minimum, that area subject to a one percent or greater chance of flooding in any given year. Under Executive Order 11988, Federal agencies are directed to take action to reduce the risk of flood loss, minimize the impact of floods on human safety, health and welfare, and to restore and preserve the natural and beneficial values served by floodplains.

The Forest Hydrologist has determined that the non-Federal tract includes approximately 0.4 acres of floodplains. The condition of the floodplains on the non-Federal tract based on riparian function is fair.

The two Federal parcels have floodplains along Mongar Creek in the S¹/₂ Section 30 and along an unnamed tributary to South Fork Tenderfoot Creek in NW¹/₄ Section 32 both in T14N, R5E. Based on lengths of streams, 100 year peak flows and floodplain widths the Forest Hydrologist has determined that there are approximately 2.1 acres of floodplains in these two parcels (See Appendix B of the EA).

Streams on both Federal parcels were evaluated according to the Proper Functioning Condition Assessment process (USDI Bureau of Land Management 1998) for the Sheep Creek Range Analysis FEIS (2004). Both streams showed approximately 30 percent cumulative bank instability due to livestock grazing and the reaches were determined to be functioning at risk. Also, since the floodplains are not considered delineated floodplains as defined by the Department of Housing and Urban Development (HUD), the Forest Hydrologist has determined there is no need to have a floodplain restricted covenant on the lands conveyed to Zehntner.

Ditches and Canals:

The United States will reserve the right for any ditches and canals constructed under United States authority pursuant to the Act of August 30, 1890, for all land conveyed to Zehntner.

DETERMINATION OF PUBLIC INTEREST

As required in 36 CFR 254.3(b), I have determined the public interest is well served through this exchange as described in Alternative 1.

The resource values and public objectives served by the acquired non-Federal lands equal or exceed the resource values and the public objectives served by the conveyed Federal lands. The specific purpose of this land exchange is to maintain wildland values and roadless characteristics of the Tenderfoot-Deep Creek Inventoried Roadless Area; maintain high quality wildlife habitat for lynx, a threatened species and maintain undisturbed watersheds downslope in the Tenderfoot Creek for Westslope cutthroat trout habitat, a sensitive species; and acquire needed public access into South Fork of Tenderfoot Creek and in the Tenderfoot areas; as well as to consolidate NFS and private lands providing for more efficient management of these lands. This exchange would resolve uncertainties concerning public and administrative access as well as acquiring land within a roadless area with high quality wildlife habitat for lynx.

The intended use of the Federal lands to be conveyed will not conflict with established management objectives on other Federal lands, including Indian Trust lands in the area.

Currently landownership in the analysis area (Tenderfoot Creek) consists of intermingled NFS and private land. The land pattern was created through grants of alternating (checkerboard) sections of Federal land to the railroads and homestead patents.

The intermingled public and private lands in the analysis area are relatively difficult to manage effectively, both for the Forest Service and the private landowners.

The Forest Service management in this area emphasizes semi-primitive recreation opportunities while maintaining and protecting other Forest resources. The Proposed Action would help consolidate land ownership configuration that tends to improve long-term management effectiveness, especially semi-primitive recreation opportunities.

DECISION CRITERIA

The criteria for making my decision were the two key issues identified in scoping and addressed by the environmental analysis, as discussed above, consideration of how well each alternative met the purpose and need for action, and a review of the public comment on the EA (August 2008).

RATIONALE FOR THE DECISION

This decision is based on the EA for the Taylor Hills Land Exchange (August 2008), and a review of the public comment. I reviewed the alternatives described in the EA, and considered how they would meet the purpose and need and respond to the issues for this analysis. I also reviewed the alternatives not given detailed study in the EA, which helped me decide the interdisciplinary team had considered a thorough and complete range of alternatives.

I reviewed all the timely public comment, from the original scoping and EA. I found no new issues or concerns were raised. All points brought forth in comments were considered in the EA.

Other Considerations

I reviewed the discussion in the EA concerning administrative costs, which allowed me to compare the direct administrative costs of concluding the proposed land exchange with the costs of no action. I also reviewed the Forest Service Land Appraisal Review Reports to understand the land values and how they were determined.

CONSISTENCY WITH OTHER LAWS, REGULATIONS, OR POLICIES

To the best of my knowledge, this decision is in compliance with all applicable laws, regulations, and policies. I find that this decision is consistent with the Goals, Objectives and Standards listed in the LCNF Forest Plan. It incorporates all applicable Forest Plan forest-wide standards and management area prescriptions. NFS lands to be conveyed are with Management Area F which is emphasizes dispersed recreation, with a recreation setting identified as semi-primitive motorized, reflecting that motorized trails traverse this management area. With the acquisition and reservation of right-of-ways for trails and roads dispersed recreation may still occur in this area. Private lands to be acquired would be Management Area F as well.

The decision is consistent with the Forest Plan goals and objectives:

- Forest-wide Management Standards J-1 Landownership Adjustment (Forest Plan page 2-62) directs that such adjustments support long-term Forest goals and objectives, as identified in Appendix B. Appendix B directs that such adjustments and exchanges be in the Best Interest of the Public and be on a 'willing grantor basis'.
- The non-Federal HES 185 (Parcel Z-1) was specifically listed as a desirable parcel for acquisition, due to its semi-primitive recreational values and to enhance management (Appendix B, Table B-2).

