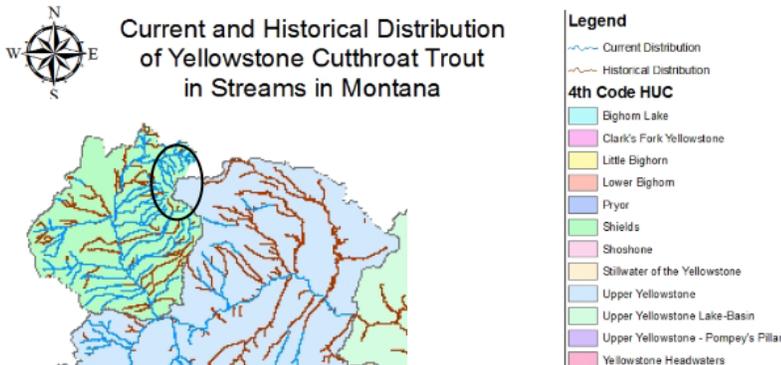
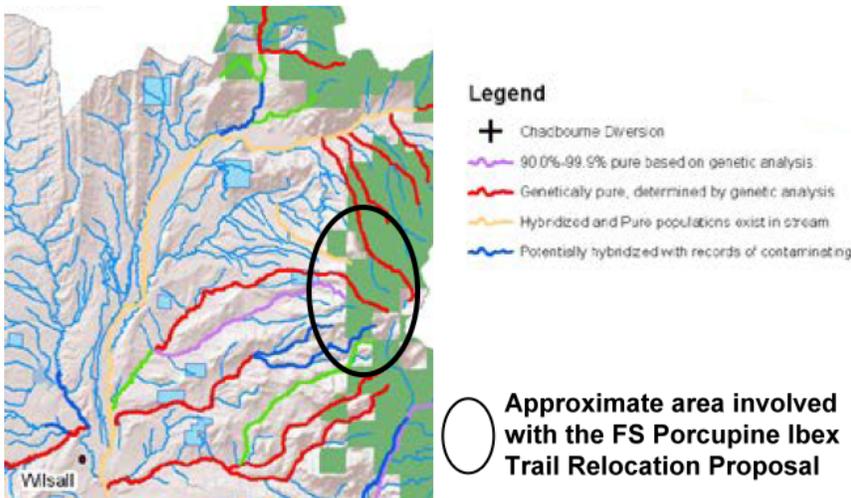


## Does the Forest Service need to do an Environmental Impact Statement?

Is the Forest Service recent Scoping Process on the Porcupine Trail # 267 obliteration and relocation, initiated for 30 days, beginning March 1st, as a Categorical Exclusion (CE), instead of an EA or EIS, illegal? The below map inserts show the proposed trail relocation area is part of the Yellowstone Cutthroat Trout Conservation Strategy for Montana, which crosses 4 creeks.



Questioning the FS Deputy Supervisor Chad Benson in charge of this proposal, if they had filed their Notice of Intent with the Federal Register and their Schedule of Proposed Actions (SOPA), he stated they are not going to do an Environmental Impact Statement (EIS), they believe that they have a Categorical Exclusion (CE).



The Forest Service NEPA Manual states, "Federal action may be 'categorically excluded' from a detailed environmental analysis if the federal action does not, individually or cumulatively have a significant effect on the human environment" (Physical (land, water, air); Biological (plants and animals); Economic (money passing through society); and Social (the way people live)).

The Montana Memorandum of Understanding and Conservation Agreement between various federal and state agencies on Yellowstone Cuts - YCT are a Species of Concern by the State of Montana and a Sensitive Species by the USFS.

FS NEPA manual - "Resource conditions that should be considered in determining whether extraordinary circumstances related to a proposed action warrant further analysis and documentation in an EA or an EIS are: (1) Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species; (2) Flood plains, wetlands, or municipal watersheds;"

"Scoping includes refining the proposed action, determining the responsible official and lead and cooperating agencies, identifying preliminary issues, and identifying interested and affected persons." The Region 3 Livingston fisheries biologist and the Region 3 Fisheries Manager Travis Horton had not been contacted by the FS about these creeks or the trail relocation proposal.