

Chapter 2

Issues and Alternatives Considered

I. Introduction

Chapter 2 describes and compares the alternatives that wholly or partially meet the purpose and need of this project as identified on p.1-6. The no action (no grazing), proposed action (current management), and adaptive management alternatives are described and considered in detail on pp. 2-5 through 2-19. Five other action alternatives were considered but were not brought forward for detailed analysis. These are described on p. 2-28 through 2-29. The purpose and need for action and the comparison between the existing condition and the desired future condition (DFC) for the allotment areas provided the framework for alternative development along with the significant issues identified during scoping.

These alternatives reflect a different response to the issues identified through both the scoping and analysis processes, producing different environmental effects. The Chapter 3 disclosure of effects on the “significant” issues for the three alternatives analyzed in detail provides information to the decision maker for making a reasoned choice between alternatives. Chapter 2 also discusses the scoping and public involvement process, other issues, alternative development, monitoring requirements, and alternatives considered but not studied in detail.

II. Public Involvement and Scoping Process

The first step in environmental analysis is to determine what needs to be analyzed. To do this, the National Environmental Policy Act (NEPA) outlines a process termed "scoping" (refer to 40 CFR 1501.7). The Council on Environmental Quality (CEQ) defines scoping as “an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a Proposed Action” (40 CFR 1501.7).

First, comments are obtained from interested and affected parties, both within and outside the agency, to develop potential issues that must be considered. Second, these "potential issues" are reviewed by the interdisciplinary team to determine: (a) the key issues to be analyzed in depth and (b) issues that are not significant or that have been covered by prior environmental review and, therefore, should be eliminated from detailed study. Documentation of the review of comments and potential issues can be found in the project file.

Before a decision can be made, the 36 CFR 215 appeal regulations require a 30-day notice and comment period for Environmental Assessments.

Public Notices and Outreach

On April 20, 1995 a letter describing all current livestock grazing proposals on the Gallatin Forest and soliciting comments and concerns was sent to over 100 agencies, groups, and individuals, including those showing an interest in the Quarterly Listings. During this scoping period, seven letters were received with general forest-wide comments concerning the effects of livestock grazing. None of the seven letters provided comments specific to the Fridley Creek, Lewis Creek, or Sunnybrook Allotments.

On January 13, 1998 the Gallatin Forest mailed out information on 17 allotments, including the Fridley Creek, Lewis Creek, and Sunnybrook Allotments to over 40 interested and/or affected organizations and individuals. Six comment letters were received in response to this mailing, none of which spoke specifically to these three allotments. General comments received were either in support of or against livestock grazing on public lands, or concerned with potential effects to water quality, riparian areas, wildlife, and threatened and endangered species, wherever livestock are grazed. Comments addressing the potential economic ramifications of grazing or not grazing on public lands were also received.

The Scoping Process

The scoping process is used to invite public participation, to help identify issues that are specific to the decision to be made, and to obtain public comment at various stages of the environmental analysis process. Although scoping is to begin early, it actually serves as an iterative process that continues until the Livingston District Ranger makes a final decision.

The Fridley Creek, Lewis Creek, and Sunnybrook Allotment analyses were again announced throughout 2002 through 2005 in the Gallatin Forest Quarterly Proposed Project Listing.

On December 19, 2003 the Livingston Ranger District sent a scoping letter regarding the proposals to interested or affected members of the public. It was sent to 21 interested and/or affected organizations and individuals. Three comment letters and one verbal comment were received. Two letters contained general comments concerning the effects of livestock on various resources on the allotments. The third letter contained comments pertaining to potential livestock number increases on the Fridley Creek Allotment. The Fridley Creek, Lewis Creek, and Sunnybrook Allotments Project Record, located in Livingston, Montana contain additional information on the scoping and issue development process.

III. Identification of Issues

To develop issues for the proposed projects, the Interdisciplinary (ID) Team analyzed comments from the public and Forest Service resource specialists. The ID team reviewed the comments and identified issues (see the Project Record available at the Livingston Ranger District).

The issues were divided into three categories: significant issues, other issues, and issues not analyzed in detail. Significant issues are used to formulate alternatives to the proposed action. Other issues do not lead to a new alternative, but are analyzed in terms of environmental consequences. Issues not analyzed in detail are issues that are not analyzed because they are addressed through the project design, outside the scope of analysis, or mitigated as standard operating procedures and do not require tracking throughout the document.

IV. Significant Issues

Significant issues are those that require project-specific alternatives, mitigation measures, or design elements to address the effects that proposed activities might have on them.

The interdisciplinary team (ID Team) identified 3 “significant” issues*. Please refer to Chapter 3 for a complete analysis regarding these issues.

1. Livestock May Be Affecting Stream Function And Fisheries Habitat

Livestock use of riparian areas, including altering vegetative conditions and trampling streambanks, may result in bank and channel stability problems, increased sediment, and undesirable changes in stream channel form and function. For streams that support fish, these changes can result in degraded fish habitat and population declines.

More specifically, livestock trampling and grazing activities are having unacceptable impacts along affected reaches of Miller Creek in Sections 23 and 25 in the Fridley Allotment due mostly to the primary trailing routes following the stream courses. This activity, along with the effects of the 2001 Fridley Creek Fire, has caused those stream reaches to deteriorate to a condition of “Functioning At Risk”. Portions of the lower 1/8th mile reach of the Mill Fork of Hyalite Creek in the Lewis Creek Allotment also has past history of high cattle concentrations and bank trampling with channel stability scores exceeding Forest Plan standards. Based on documentation from surveys conducted in 1997 and 1999 and aerial photo interpretation, this stream would likely have been categorized as “Functioning at Risk”. This stream section has not been grazed for the past three years, however, and is currently considered to be “Functioning At Risk With An Upward Trend”.