- Federal Parcels F-1 and F-2 were not specifically listed as available for disposal; however Appendix B directs that other areas would be considered for disposal if the offered private land would enhance management, administration or production of Forest resources (Appendix B, page 2).
- Forest-wide Management Standards J-2 R/W Acquisition (Forest Plan page 2-62) directs that road and trail R/W easement acquisitions support long-term Forest goals and objectives, as identified in Appendix C. Appendix C directs that permanent R/W easements be acquired by the Forest as a means of providing long term road or trail access to the National Forest, and that access is needed by the general public for recreation, and by the Forest Service for management and administration.
- Appendix C direction continues, stating R/W easements are needed for trails and that most existing Forest Service trails are partially on private land without the benefit of recorded easements, and the Forest's long term goal is to resolve all trail jurisdictional conflicts, through acquisition of easements, relocation of trails to federal land, or other suitable means (Appendix C, page 2).

I have reviewed the Biological Evaluation for threatened, endangered and sensitive species and found the following:

- Implementation of the proposed action **may impact individuals or habitat, but will not likely contribute to a trend towards Federal listing or loss of viability to the population or species** for the short-styled columbine.
- The proposed action will **not impact** Northern wild-rye, Northern rattlesnake-plantain, Missoula phlox, Austin's knotweed, English sundew, linear-leaved sundew, Hall's rush, Barratt's willow, water bulrush or alpine meadowrue.
- The proposed action will **not likely jeopardize** the continued existence of the gray wolf in the Greater Yellowstone Ecosystem.
- With the proposed action no significant impacts were identified to lynx or lynx habitat, and all applicable Standards and Guidelines outlined in the *Northern Rockies Lynx Management Direction* (USDA Forest Service 2007) would be met.
- The proposed action will have **no impact** on any sensitive wildlife species.
- The proposed action would not contribute significant additional cumulative effects to elk population and/or elk habitats beyond those that already exist.
- The Federal parcels do not contain sufficient old growth characteristics to be considered old growth; the proposed action would not result in significant adverse cumulative effects on old growth habitat.
- The proposed action would be a greater benefit to aquatic habitat.
- Implementation of the proposed action will have **no impact** on bald eagles, peregrine falcon, sage grouse, blackbacked woodpecker, flammulated owl, Townsend's Big-Eared bat, wolverine, harlequin duck, fisher and Northern bog lemming.

Within the EA, I find documentation concerning floodplains and wetlands compliance with Executive Orders 11988 and 11990 (See EA Chapter III, page III-17). The United States will

acquire 5.2 acres of wetland and 0.4 acres of floodplains. The United States will convey out of 2.1 acres of non-delineated HUD floodplain. Forest Soils Scientist/Hydrologist report concluded that the proposed land exchange is consistent with Executive Orders 11988 and 11990 and implementing regulations and Forest Service Manual direction.

In January 2005 the L&CNF submitted cultural resources documentation to the State Historic Preservation Officer (SHPO) recommending a finding of “No Historic Properties affected” for the Federal parcels. SHPO replied and concurred with this recommendation in February 2005.

ENVIRONMENTAL JUSTICE

I reviewed the project for compliance with the Environmental Justice Executive Order. I find this decision will not adversely affect human health or minority and low-income populations. There has been ample opportunity for participation in the analysis process, as documented in the public involvement records in the project record, and the implementation of this project will not subject anyone to discrimination because of race, color or national origin.

FINDING OF NO SIGNIFICANT IMPACT

In reviewing the analysis within the EA, the Biological Evaluations, and Administrative Record, I find the implementation of Alternative 1 would result in no significant impact. I have reviewed the provision for 40 CFR 1508.27(b) in terms of project context and intensity relationships in determining project significance, and it is my decision that an Environmental Impact Statement (EIS) is not necessary and will not be prepared for this project. My rationale for not preparing an EIS includes:

Context

The setting of this project is localized, with implications only for the immediate area. The actions involved in this decision are consistent with management direction contained in the Forest Plan, as amended.

Intensity

- 1. Consideration of both beneficial and adverse impacts.** This decision will meet the purpose and need, and the desired conditions for each of the issues identified in Chapter 1 of the EA, as well as meet the intent of Goals and Objectives outlined in the LCNF Forest Plan. Beneficial and adverse impacts of this decision are addressed in the EA. No significant impacts were identified.
- 2. Consideration of the effects on public health and safety.** This decision will have no significant impact or unacceptable effect on public health or safety. During scoping, there were no issues related to public health and safety. There are no known hazardous substances on the Federal or non-Federal lands.
- 3. Consideration of unique characteristics of the area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas.** No cultural resources were identified on the Federal land. There are no park lands or prime farm lands and the area is not being considered for Wild

and Scenic River designation. The United States will realize a net increase of 5.2 acres of wetland to the federal estate. No ecologically critical areas were identified in scoping or in the EA.

4. **Consideration of the degree of controversy associated with the effects.** Based on public comment and interdisciplinary analysis of the proposed action and alternatives, the effects on the human environment are not likely to be highly controversial.
5. **Consideration of the uncertainty of the effects, or unique or unknown risks.** The effect of the proposed action will be similar to the effect of other land exchanges that have been completed. There are no extraordinary circumstances in this action that would make the effects highly uncertain or involve unique or unknown risks. The comments on the EA did not reveal any new issues that were not considered in the EA.
6. **Consideration of whether the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** This is a project-level decision. The implementation of this decision is not precedent setting, and does not represent a precedent for any future decision. Any other proposals for this area will be subject to full NEPA disclosure.
7. **Consideration of cumulative impacts.** A cumulative effects analysis was conducted for this proposal. There are no known significant cumulative effects between this project and other projects implemented or planned in areas separated from the affected area of this project. Other known and reasonably foreseeable activities were considered.
8. **Consideration of the degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Place, or may cause loss or destruction of significant scientific, cultural or historic resources.** The Forest Archaeologist examined the NFS lands. No known cultural or historical resources sites were identified and no tribal treaty rights exist in the analysis area. SHPO replied and concurred with this recommendation in February 2005.
9. **Consideration of adverse effects on endangered or threatened species or their critical habitat, as determined under the Endangered Species Act of 1973.** As noted above, threatened, endangered, or sensitive wildlife or plant populations within the project area will not be adversely affected by the decision (EA, Biological Evaluations)
10. **Consideration of Federal, State or local law or requirements imposed for the protection of the environment.** As discussed elsewhere in this decision, this land exchange is in compliance with all applicable laws, regulations, and policies, and will not threaten Federal, State, or local law or requirements imposed for the protection of the environment. The proposed action is in compliance with the Lewis and Clark Forest Land and Resource Management Plan of 1986, Endangered Species Act, Departmental Regulation 9500-3 for prime forest and farmlands, and Executive Orders for invasive species, environmental justice, and protection of floodplains and wetlands.

