

DECISION RECORD
for
Vegetation and Riparian Treatments
Iron Mask Planning Area Environmental Assessment
DOI-BLM-MT-B070-2013-0019-EA

Background

The Bureau of Land Management (BLM) has considered the need for vegetation and riparian treatments on approximately 15,662 acres in the Iron Mask Planning Area Environmental Assessment DOI-BLM-MT-B070-2013-0019-EA (IM EA). Of the 26,235 acres in the decision area, the remaining lands are withdrawn for military use as the Limestone Hills Training Area, and not available for vegetation treatment projects conducted by BLM.

Vegetation communities in the analysis area have been altered from pre-settlement conditions by a combination of human activities, the primary one being long-term fire suppression. Upland and riparian habitats have undergone colonization by conifers due to the interruption of the natural disturbance regime. As a result, areas where this colonization (or encroachment) has occurred are more susceptible to damage from large wildland fires or insect infestations, and habitat quality for wildlife species expected to occupy these areas has diminished.

Much of the eastern, lower elevations in the analysis area are overgrown with prickly pear, likely as a result of historic overgrazing. The amount of prickly pear in this portion of the analysis area reduces forage for wildlife and livestock, and could present a hazard to recreationists.

Whipcracker Gulch is a perennial interrupted stream that originates from the abandoned Iron Mask Mine. Soil and sediment at this site are contaminated with heavy metals and a separate effort under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) authority is underway to reclaim this site. Following reclamation, water flow, bank formation and conifer colonization could remain in an unnatural state.

A large headcut on Indian Creek was started as a result of high streamflows in 2011; and one road through the analysis area has caused diversion of streamflows in two locations (road 008 on IM EA Map 8). These problems need to be addressed to reduce erosion and improve water quality.

Decision

It is my decision to implement Alternative B of the IM EA for vegetation and riparian treatments. Up to 5,397 total upland acres in six separate units will be treated over the course of several years to reduce conifers and restore grass/shrub habitat. Up to 978 of these acres will be subject to prescribed fire and the rest treated by hand or mechanical means. Treatments will be done in a mosaic pattern with patches left untreated for habitat diversity and thermal and hiding cover for wildlife.

Up to 69 acres along Indian Creek and 21 acres on Kelly Spring Gulch will be treated by hand to remove conifers which have replaced riparian vegetation. Russian olive will be removed where it occurs along lower Indian Creek and chemically treated to prevent resprouting, if necessary.

Up to ten acres will be treated for prickly pear reduction. These treatments will be tests to determine effectiveness of various methods since literature on treatment of prickly pear in the Northern Rockies is lacking. Treatment methods could include use of hand tools, dragging tires or other objects, use of herbicide, and spreading of native grass seed.

A design to stabilize the headcut on Indian Creek will be developed and implemented. The design will likely include a combination of physically hardened grade control structures, slope reduction and revegetation with both native riparian and upland species.

If reclamation of the Iron Mask Mine and Mill Site conducted under CERCLA, successfully removes the contaminant source in the Whipcracker Gulch stream to meet water quality standards, then a design to increase surface flow and improve stream and floodplain function will be developed and implemented. Conifers will be removed to promote riparian vegetation establishment. However if CERCLA reclamation does not result in clean stream water and low stream sediment, then BLM will not attempt to enhance stream connectivity between the surface water at the site and the channel below the site to prevent contamination of downstream water.

Culverts will be installed on Route 008 where this road is causing diversion of streamflow.

Rationale

My decision is based on Land Health Evaluation and Assessment Reports, impacts disclosed in the Iron Mask Planning Area Environmental Assessment DOI-BLM-MT-B070-2013-0019-EA, site specific monitoring and assessments in the related allotment files, other detailed resource reports, first-hand knowledge of my staff, scientific literature, and review of public comments. I have reviewed the alternatives analyzed in detail to determine if they were responsive to the purpose and need for this proposal and the issues relevant to it. I also reviewed the alternatives that were considered, but not analyzed in detail, to help me decide if the analysis had considered a range of reasonable alternatives. I find that the alternatives considered address the key issues and provide a reasonable range to consider.

Selecting Alternative B (the preferred alternative), will improve land health by restoring and diversifying habitats on BLM lands within the analysis area through a variety of vegetation and riparian stabilization treatments.

Additionally, the Butte Resource Management Plan (2009) provides objectives of treating 1750-6000 acres of grassland and 150-500 acres of shrubland per decade in the Upper Missouri watershed. Treatments included here will go toward fulfilling those objectives.

Design features listed for actions in the IM EA will minimize potential impacts to wildlife, cultural resources, and soils. Some of these features which are applicable to these treatments include following State of Montana Best Management Practices, surveys for sensitive bird species and nesting birds prior to treatments, weed control measures, retention of large snags, special status plant inventory prior to treatments, and post-treatment monitoring for results.

Appeal Process

Any person whose interest is adversely affected by this decision may file an appeal and petition for stay of the decision pending final determination on appeal under 43 CFR Part 4. The appeal and petition for stay must be filed in writing within 30 days following receipt of the final decision. A notice of appeal must be filed in the office of the authorized officer at 106 North Parkmont, Butte, MT 59701. The BLM will not accept appeals sent by electronic mail. A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of the Secretary, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

The appeal shall state the reason(s), clearly and concisely, why the appellant thinks the final decision is in error.

This decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21).

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

The petition for stay must also be filed in the office of the authorized officer at the address stated above.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, P.O. Box 31394, Billings, Montana 59107-1394, not later than 15 days after filing the document with the authorized officer and/or IBLA.

//SIGNED//

Scott Haight
Field Manager

Date