2. Livestock May Be Impacting Vegetative Composition Around Seeps and Spring Sources (Riparian Vegetation)

The areas around seeps and spring sources (riparian areas) in Lewis Creek Allotment in Section 12, T6S, R6E and Fridley Creek Allotment in Section 34, T5S, R7E are void of vegetation due primarily to the usage by livestock for watering purposes. The locations of nearby water troughs and poor livestock distribution are the cause of this impact. The integrity of spring sources is critical to the supply of water flow from the developed water sources and provides habitat for migratory songbirds as well as other wildlife species.

3. Livestock May Be Impacting the Long-term Health of Aspen Stands

Successful aspen recruitment is not occurring on some of the more heavily used livestock areas, such as in the Fridley Creek Allotment in Section 34, T5S, R7E, which is creating a negative affect to migratory bird habitat. Livestock browsing is considered to be the major factor causing negative impacts to these aspen stands. Elk and deer browsing are also contributing to these negative impacts.

** These issues of stream functionality, vegetation composition around spring sources and long-term health of aspen stands correlate to migratory bird effects. The emphasis for analysis of migratory birds are those habitats associated with the key issues of stream functionality and vegetation composition of spring sources (riparian) and aspen health (aspen). Additional information can be found in the updated (April 2005) issue paper on Livestock Grazing and Migratory Birds located in the project file.*

V. Other Issues

Following is a list of relevant issues that were reviewed by the ID Team but found not to be significant factors in the decision whether to permit livestock grazing on the allotments. The NEPA provides for identification and elimination from detailed study, those issues that are not significant or which have been covered by prior environmental review, narrowing the discussion of these issues to a brief presentation of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere (40CFR 1501.7(3)). While these issues are important, they were either unaffected or mildly affected by the proposed action, or the effects could be adequately mitigated. An assessment of each of these issues is provided in the Appendix A of this document.

- A. Upland Vegetation (including invasive species)**
- B. Soils**
- C. Management Indicator Species**
- D. Threatened and Endangered Species**
- E. Sensitive Wildlife Species**
- F. Biodiversity**
- G. Biological Corridors**
- H. Beaver**

- I. Sensitive Plants**
- J. Tree Regeneration**
- H. Research Natural Areas**
- I. Open Road Density**
- J. Recreation**
- K. Heritage Resources**
- L. Socio-economics**

VI. Range of Alternatives

Once the scoping process was complete, the interdisciplinary team (ID team) developed an alternative to the current management with specific features designed to address the significant issues. For the Fridley Creek, Lewis Creek, and Sunnybrook Allotments the No Action-No Grazing Alternative (Alternative 1), the Proposed Action-Current Management Alternative (Alternative 2) and the Adaptive Management Alternative (Alternative 3) have been determined to be the only alternatives warranting detailed consideration. Tables 2-5 through 2-7 on p. 2-15 provide a comparison of the alternatives by National Forest administered grazing permitted livestock numbers.

The alternatives for this project were designed to express a range of possible actions. The ID team developed the range of alternatives and monitoring measures presented in this chapter based on the purpose and need (Chapter 1) and the “significant” issues (Chapter 2).

An adequate range of alternatives is one that fully meets the purpose and need and addresses the significant issues. An alternative to the proposed action must:

- (1) Address one or more of the “significant” issues.
- (2) Meet the purpose and need.

An action alternative that does not meet both criteria may be eliminated from detailed study. Five other alternatives were considered but were not analyzed in detail.

VII. Alternatives Considered in Detail

The ID Team developed and analyzed three alternatives in detail, including the No Action Alternative for the Fridley Creek, Lewis Creek, and Sunnybrook Allotments. Alternative 1 is the No Action/No Grazing Alternative, Alternative 2 reflects current management (proposed action), and Alternative 3 incorporates Adaptive Management Strategies (FSH 2209.13) into the management of the allotments.

Alternative 1: No Action-No Grazing

The National Environmental Policy Act (NEPA) requires consideration of a No Action Alternative in any NEPA environmental document. Alternative 1 is the “No Action” Alternative, in which the grazing of domestic livestock on the Fridley Creek, Lewis Creek, and Sunnybrook Allotments would be discontinued. This is also the No Grazing Alternative as grazing permits for these allotments would not be re-issued after a two-year phase out period. The permittees would be allowed to graze at the current stocking levels in year one, and 50 percent stocking levels in year two following the date of this decision.

Alternative 1 is an option that would partially resolve the significant resource issues related to livestock effects on riparian, aspen, and spring integrity because grazing would be terminated and the natural recovery process would occur without the influence of livestock use on National Forest System Lands. However, the permittee may continue grazing on adjacent private land. With the termination of grazing permits, the Forest Service would no longer have management control over the private land within the allotments and this could prohibit the ability to help improve riparian functions on Miller Creek. Alternative 1 does not meet Forest Plan direction for providing livestock forage.

Alternative 2: Proposed Action-Current Management

Under this alternative permits for livestock grazing on the Fridley Creek, Lewis Creek, and Sunnybrook Allotments would be re-issued for the same numbers and season of use that is currently allowed. Permits would also adhere to the same terms and conditions as apply to the existing permits. The actions that would occur under this alternative are detailed below.

Fridley Creek Allotment

Two Term Grazing Permits and one Private Land Permit would be issued on this allotment, for a total of 945 Head Months (HM). The season of use would range from July 1st to October 15th (See Table 2-1, pg. 2-9).

The allotment would remain divided into three pastures. The cattle would be split and allowed to graze in the two northern pastures with season long grazing. The southern area of the allotment would be grazed under a deferred rotation system using salting and riding (see Map 2).