IMPLEMENTATION OF DECISION

If no appeal is received, implementation of this decision may occur on, but not before, five (5) business days from the close of the appeal period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is subject to appeal pursuant to 36 CFR 215.11. A written appeal must be submitted within 45 days following the publication date of the legal notice of this decision in the Great Falls Tribune, Great Falls, Montana. It is the responsibility of the appellant to ensure their appeal is received in a timely manner. The publication date of the legal notice of the decision in the newspaper of record is the *exclusive* means for calculating the time to file an appeal. Appellants should not rely on date or timeframe information provided by any other source.

Paper appeals must be submitted to: USDA Forest Service, Northern Region, ATTN: Appeal Deciding Officer, P.O. Box 7669, Missoula, MT 59807; or USDA Forest Service, Northern Region, ATTN: Appeal Deciding Officer, 200 East Broadway, Missoula, MT 59802. Office hours: 7:30 a.m. to 4:00 p.m. Fax (406) 329- 3411.

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 your electronic appeal has been received. Electronic appeals must be submitted in MS Word, Word Perfect, or Rich Text Format (RTF).

It is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why the decision should be reversed. The appeal must be filed with the Appeal Deciding Officer in writing. At a minimum, the appeal must meet the content requirements of 36 CFR 215.14, and include the following information:

- The appellant's name and address, with a telephone number, if available;
- A signature, or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
- When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
- The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
- The regulation under which the appeal is being filed, when there is an option to appeal under either 36 CFR 215 or 36 CFR 251, subpart C;
- Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and
- How the appellant believes the decision specifically violates law, regulation, or policy.

If an appeal is received on this project, there may be informal resolution meetings and/or conference calls between the Responsible Official and the appellant. These discussions would take place within 15 days after the closing date for filing an appeal. All such meetings are open to the public. If you are interested in attending any informal resolution discussion, please contact the Responsible Official or monitor the website for postings about current appeals in the Northern Region of the Forest Service: http://www.fs.fed.us/r1/projects/appeal_index.shtml.

If no appeal is received, implementation of this decision may occur on, but not before, five business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

CONTACT PERSON

Detailed records of the environmental analysis are available for public review at the White Sulphur Springs Ranger District Office, 204 West Folsom, Box A, White Sulphur Springs, MT 69645, telephone number (406) 547-3361. For additional information on the Forest Service appeals process, contact Robin Strathy, Lewis and Clark National Forest, 1101 15th Street North, Great Falls, Montana 59403.

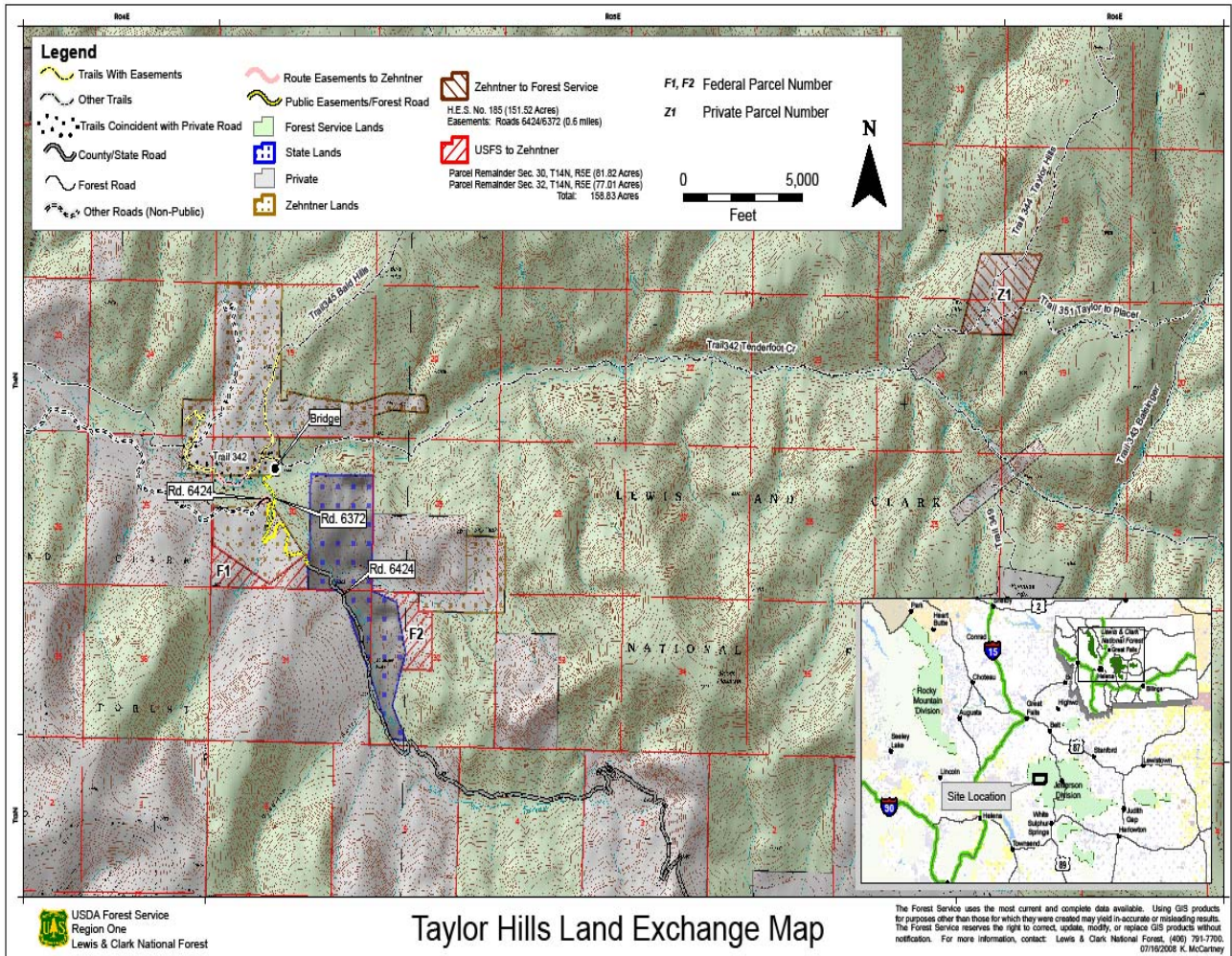
SIGNATURE AND DATE

/s/ Lesley W. Thompson
LESLEY W. THOMPSON
Forest Supervisor
Lewis and Clark National Forest

10/9/2008
Date

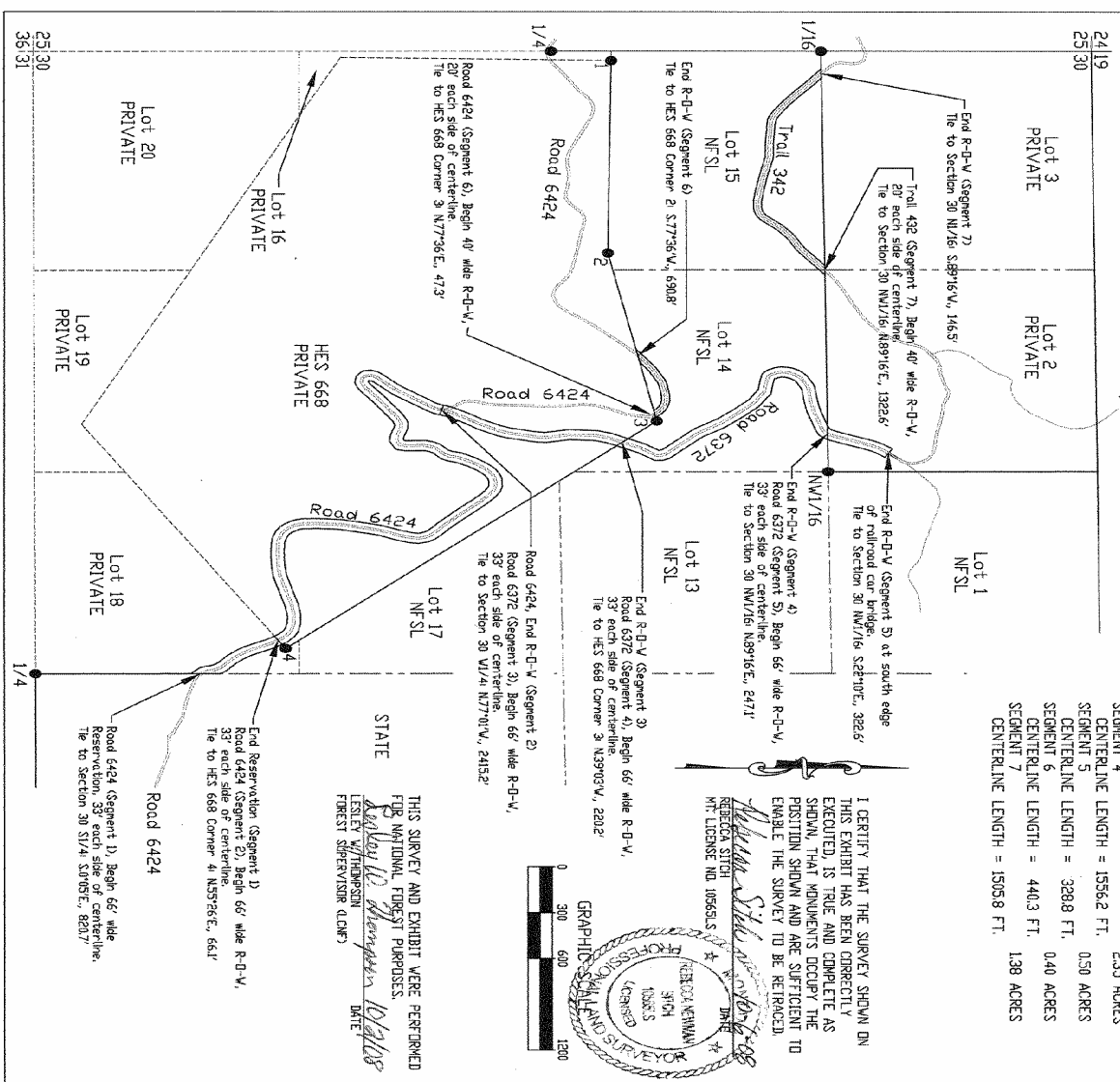
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Appendix A