Maintenance of improvements such as fences and a water tank would continue to be the responsibilities of permit holders and private landowners adjacent to the allotment. No new developments are proposed under this alternative.

Lewis Allotment

One Term Grazing Permit would be issued on this Allotment for the grazing of 22 cow/calf (77 HM), the same number as currently permitted (See Map 4). Grazing would be allowed from July 1st to October 15th annually. Grazing would occur under a two-pasture deferred rotation system.

Maintenance of improvements including fences and two water tanks would continue to be the responsibilities of permit holders and private landowners adjacent to the allotment. No new developments are proposed under this alternative (See Lewis Creek Allotment-Map 4).

Sunnybrook Allotment

A Term On-Off Permit¹ would be issued every year for 5 horses (18 HM) from July 1 to October 15, the same numbers and season that are currently permitted. The grazing rotations will be guided by the ranch plan developed by the NRCS (see Map 6). The use by the livestock is on approximately 36 percent Forest Service administered land and 54 percent on land controlled by the permittee (see p. 1-3).

There are no structural improvements owned or maintained by the Forest Service. The improvements surrounding the allotment, including fences, are the responsibility of the private landowners adjacent to the allotment.

Alternative 3: Adaptive Management

Under this alternative, permitted livestock grazing would continue under management designed to meet DFCs, as described in Chapter 1, that are consistent with Forest Plan standards. This alternative focuses on DFC rather than specific seasons of use, permitted livestock numbers, or grazing rotations. This alternative is based on the principle of applying Adaptive Management Strategies (FSH 2209.13). Adaptive Management is the process of utilizing monitoring data to determine if management changes are needed to improve resource conditions within allotments, and if so, what changes, and to what degree.

¹ Term On-Off Permit is one permit issued to a qualified candidate when a logical grazing area contains both Forest controlled and private lands. This type of permit is usually issued when a minor portion of the logical grazing area, normally less than 1/3 is controlled by the Forest Service.

Adaptive management establishes the limits of what livestock grazing practices are allowed including timing, intensity, frequency, and duration. These limits are represented as standards that are monitored to ensure that prescribed actions were followed. Monitoring also determines if management changes are needed. Building adaptive management flexibility into allotment management allows for decisions that are responsive to needed adjustments in permitted actions. Future administrative actions that adhere to the decision notice can then be implemented without additional analysis. Examples of administrative decisions include:

- Determination of dates for grazing
- Livestock numbers
- Class of animal
- Grazing systems
- Range readiness

The Adaptive Management Alternative would re-authorize Term Grazing Permits on Fridley Creek (Map 3) and Lewis Creek (Map 5). Sunnybrook Allotment (Map 6) would have a Term On-Off Grazing Permit and a new Term and Private Land Permit would be issued for the Dry Creek Allotment (Map 7), incorporating adaptive management.

Under Adaptive Management, a course of action is chosen as a starting point that is believed to best meet or move towards desired resource objectives. The starting points for the grazing systems on these allotments would be as follows:

- Fridley Creek Allotment would be grazed utilizing a deferred rotation grazing system².
- The Lewis Creek Allotment would be grazed utilizing a seasonally deferred rotation grazing system in conjunction with adjacent private land pastures.
- Sunnybrook Allotment would be grazed utilizing a seasonally deferred grazing system.
- A seasonally deferred rotation grazing system would be used on the Dry Creek Allotment, which would be a new allotment derived from a combination of a portion of the Fridley Creek Allotment, one pasture of the vacant Lewis Creek Allotment, and private land.

Under an adaptive management approach, stocking levels would be to continue on these allotments as identified in Table 2-7, p. 2-15. Grazing would be allowed to continue at these levels provided that implementation of the riparian guidelines and upland utilization standards are moving towards or meeting DFC.

²Deferred rotation system – to delay grazing until the range plants have had time to set seed. For a two pasture grazing allotment, cattle start early in one pasture the first year and late in the same pasture the next year, allowing for the plants to recover.

Implementation of the Adaptive Management Alternative is presented in various phases. These phases correspond to increasing levels of complexity and financial investment allowing for a progression of management intensity. The need for implementation of further phases would be determined by the monitoring results. Monitoring is a critical component of adaptive management.

Monitoring would occur over time, with the evaluation of the results used by the ID Team and District Ranger to make adjustments to management as needed. Monitoring and management adjustments would help ensure adequate progress toward defined resource objectives. All adaptive management actions would be within the scope of effects documented in this environmental assessment. If different actions are considered necessary, then a new analysis under NEPA would be conducted before a decision is made.

Fridley Creek Allotment

Actions Common to All Phases

- Annual utilization measurements throughout each pasture would be taken to ensure that upland utilization standards are not exceeded. Table 2-1 shows the allowable use for dry and moist rangelands:

Table 2-1 Allowable Use - Fridley Allotment

	Dry Range	Moist Range
Early Pasture	55%	65%
Late Pasture	35%	45%

- Once utilization standards are met, then the livestock would be moved to another pasture, another area of the pasture, or off the allotment.
- Utilize introduced invasive grass species (i.e. Timothy) and provide for maintenance of native perennial grass species by grazing as early as June 1st when range readiness conditions allow. Timing of use would be prescribed annually, in consideration of climatic variability, to meet plant phenological and physiological needs for maintaining or enhancing vegetative condition.
- Manage invasive weed sites by mapping and treating them according to the Final Noxious and Invasive Weed Treatment Project, Environmental Impact Statement (EIS) and Record of Decision (ROD) released in June 2005.
- Riparian vegetative utilization measurements and streambank stability standards for the allotment vary by stream and are discussed in detail beginning on p. B-1.