RIGHT-OF-WAY EXHIBIT A

ROAD #6424, ROAD #6372 AND TRAIL #342 SITUATED IN SECTION 30, T.14N., R.5E., PRINCIPAL MERIDIAN, MONTANA

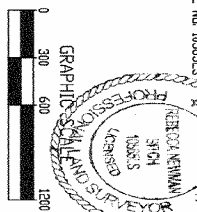


SUMMARY OF R-O-W ACRES

SEGMENT 1	0.67 ACRES
SEGMENT 2	5.38 ACRES
SEGMENT 3	1.42 ACRES
SEGMENT 4	2.35 ACRES
SEGMENT 5	0.50 ACRES
SEGMENT 6	0.40 ACRES
SEGMENT 7	1.38 ACRES

I CERTIFY THAT THE SURVEY SHOWN ON THIS EXHIBIT HAS BEEN CORRECTLY EXECUTED, IS TRUE AND COMPLETE AS SHOWN, THAT MONUMENTS OCCUPY THE POSITION SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

REBECCA STITCH
 MT. LICENSE NO. 10565.S
 PROFESSIONAL LAND SURVEYOR



THIS SURVEY AND EXHIBIT WERE PERFORMED FOR NATIONAL FOREST PURPOSES.

LESLIE W. THOMPSON
 FOREST SUPERVISOR (QUMF)

PURPOSE OF SURVEY

A SURVEY AND EXHIBIT DONE TO DEPICT:
 1) A RESERVATION BY THE USA & IT'S ASSIGNS FOR A 66 FOOT WIDE EASEMENT FOR ROAD 6424 ACROSS LOT 18 (Segment 1) AND
 2) A 66 FOOT WIDE EASEMENT GRANTED BY ZEHNTNER BROTHERS LLC TO THE USA & IT'S ASSIGNS FOR A PORTION OF ROAD 6424 AND ROAD 6372 ACROSS HES 668 (Segment 2 & Segment 3) AND A PORTION OF ROAD 6372 ACROSS LOT 2 (Segment 5) AND
 3) A 66 FOOT WIDE FLUPMA FOREST ROAD EASEMENT GRANTED BY THE USA TO ZEHNTNER BROTHERS LLC FOR ROAD 6372 ADDRESS LOT 14 (Segment 4) AND
 4) A 40 FOOT WIDE FLUPMA FOREST ROAD EASEMENT GRANTED BY THE USA TO ZEHNTNER BROTHERS LLC FOR ROAD 6424 ADDRESS LOT 14 (Segment 6) AND TRAIL 342 ADDRESS LOTS 14 & 15 (Segment 7).

BASIS OF CONTROL

CORNER TIES WERE MEASURED TO CENTERLINE OF ROAD WITH SURVEY GRADE G.P.S. AND HAVE AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF ± 0.2 FEET. DEPICTED CENTERLINE OF ROAD IS LOCATED WITHIN 5 FEET OF ACTUAL CENTERLINE.

BASIS OF BEARING

ALL BEARINGS ARE BASED UPON THE GEODETIC MERIDIAN OBTAINED THROUGH GPS OBSERVATIONS FOR PROJECT CONTROL. A LOCAL PLANE COORDINATE SYSTEM WAS ESTABLISHED WITH THE ORIGIN AT THE NORTHWEST CORNER OF SECTION 30 WHERE THE GEODETIC FORWARD BEARING AND THE GRID BEARING COINCIDE.

- LEGEND**
- FOUND & TIED CORNER
 - EXISTING ROAD
 - ▭ R/V AREA
 - PROJECTED LINE
 - ▭ NFSL NATIONAL FOREST SYSTEM LANDS
 - ▭ PRIVATE ZEHNTNER BROTHERS LLC

U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE REGION ONE	
LEWIS & CLARK NAT'L FOREST	STATE OF MONTANA
COUNTY MEAGHER	
PROJECT RD #6424, RD #6372 & TRAIL #342	
METHOD GPS	
SURVEYED BY R. STITCH	SEPT. 2004
SHEET 1 OF 4	

ROAD # 6424 RESERVATION
(Segment 1 across Lot 18)

BEARING	DIST.
N 42° 01' W	12.3'
N 20° 29' W	22.6'
N 0° 43' W	26.1'
N 23° 03' W	37.4'
N 37° 59' W	23.1'
N 45° 14' W	63.4'
N 36° 33' W	53.4'
N 30° 08' W	41.2'
N 24° 27' W	36.4'
N 28° 12' W	89.9'
N 31° 51' W	39.6'

ROAD # 6424 EASEMENT
(Segment 2 across HES 668)

BEARING	DIST.
N 31° 51' W	28.4'
N 43° 20' W	40.0'
N 60° 11' W	26.3'
N 74° 29' W	42.1'
N 88° 11' W	46.6'
S 85° 14' W	23.7'
S 79° 39' W	52.1'
S 72° 54' W	47.2'
S 73° 11' W	129.4'
S 76° 45' W	35.7'
S 81° 21' W	46.9'
S 87° 19' W	76.1'
N 89° 30' W	49.6'
N 85° 32' W	52.2'
N 60° 59' W	46.0'
N 54° 29' W	23.5'
N 42° 47' W	21.4'
N 29° 52' W	40.5'
N 19° 11' W	21.5'
N 8° 53' W	23.3'
N 0° 53' W	72.5'
N 2° 39' E	95.4'
N 6° 35' E	25.2'
N 11° 52' E	24.4'
N 10° 43' E	124.8'
N 13° 17' E	48.6'
N 19° 28' E	87.5'
N 14° 56' E	63.9'
N 6° 43' E	39.6'
N 13° 09' W	39.7'
N 30° 19' W	29.9'
N 41° 36' W	41.0'
N 47° 23' W	43.8'
N 42° 16' W	106.2'
N 40° 25' W	116.4'
N 43° 29' W	57.5'
N 47° 21' W	32.9'
N 56° 18' W	32.0'

ROAD # 6424 EASEMENT
(Cont. Segment 2 across HES 668)

BEARING	DIST.
N 71° 53' W	27.1'
S 86° 53' W	41.1'
S 68° 05' W	27.9'
S 54° 18' W	28.0'
S 43° 44' W	26.3'
S 36° 52' W	32.9'
S 31° 37' W	55.4'
S 23° 48' W	67.2'
S 12° 42' W	48.8'
S 25° 17' W	27.4'
S 43° 32' W	51.9'
S 26° 36' W	31.2'
S 11° 12' W	31.3'
S 1° 07' E	90.5'
S 9° 54' W	32.3'
S 61° 35' W	37.0'
N 83° 31' W	26.9'
N 70° 06' W	59.7'
S 88° 38' W	27.0'
S 68° 01' W	26.2'
N 74° 29' W	21.9'
S 52° 17' W	145.9'
S 48° 32' W	91.7'
S 51° 56' W	25.3'
S 55° 56' W	23.7'
N 80° 37' W	24.3'
N 45° 25' W	23.2'
N 10° 23' W	22.2'
N 17° 34' E	28.1'
N 38° 11' E	30.5'
N 41° 17' E	83.0'
N 36° 54' E	41.3'
N 31° 51' E	154.9'
N 34° 24' E	26.1'
N 28° 27' E	28.3'
N 19° 24' E	24.0'
N 11° 11' E	8.4'

ROAD # 6372 EASEMENT
(Segment 3 across HES 668)

BEARING	DIST.
N 17° 38' E	46.0'
N 27° 05' E	81.2'
N 28° 57' E	31.8'
N 30° 10' E	55.1'
N 24° 20' E	99.8'
N 17° 26' E	25.1'
N 15° 29' E	29.4'
N 10° 47' E	125.8'
N 7° 36' E	28.0'
N 2° 04' E	31.5'
N 8° 46' W	117.3'
N 2° 38' E	134.8'
N 14° 16' E	65.1'
N 27° 43' E	69.2'

ROAD # 6372 FLPMA EASEMENT
(Segment 4 across Lot 14)

BEARING	DIST.
N 22° 43' E	100.2'
N 31° 28' E	91.7'
N 27° 13' W	27.9'
N 20° 24' W	25.1'
N 40° 48' W	193.2'
N 37° 31' W	24.8'
N 29° 26' W	124.9'
N 37° 28' W	105.3'
N 41° 02' W	102.0'
N 39° 11' W	91.8'
N 82° 46' W	58.2'
N 76° 38' W	41.9'
N 43° 46' W	18.9'
N 23° 11' W	33.9'
N 10° 52' W	19.8'
N 3° 41' E	22.8'
N 12° 28' E	20.4'
N 22° 00' E	25.7'
N 34° 01' E	22.9'
N 43° 46' E	21.6'
N 60° 21' E	57.4'
N 72° 35' E	21.9'
N 81° 03' E	82.5'
N 78° 01' E	54.5'
N 71° 10' E	34.0'
N 69° 17' E	54.0'
N 72° 29' E	43.8'
N 61° 26' E	30.3'
N 38° 34' E	21.8'

ROAD # 6372 EASEMENT
(Segment 5 across Lot 2)

BEARING	DIST.
N 23° 29' E	29.8'
N 18° 31' E	187.2'
N 21° 32' E	29.7'
N 26° 26' E	28.1'
N 33° 26' E	34.0'

ROAD # 6424 FLPMA EASEMENT
(Segment 6 across Lot 14)

BEARING	DIST.
N 39° 15' W	29.5'
N 53° 06' W	25.7'
N 66° 45' W	27.0'
N 78° 44' W	25.3'
S 89° 14' W	34.2'
S 78° 53' W	63.8'
S 72° 38' W	31.6'
S 59° 49' W	90.1'
S 51° 27' W	113.1'

TRAIL # 342 FLPMA EASEMENT
(Segment 7 across Section 30
Lots 14 & 15)

BEARING	DIST.
S 48° 10' W	64.8'
S 48° 38' W	101.1'
S 53° 06' W	35.7'
S 60° 55' W	56.8'
S 54° 51' W	28.2'
S 47° 35' W	71.9'
S 38° 21' W	99.7'
S 52° 50' W	29.6'
S 82° 51' W	22.7'
N 88° 59' W	34.0'
N 81° 25' W	72.2'
N 79° 08' W	101.8'
N 76° 05' W	119.9'
N 89° 32' W	98.9'
N 85° 48' W	75.1'
N 87° 56' W	34.6'
N 82° 43' W	33.7'
N 69° 47' W	22.6'
N 50° 13' W	35.7'
N 53° 38' W	71.3'
N 49° 18' W	72.1'
N 46° 49' W	107.4'
N 49° 08' W	86.3'

US. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
REGION ONE

LEWIS & CLARK NAT'L FOREST STATE OF MONTANA

COUNTY MEIGHER
PROJECT RD #6424, RD #6372 & TRAIL #342
METHOD GPS
SURVEYED BY R. STICH SEPT. 2004
SHEET 2 OF 4

TRAIL # 342 EASEMENT
(Segment 8 across Section 30 Lot 2)

BEARING	DIST.
S.40°04'W	11.4'
S.25°04'W	10.4'
S.44°53'W	88.9'

TRAIL # 342 EASEMENT
(Segment 9 across Section 30
Lots 2 & 3)