Phase One Actions

- Implement a grazing system to manage the movement of the livestock in order to allow for rest periods to the vegetation within the allotments. Potentially, a deferred-rotation grazing system could graze as one herd in the north pasture early in the season and move to the south pasture later in the season. The second year, the herd could be turned into the south pasture first, and then moved to the north pasture before coming off the National Forest lands.
- Graze in the vicinity of aspen stands for a shorter period of time, rotate the timing of use annually, and utilize management strategies such as riding and salting to obtain better distribution and minimize use of aspen. Limit utilization of woody species, including aspen less than 5 feet in height, to 10% of the available stems when livestock change their forage preference toward them in late summer and fall.
- Construct a fence around riparian vegetation at the spring source in Section 34, T5S, R7E to exclude livestock, allowing for a full complement of native vegetation.
- Fall conifers within and next to aspen stand in Section 34, T5S, R7E, to open the aspen up to sunlight and hinder livestock movement and use in the stand.

If after three years, monitoring shows the above practices were not sufficient to progress toward DFC then Phase Two would be implemented:

Phase Two Actions

- Develop water sources on private land in Section 24, T5S, and R7E, to improve livestock distribution and reduce the amount of use that occurs along Miller Creek.
- Place large woody debris, by moving or felling, along the affected areas of Miller Creek in Section 24, T5S, and R7E to further restrict livestock usage.
- Explore new alternative water sources in Section 34, T5S, R7E to reduce livestock impact near the existing water development and aspen stand.
- If aspen in Section 34, T5S, R7E, Fridley Allotment fail to sprout, create a physical disturbance by felling or ripping the roots or by underburning the immediate area to stimulate aspen sprouting. Manage livestock grazing to minimize or eliminate utilization on regeneration.

If after three years, monitoring shows the above practices were not sufficient to progress toward DFC then Phase Three would be implemented:

Phase Three Actions

- Fence the aspen stand in Section 34, T5S, R7E to keep out livestock or create two pastures by fencing to minimize or eliminate utilization on regeneration.

If Phase Three proves unsuccessful in meeting Gallatin Forest Plan standards and long-term resource goals after five years of monitoring, then the allotment would be re-evaluated with the permittee to consider further actions necessary to achieve DFC.

Lewis Creek Allotment

Actions Common to All Phases

- Annual utilization measurements throughout each pasture would be taken to ensure that upland utilization standards are not exceeded. Table 2-2 shows the allowable use for dry and moist rangelands:

Table 2-2 Allowable Use – Lewis Creek Allotment

	Dry Range	Moist Range
Early Pasture	55%	65%
Late Pasture	35%	45%

- Once utilization standards are met, then the livestock would be moved to another pasture, another area of the pasture, or off the allotment.
- Utilize introduced invasive grass species (i.e. Timothy) and provide for maintenance of native perennial grass species by grazing as early as June 1st when range readiness conditions allow. Timing of use would be prescribed annually, in consideration of climatic variability, to meet plant phenological and physiological needs for maintaining or enhancing vegetative condition.
- Manage invasive weed sites by mapping and treating them according to the Final Noxious and Invasive Weed Treatment Project, Environmental Impact Statement (EIS) and Record of Decision (ROD) released in June 2005.
- Riparian utilization measurement and streambank stability standards for the allotment vary by stream and are discussed in detail in Appendix B.

Phase One Actions

- Implement a grazing system to manage the movement of the livestock in order to allow for rest periods of the vegetation within the allotments. Potentially a deferred-rotation grazing system could graze as one herd in the north pasture early in the season and move to the south pasture later in the season. The second year, the herd could be turned into the south pasture first, and then moved to the north pasture before coming off the National Forest lands.
- Reconstruct the existing trough in the NW ¼ Section 12, T6S, R6E with one further away from the spring and construct a fence around the spring source to reduce livestock impacts near the spring.
- Reconstruct the riparian fence around the spring source in the NE ¼ Section 12, T6S, R6E to exclude livestock and reduce impacts near the spring.

If after three years, monitoring shows the above practices were not sufficient to progress toward DFC then Phase Two would be implemented:

Phase Two Actions

- Fall trees along the affected portion of the lower ½ mile reach of Mill Fork of Hyalite Creek to hinder livestock movement through the area.

If after three years, monitoring shows the above practice is not sufficient to progress toward DFC then Phase Three would be implemented:

Phase Three Actions

- Replace and move the water tank farther from the spring source in the NE ¼ Section 12, T6S, R6E to further reduce livestock impacts.
- Fence the lower ½ mile reach of Mill Fork of Hyalite Creek to exclude livestock.

If Phase Three proves unsuccessful in meeting Gallatin Forest Plan standards and long-term resource goals after five years of monitoring, then the allotment would be re-evaluated with the permittee to consider further actions necessary to achieve DFC.

Sunnybrook Allotment

The allotment would be monitored on a regular basis to ensure that Forest Plan standards continue to be met. No phases would be established for this allotment, unless monitoring results define the need for such actions, because conditions in this allotment already meet LRMP goals and objectives. The following specific actions are proposed for the Sunnybrook Allotment:

- Annual utilization measurements throughout each pasture would be taken to ensure that upland utilization standards are not exceeded. Table 2-3 (p. 2-13) shows the allowable use for dry and moist rangelands:

Table 2-3 Allowable Use – Sunnybrook Allotment

	Dry Range	Moist Range
Early Pasture	55%	65%
Late Pasture	35%	45%

- Once utilization limits are reached, then the livestock would be moved to another pasture, another area of the pasture, or off the allotment.
- Utilize introduced invasive grass species (i.e. Timothy) and provide for maintenance of native perennial grass species by grazing as early as June 1st when range readiness conditions allow. Timing of use would be prescribed annually, in consideration of climatic variability, to meet plant phenological and physiological needs for maintaining or enhancing vegetative condition.
- Manage invasive weed sites by mapping and treating them according to the Final Noxious and Invasive Weed Treatment Project, Environmental Impact Statement (EIS) and Record of Decision (ROD) released in June 2005.
- Riparian utilization measurements and streambank stability standards for the allotment vary by stream and are discussed in detail in Appendix B.

Dry Creek Allotment

The Adaptive Management Alternative would create the Dry Creek Allotment. This allotment would be a combination of the south half of the Fridley Allotment, private land, and the northern section of Lewis Creek Allotment.

Forest Plan standards for utilization and stream bank stability are currently being met within this area. The allotment would be monitored on a regular basis to ensure that Forest Plan standards continue to be met.

No phases would be established for this allotment unless monitoring results define the need for such actions. Current conditions such as the upland and riparian vegetation are meeting LRMP goals and objectives and desired future conditions for this allotment. The following specific actions are proposed for the Dry Creek Allotment:

- Annual utilization measurements throughout each pasture would be taken to ensure that upland utilization standards are not exceeded. Table 2-4 shows the allowable use for dry and moist rangelands:

Table 2-4 Allowable Use – Dry Creek Allotment

	Dry Range	Moist Range
Early Pasture	55%	65%
Late Pasture	35%	45%

- Once utilization limits are reached, then the livestock would be moved to another pasture, another area of the pasture, or off the allotment.
- Utilize introduced invasive grass species (i.e. Timothy) and provide for maintenance of native perennial grass species by grazing as early as June 1st when range readiness conditions allow. Timing of use would be prescribed annually, in consideration of climatic variability, to meet plant phenological and physiological needs for maintaining or enhancing vegetative condition.
- Manage invasive weed sites by mapping and treating them according to the Final Noxious and Invasive Weed Treatment Project, Environmental Impact Statement (EIS) and Record of Decision (ROD) released in June 2005.
- Riparian utilization measurements and streambank stability standards for the allotment vary by stream and are discussed in detail in Appendix B.

VIII. Comparison of Alternatives

Tables 2-5 through 2-7 provide a comparison of Alternative 1 (no action), Alternative 2 (current management), and Alternative 3 (adaptive management) by National Forest administered grazing permit livestock numbers. Table 2-8 through 2-11 provide a comparison of the alternatives by significant issue for each of the allotments.

Table 2-5: Permitted Livestock Numbers Alternative 1 - No Action Alternative

Allotment	Cow/Calf pair	Horse	Season of Use	Head Months	Allotment Size
Fridley Creek	0	0	None	0	4,747 FS 3,800 Pvt
Lewis Creek	0	0	None	0	923 ac
Sunnybrook	0	0	None	0	225 FS 336 Pvt

Table 2-6: Permitted Livestock Numbers Alternative 2-Proposed Action Alternative

Allotment	Cow/Calf pair	Horse	Season of Use	Head Months	Allotment Size
Fridley Creek North Fridley (term)	96 FS; 142 Private	0	July 1 – Oct. 15	838	3,732 FS 3,800 Pvt
Fridley Creek South Fridley (term)	47	0	July 1 – Sept. 7	107	1,015 FS
Lewis Creek (term)	22	0	July 1 – Oct. 15	78	1,036 ac
Sunnybrook (temporary)	0	5	July 1 – Oct. 15	18	225 FS 336 Pvt

Table 2-7: Permitted Livestock Numbers Alternative 3-Adaptive Management Alternative*

Allotment	Cow/Calf pair	Horse	Season of Use	Head Months	Allotment Size (Ac)
Fridley Creek (term)	96 FS; 142 Private	0	July 1 – Oct. 15	838	3,842 FS 3,800 Pvt
Lewis Creek (term)**	50	0	July 1 – Oct. 15	78	443
Dry Creek (term)	50	0	July 1 – Oct. 15	74	1,455 FS 400 Pvt
Sunnybrook (on-off)	0	5	July 1 – Oct. 15	18	225 FS 336 Pvt

* The information in this table is subject to change annually depending on desired resource conditions identified utilizing Adaptive Management strategies.

**Numbers and season of use are variable on an annual basis not to exceed 78 head months.

Table 2-8 Comparison of Alternatives by Significant Issue for Fridley Creek Allotment

Significant Issue	Alternative 1- No Action (No Grazing)	Alternative 2- Current Management	Alternative 3- Adaptive Management
Stream Function	No future livestock grazing or trampling damage. Standards are expected to be met within 3-5 years on the North and South Forks of Miller Creek (Sections 23 & 25).	Grazing and trampling would continue to exceed FP standards on the North and South Forks of Miller Creek (Sections 23 & 25). No improvement would be expected.	(New Fridley does not include sections 32 and ½ section 4) Grazing conditions are expected to be within FP standards and B-D riparian guidelines for the allotment. within 3-10 years. Monitoring to ensure compliance.
Vegetative Composition Around Seeps and Springs (Migratory Bird Habitat)	No grazing would be beneficial for those migratory bird species dependent on complex riparian vegetation through increase niche space for nesting and cover. The risk of cowbird parasitism would decrease or be eliminated.	Those migratory bird species dependent upon seeps and springs would have slightly less habitat available than the Adaptive Management Alternative; other species would respond favorably to continued livestock grazing. The risk of cowbird parasitism would persist at current low levels due to July 1 or later turn on dates.	By improving degraded seep and spring areas, yet still allowing some level of grazing, the Adaptive Management Alternative should benefit a larger array of bird species. The risk of cowbird parasitism would be higher during those years when livestock are turned on to the allotments prior to July 1.
Aspen Regeneration	Discontinuing grazing would eliminate most aspen habitat alteration associated with permitted livestock grazing. Depending on browsing levels by native ungulates, aspen regeneration could increase substantially providing age and structural diversity long-term.	The effect of grazing on migratory bird habitat would continue to decline. Those species dependent upon aspen habitat would have less habitat available than with either the No Action Alternative or the Adaptive Management Alternative.	Meeting the desired future conditions for aspen habitat with any or all of the adaptive management practices would improve nesting opportunities leading to greater nest success over time. An increase in age and structural diversity would also improve foraging opportunities and increase biodiversity.