BEARING	DIST.
N.23°05'E	19.8'
N.22°23'E	33.5'
N.14°42'W	38.2'
N.31°34'W	33.4'
N.56°05'W	47.8'
N.78°24'W	38.2'
N.85°48'W	33.6'
N.80°50'W	68.4'
N.78°40'W	122.5'
N.81°37'W	28.2'
N.86°01'W	25.0'
N.76°03'W	24.3'
N.63°48'W	28.9'
N.73°53'W	29.7'
S.70°38'W	95.7'
S.75°59'W	32.9'
S.68°40'W	62.9'
S.52°32'W	100.5'
S.34°59'W	29.1'
S.21°10'W	32.7'
S.13°56'W	36.1'
S.19°59'W	34.9'
S.26°56'W	37.6'
S.34°11'W	66.2'
S.44°23'W	67.3'
S.50°40'W	66.6'
S.59°04'W	95.4'
S.62°48'W	147.3'
S.55°43'W	76.2'
S.50°38'W	53.6'

TRAIL # 342 EASEMENT
(Segment 10 across Section 30 Lot 3,
Section 25 NE 1/4 & Section 24 SE 1/4)

BEARING	DIST.
N.44°20'W	96.5'
N.8°23'W	24.6'
N.8°39'E	38.7'
N.7°38'W	32.6'
N.35°12'W	31.8'
N.79°45'W	51.8'
S.68°56'W	132.6'
S.78°34'W	34.2'
S.89°24'W	72.5'
N.81°49'W	125.6'
N.78°18'W	110.7'
N.72°13'W	81.5'
N.83°11'W	54.0'
N.89°47'W	85.7'
N.80°16'W	26.9'
N.69°27'W	27.7'
N.57°45'W	108.9'
N.45°15'W	67.0'
N.33°20'W	28.4'
N.23°39'W	80.9'
N.33°54'W	28.3'
N.48°01'W	60.0'
N.55°38'W	27.7'
N.21°56'W	54.0'
N.17°19'W	75.0'
N.7°41'W	39.4'
N.17°43'E	29.1'
N.59°43'E	28.0'
N.54°24'E	52.9'
N.63°06'E	28.8'
N.33°31'E	25.9'
N.16°04'E	18.8'
N.33°32'E	22.2'
N.44°23'E	52.7'
N.49°39'E	113.1'
N.43°47'E	57.1'
N.10°01'E	22.8'
N.3°38'W	24.0'
N.20°50'W	81.2'
N.17°18'E	65.4'
N.31°11'E	41.6'
N.44°28'E	28.6'
N.58°41'E	95.5'
N.42°06'E	24.0'
N.17°38'E	33.9'
N.1°25'E	25.6'
N.13°33'W	41.3'
N.26°34'W	60.1'
N.1°9'11'E	50.3'
N.22°38'E	120.3'
N.30°01'E	22.0'
N.64°05'E	34.6'
N.82°42'E	58.3'

TRAIL # 342 EASEMENT
(Continue Segment 10)

BEARING	DIST.
N.12°40'E	16.8'
N.84°46'W	56.9'
N.25°23'W	46.7'
N.4°08'E	23.6'
N.28°02'E	21.3'
N.44°09'E	26.1'
N.53°12'E	127.8'
N.60°10'E	69.3'
N.37°40'E	24.0'
N.19°05'E	22.8'
N.5°31'W	31.4'
N.63°34'W	23.2'
WEST	17.8'
S.69°20'W	95.9'
S.55°35'W	97.0'
S.69°38'W	27.7'
N.81°08'W	22.7'
N.51°50'W	25.0'
N.25°43'W	24.3'
N.7°39'W	21.7'
N.6°21'E	67.2'
N.5°03'W	23.8'
N.25°32'W	23.8'
N.48°53'W	23.7'
N.77°00'W	22.8'
N.17°06'W	21.5'
S.45°14'W	87.7'
S.56°16'W	171.3'
S.61°08'W	49.4'
S.46°29'W	97.3'
S.58°19'W	48.4'
S.69°43'W	24.1'
S.82°36'W	21.1'
N.85°07'W	105.7'

TRAIL # 342-A EASEMENT
FALLS OVERLOOK
(Segment 11 across Section 25 NE 1/4)

BEARING	DIST.
S.88°40'W	52.2'
S.82°57'W	42.9'
S.67°05'W	22.1'
S.38°08'W	23.6'
S.11°34'W	30.6'
S.12°16'E	33.0'
S.26°02'E	21.4'

TRAIL # 345 EASEMENT
(Continue Segment 13)

BEARING	DIST.
N.12°24'W	136.0'
N.3°04'W	92.1'
N.2°41'E	91.2'
N.8°10'E	63.5'
N.4°09'E	70.4'
N.0°03'E	190.3'
N.4°51'W	76.7'
N.1°09'E	27.3'
N.8°52'E	60.5'
N.16°06'E	65.4'
N.21°24'E	62.0'
N.28°20'E	177.7'
N.25°13'E	131.7'
N.32°05'E	26.3'
N.40°08'E	71.1'
N.31°01'E	47.4'
N.36°22'E	20.1'
N.7°35'E	88.1'
N.0°10'E	88.1'
N.12°02'E	112.9'
N.6°47'E	48.2'
N.2°01'E	91.2'
N.24°55'E	46.3'
N.17°31'E	48.5'
N.10°22'E	74.5'
N.14°29'E	112.9'
N.19°01'E	72.7'
N.28°57'E	144.5'
N.32°40'E	75.1'
N.30°37'E	68.4'

TRAIL # 345 EASEMENT
(Segment 13 across Section 30 Lot 2,
Section 19 Lots 5, 10 & 13)