Table 2-9 Comparison of Alternatives by Significant Issue for Lewis Creek Allotment

Significant Issue	Alternative 1- No Action (No Grazing)	Alternative 2- Current Management	Alternative 3- Adaptive Management
Stream Function	No future grazing or trampling damage. Standards are expected to be met in Mill Fork of Hyalite Creek within 2 to 5 years.	Currently vacant. No new grazing or trampling damage. Continuing grazing with current management would be expected to cause negative impacts to Mill Fork of Hyalite Creek.	(New Lewis Creek is section 12) Grazing within FP standards and B-D riparian guidelines. With a quick rate of improvement; standards are expected to be met within 2-5 years. Monitoring to ensure compliance.
Vegetative Composition Around Seeps & and Springs (Migratory Bird Habitat)	No grazing would be beneficial for those migratory bird species dependent on complex vegetation found around seeps and springs, through increased niche space for nesting and cover. The risk of cowbird parasitism would decrease or be eliminated.	Those migratory bird species dependent upon seeps and springs would have slightly less habitat available than the Adaptive Management Alternative; other species would respond favorably to continued livestock grazing. The risk of cowbird parasitism would persist at current low levels due to July 1 or later turn on dates.	By improving degraded areas yet still allowing some level of grazing, the Adaptive Management Alternative should benefit a larger array of migratory bird species. The risk of cowbird parasitism would be higher during those years when livestock are turned on to the allotments prior to July 1.
Aspen Regeneration	Aspen has not been identified as an issue in this allotment	Aspen has not been identified as an issue in this allotment	Aspen has not been identified as an issue in this allotment

Table 2-10 Comparison of Alternatives by Significant Issue for Sunnybrook Allotment

Significant Issue	Alternative 1- No Action (No Grazing)	Alternative 2- Current Management	Alternative 3- Adaptive Management
Stream Function	No future grazing or trampling damage. Standards would continue to be met.	No significant grazing or trampling damage. Standards would continue to be met.	No significant grazing or trampling damage. Grazing within FP standards and B-D riparian guidelines. Monitoring to ensure compliance.
Vegetative Composition Around Seeps and Springs (Migratory Bird Habitat)	No grazing would be beneficial for those migratory bird species dependent on complex riparian vegetation through increased niche space for nesting and cover. The risk of cowbird parasitism would decrease or be eliminated.	Those migratory bird species dependent upon riparian areas would have slightly less habitat available than the Adaptive Management Alternative; other species would respond favorably to continued livestock grazing. The risk of cowbird parasitism would persist at current low levels due to July 1 or later turn on dates.	By improving degraded areas yet still allowing some level of grazing, the Adaptive Management Alternative should benefit a larger array of bird species. The risk of cowbird parasitism would be higher during those years when livestock are turned on to the allotments prior to July 1.
Aspen Regeneration	Aspen has not been identified as an issue in this allotment	Aspen has not been identified as an issue in this allotment	Aspen has not been identified as an issue in this allotment

Table 2-11 Comparison of Alternatives by Significant Issue for Dry Creek Allotment

Significant Issue	Alternative 1- No Action (No Grazing)	Alternative 2- Current Management	Alternative 3- Adaptive Management
Stream Function	NA (Allotment does not exist)	NA (Allotment does not exist)	Grazing would be within FP standards and B-D riparian guidelines. Monitoring to ensure compliance.
Vegetative Composition Around Springs	NA (Allotment does not exist)	NA (Allotment does not exist)	By improving degraded areas yet still allowing some level of grazing, the Adaptive Management Alternative should benefit a larger array of bird species. The risk of cowbird parasitism would be higher during those years when livestock are turned on to the allotments prior to July 1.
Aspen Regeneration	NA (Allotment does not exist)	NA (Allotment does not exist)	Aspen has not been identified as an issue in this allotment

IX. Mitigation and Monitoring

The mitigation/monitoring detailed below applies to Alternative 3, the Adaptive Management Alternative. Mitigation is a means to alleviate effects to the various resources. Monitoring is a critical component to insure progress toward meeting the desired future conditions (DFCs).

Mitigation

General Mitigation

- Fences to be constructed would incorporate wide gates at appropriate locations to allow wildlife passage when livestock are not present, use construction techniques that are wildlife friendly (wood vs. wire or adjusting wire spacing); any fence that is no longer needed for allotment management would be removed.

Gray Wolf Mitigation

- Retain current language; including appropriate contact information, in grazing allotment permits Part 3 regarding wolf management on livestock allotments. This information details the permittee rights and responsibilities relative to wolf depredation of livestock on permitted grazing allotments on National Forest. Per the final rule, Federal Register, 50 CFR Part 17 (USFWS 2005), permittees with a current Federal land use permit that requires livestock use may ‘take’ wolves on public land when they are “in the act of” attacking those permitted livestock. Such taking of wolves must be reported within 24 hours and physical evidence of an attack by wolves on livestock must be evident. According to the Endangered Species Act of 1973, the definition of ‘take’ means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

Grizzly Bear Mitigation

- Permits would include the following statement related to livestock carcass disposal. “Livestock losses, regardless of cause, are to be reported to the Livingston Ranger District within 24 hours of their discovery. At that time the permittee and the Forest Service will jointly determine how to eliminate the attractiveness of the carcass. The objective is to reduce the possibility of bear/human or bear/livestock confrontations.” Tier to most current grizzly bear direction (Final Conservation Strategy for the Grizzly Bear for the Yellowstone Ecosystem of 2003).
- Per the Reporting Requirements in the Biological Opinion on the effects of the Gallatin National Forest plan on grizzly bears (FWS 2004a), the Forest shall notify the Service’s Montana Field Office, as soon as possible, of any livestock depredation by grizzly bears, grizzly bear-human conflict resulting from improper storage of food or attractants or the management removal of human-caused death of a grizzly bear.

Migratory Birds Mitigation

- Spring developments for livestock watering sites would include an overflow system which returns the unused water to the source allowing the spring to continue to exhibit its full extent and a shut-off valve for increased management flexibility. The development would also include the construction of an enclosure to protect the spring site.
- If prescribed fire is utilized within the aspen stand on the Fridley Allotment, then the treatment area would likely be rested from livestock grazing or grazing would be reduced for one season prior to burning to retain fine fuels and allow the fire to carry and one season following burning to allow the area to regenerate with aspen and other vegetation

Riparian and Streambank Stability Mitigation

- Keep salt supplements out of the watershed influence zone (WIZ) if feasible and out of riparian areas and wetlands always.
- Avoid season-long grazing in riparian areas and wetlands. Strive for short-duration grazing as feasible (generally less than 20 days) to provide greater opportunity for regrowth and to avoid over-utilization of woody species. Avoid livestock grazing, as feasible, during the hot season (mid-to-late summer) when livestock are more likely to concentrate in the riparian areas and wetlands and to utilize woody species. Follow the stubble height and forage utilization prescriptions for each stream outlined in the DFC narrative.
- Design grazing systems to limit utilization of woody species. Move livestock from riparian areas and wetlands when they begin to have a preference for woody species, especially plants in the young maturity classes. Follow woody utilization prescriptions for each stream outlined in the DFC narrative.
- Maintain the extent of stable banks in each stream reach at 75% or more of reference conditions, as prescribed in the DFC narrative. Follow the allowable streambank alteration prescriptions for each stream outlined in the DFC narrative, and move livestock from riparian areas when allowable levels of streambank alteration are reached.

Monitoring

Monitoring is used to insure compliance with annual operating instructions. Monitoring procedures would be conducted and documented by the range manager, fisheries biologist, wildlife biologist, and/or their staff. Documentation of monitoring would be used to determine whether riparian and upland utilization, streambank stability, and aspen regeneration objectives are being met. Sampling frequency of proposed monitoring could vary, however Monitoring Tables 2-12 and 2-13 (pp. 2-26 & 2-27) detail the projected monitoring schedule for both riparian and upland areas within the allotments.

If Alternative 3 is selected, monitoring would be key to the success of adaptive management. Monitoring results would be used to determine whether the prescribed adaptive management strategy is working or if adjustments should be implemented. Monitoring is an important means to determine if there is adequate short-term improvement towards long-term resource recovery.

The proposed Dry Creek Allotment area and the Sunny brook Allotment are currently meeting DFC. They would be monitored on a regular basis to ensure that compliance with upland and riparian utilization continues.

Forest Service Range Permit Compliance Monitoring

To ensure compliance with annual operating instructions, the District Range Management Specialist would:

- 1) Verify proper permittee maintenance of all range improvements listed on permit.
- 2) Check authorized livestock use (numbers, brands, types of livestock) and conduct spot checks to see that livestock are moved from one pasture to the next as dictated by utilization levels.
- 3) Check allotment conditions for range readiness (plant development and soil condition) before livestock are allowed on the allotments. Drought conditions might necessitate grazing adjustments on an annual basis or as warranted by weather conditions.
- 4) Check salt locations annually to be sure they are a proper distance from water or other sensitive areas including aspen stands.
- 5) New infestations of noxious weeds will be identified during allotment inspections and treated in an appropriate manner as time and money allows.
- 6) Permittees will check each pasture scheduled for use at the mid-point of the prescribed use period, and again as utilization approaches the allowable use or the exit date for the pasture approaches to assure that allowable use guidelines are not being exceeded. These are the minimum pasture checks that are required. Permittees would be encouraged to check on a more regular basis.
- 7) Conduct random compliance checks to see that upland and riparian utilization standards and guidelines are not being exceeded.

Monitoring of Upland & Riparian Utilization

The utilization standards for upland suitable range defined in the R1 Range Analysis Handbook (FSH 2209.21) are a maximum of 55% on deferred-rotation ranges in good condition. Since riparian utilization standards are typically reached first, monitoring would focus mainly on riparian utilization.

Utilization measurements would be taken randomly in each pasture on upland native vegetation habitat types for each of the allotments annually. Measurements could range from 3 to 10 random sites annually depending on the pasture size. Typically measurements would be taken along a 50 pace transect, measuring hits on grazed or ungrazed vegetation. Results would be correlated to standard R1 utilization curves for the vegetation type. Other monitoring methodologies could also be used as appropriate.

Riparian utilization would be a key factor in determining the length of season of cattle grazing. Monitoring of the riparian utilization may include stubble height, forage utilization and woody utilization. Utilization levels for any of these monitoring techniques are dependent on sensitivity and similarity levels of the stream reaches (see Table 3-2 on p. 3-15). The technique typically would be measured monthly to determine if use levels are being met and to document the trend of the stream in reaches where we have identified problems

and where utilization (including stubble height is considered a critical parameter to meet DFC.

The ID team identified several affected reaches within the allotments that will be monitored as mentioned above. They include the North and South Forks of Miller Creek (Sections 23 & 25), Unnamed tributary of Golmeyer Creek (Section 34), and the lower ½ mile reach of Mill Fork (Section 12).