BEARING	DIST.
N.0°01'W	20.2'
N.25°05'W	48.3'
N.8°02'W	25.1'
N.3°06'E	30.1'
N.15°41'E	28.5'
N.27°56'E	53.5'
N.41°25'E	150.6'
N.30°23'E	43.3'
N.25°38'E	51.8'
N.43°08'E	21.7'
N.89°33'E	21.9'
S.81°45'E	28.5'
N.83°04'E	43.7'
N.65°03'E	50.3'
N.53°54'E	40.5'
N.16°45'W	41.2'
N.30°33'W	48.9'
N.42°10'W	149.5'
N.36°15'W	73.8'
N.32°54'W	113.1'
N.24°35'W	56.4'
N.15°12'W	173.8'
N.6°24'W	65.1'
N.2°05'W	109.1'

TRAIL # 342-B EASEMENT
User Defined Trail
(Segment 12 across Section 25 NE 1/4)

BEARING	DIST.
S.56°58'W	19.3'
N.87°16'W	66.1'
S.26°22'W	49.6'
S.53°36'W	27.3'
S.46°47'W	17.3'
N.67°14'W	24.7'
S.80°52'W	31.2'
S.52°43'W	17.6'
S.32°04'W	62.4'
N.80°00'W	24.3'
S.71°52'W	17.7'
S.68°17'W	29.0'
N.85°19'W	75.4'

TRAIL # 342 EASEMENT
(Segment 8 across Section 30 Lot 2)

BEARING	DIST.
S.40°04'W	11.4'
S.25°04'W	10.4'
S.44°53'W	88.9'

TRAIL # 342 EASEMENT
(Segment 9 across Section 30
Lots 2 & 3)

BEARING	DIST.
N.23°05'E	19.8'
N.22°23'E	33.5'
N.14°42'W	38.2'
N.31°34'W	33.4'
N.56°05'W	47.8'
N.78°24'W	38.2'
N.85°48'W	33.6'
N.80°50'W	68.4'
N.78°40'W	122.5'
N.81°37'W	28.2'
N.86°01'W	25.0'
N.76°03'W	24.3'
N.63°48'W	28.9'
N.73°53'W	29.7'
S.70°38'W	95.7'
S.75°59'W	32.9'
S.68°40'W	62.9'
S.52°32'W	100.5'
S.34°59'W	29.1'
S.21°10'W	32.7'
S.13°56'W	36.1'
S.19°59'W	34.9'
S.26°56'W	37.6'
S.34°11'W	66.2'
S.44°23'W	67.3'
S.50°40'W	66.6'
S.59°04'W	95.4'
S.62°48'W	147.3'
S.55°43'W	76.2'
S.50°38'W	53.6'

TRAIL # 342 EASEMENT
(Continue Segment 10)

BEARING	DIST.
N.12°40'E	16.8'
N.84°46'W	56.9'
N.25°23'W	46.7'
N.4°08'E	23.6'
N.28°02'E	21.3'
N.44°09'E	26.1'
N.53°12'E	127.8'
N.60°10'E	69.3'
N.37°40'E	24.0'
N.19°05'E	22.8'
N.5°31'W	31.4'
N.63°34'W	23.2'
WEST	17.8'
S.69°20'W	95.9'
S.55°35'W	97.0'
S.69°38'W	27.7'
N.81°08'W	22.7'
N.51°50'W	25.0'
N.25°43'W	24.3'
N.7°39'W	21.7'
N.6°21'E	67.2'
N.5°03'W	23.8'
N.25°32'W	23.8'
N.48°53'W	23.7'
N.77°00'W	22.8'
N.17°06'W	21.5'
S.45°14'W	87.7'
S.56°16'W	171.3'
S.61°08'W	49.4'
S.46°29'W	97.3'
S.58°19'W	48.4'
S.69°43'W	24.1'
S.82°36'W	21.1'
N.85°07'W	105.7'

TRAIL # 342-A EASEMENT
FALLS OVERLOOK
(Segment 11 across Section 25 NE 1/4)

BEARING	DIST.
S.88°40'W	52.2'
S.82°57'W	42.9'
S.67°05'W	22.1'
S.38°08'W	23.6'
S.11°34'W	30.6'
S.12°16'E	33.0'
S.26°02'E	21.4'

TRAIL # 345 EASEMENT
(Continue Segment 13)

BEARING	DIST.
N.12°24'W	136.0'
N.3°04'W	92.1'
N.2°41'E	91.2'
N.8°10'E	63.5'
N.4°09'E	70.4'
N.0°03'E	190.3'
N.4°51'W	76.7'
N.1°09'E	27.3'
N.8°52'E	60.5'
N.16°06'E	65.4'
N.21°24'E	62.0'
N.28°20'E	177.7'
N.25°13'E	131.7'
N.32°05'E	26.3'
N.40°08'E	71.1'
N.31°01'E	47.4'
N.36°22'E	20.1'
N.7°35'E	88.1'
N.0°10'E	88.1'
N.12°02'E	112.9'
N.6°47'E	48.2'
N.2°01'E	91.2'
N.24°55'E	46.3'
N.17°31'E	48.5'
N.10°22'E	74.5'
N.14°29'E	112.9'
N.19°01'E	72.7'
N.28°57'E	144.5'
N.32°40'E	75.1'
N.30°37'E	68.4'

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
REGION ONE

LEWIS & CLARK NAT'L FOREST | STATE OF MONTANA

COUNTY | MEAGHER

PROJECT | BRIDGE, TRAILS 342, 342-A, 342-B, 345

METHOD | GPS

SURVEYED BY | R. STICH SEPT. 2004

SHEET | 4 OF 4