The Forest Plan Standard for Riparian range in Fair Condition is 40%, which equates in these habitat types to a stubble height of three to four inches remaining following grazing. Stubble height will be used as an annual indicator of livestock grazing in riparian areas, (Univ. of Idaho, July 2004). Monitoring of riparian and upland grazing would be the responsibility of both the Forest Service and the permittee.

Monitoring of Streambank Stability

Evaluate for properly functioning condition (PFC) on Miller Creek, South and North forks of Miller Creek, Mill Fork of Hyalite Creek, the unnamed tributary to Golmeyer Creek every 5 years, with bank stability measurements being made annually or until obvious upward trends occur. The trigger point of not exceeding 20 percent annual induced streambank disturbance will be used to gauge short-term success. If the shortened grazing season and off site water development does not bring bank disturbance levels to within allowable standards, then the next phase of adding the large woody material would be completed. If the bank disturbance trigger point were still exceeded, then the grazing plan would be revisited by the permittee and the Forest Service to find a resolution to the problems. The District Fisheries Biologist and Range Management Specialist would be responsible for collecting bank stability data. Cattle would be removed before bank stability goals are exceeded. Monitoring of affected stream reaches for streambank stability and trends towards meeting Forest Plan standards would be performed using accepted protocols and techniques. The following monitoring methodologies would be utilized to determine if bank stability standard and allowable streambank alteration prescriptions are being met:

- ***Pfankuch channel stability evaluation:*** (Rosgen 1996, pg 6-30). In general, a 20-point increase in the stream channel stability score over an estimated score under pristine conditions demonstrates exceedence of the Forest Plan Standard (FP III-21). The assessment accounts for inherent stability differences by channel types.
- ***Bank Alteration:*** The proposed standardized protocol for measuring bank alteration on grazing allotments for USFS R1 National Forests would be used to monitor bank stability and allowable bank alteration (Final report, April 2005, see project file). For streams where not exceeding allowable bank alteration is critical to meeting DFC's (i.e., Miller Creek proper, North Fork Miller, South Fork Miller, unnamed tributary to Golmeyer, and Mill Fork Creek), bank alteration would be monitored annually while cattle are on the allotment. When allowable bank alteration levels are met for these streams, cattle would be moved.

The following measurements may also be used to determine long-term trends:

- **Channel cross-sections:** Long-term channel stability trends are best determined by monitoring permanent channel cross-sections and appropriate geomorphic parameters (e.g., width/depth ratio) to determine channel morphology changes through time. Wolman pebble count information may also be useful to monitor substrate changes through time. Channel cross-sections would be monitored in streams where channel type conversions are part of the DFC (i.e., North Fork Miller, South Fork Miller, and the unnamed tributary to Golmeyer Creek). Monitoring would be done annually or every two years.
- **Proper Functioning Condition (PFC) assessments:** PFC assessments would be performed to monitor recovery trends and DFC attainment for all streams. PFC monitoring frequency will coincide with other monitoring schedules.
- **Photo Points:** Photo points may be established streamside to document obvious visual long-term trends.
- **Other riparian and upland monitoring techniques** may be used such as “Greenline” hoof impact measurements in or Grazing Response Index to assess effects of annual grazing pressures and defoliation on forage plants during the growing season.

Monitoring for Restoration of Riparian Vegetation at Spring Developments

Implementation Monitoring for Exclosures: The Range Specialist and Wildlife Biologist would work with the permittee to determine location and size of exclosures and ensure exclosures are constructed appropriately.

Woody Utilization: Limit utilization of woody species when livestock change their forage preference toward them in late summer and fall. This is the utilization of the annual growth of woody species such as willows, aspen, dogwood, etc., by livestock and wildlife. Methodology would include either: the production index method (count the number of twigs browsed vs. unbrowsed on pre-tagged individual shrubs or trees) or the twig length method (comparison of average leader growth of browsed and unbrowsed shrubs). Measurements will be made once a month on a representative sample of plants less than 5 feet in height which are most affected by browsing. Quantitative measures would be based on B-D Riparian Standards for woody species utilization per the specific area. If utilization of woody species is exceeded, livestock would be moved to another pasture, another area of the pasture, or off the allotment.

Monitoring for Aspen Health

The trigger point of achieving desired future condition for aspen communities' long term is at least 200 sprouts per acre with no more than 10 percent annual utilization of the terminal leaders of primary stems.

End-of-season Indicator: To determine the level of aspen recruitment, the District Wildlife Biologist and Range Management Specialist would monitor aspen sprout utilization annually. Monitor the incidence of use on terminal leaders of primary stems of aspen sprouts and young trees <5' in height. Methodology would follow browsed plant method (Keigley and Frisina 1998). Utilization of terminal leaders of sprouts should not exceed 10% annually.

Successful Regeneration post-treatment: If monitoring indicates that desired conditions are not met, adaptive management strategies would be employed. See the description of these strategies on pp. 2-7 through 2-14.

After treatment, measure stand stocking density (number of sprouts per acre) of each of the following size classes using nonrandom circular plots: 1) # seedlings <1'; 2) # seedlings 1' - 4½'; 3) # 4½' - 1" dbh; # seedlings > 1" dbh. Successful treatment typically results in initial stem densities of approximately 5,000 sprouts per acre with natural mortality occurring during self-pruning from year 1-10 post-treatment.

Long-term Health: Photo points, along with a vegetative description and plant species list, would be established within the aspen stands. A photo should be retaken every other year and before and after any implementation of adaptive management actions.

Monitor the incidence of use on terminal leaders of primary stems of aspen sprouts and young trees <5' in height. Methodology would follow browsed plant method (Keigley and Frisina 1998). Utilization of terminal leaders of sprouts should not exceed 10% annually.

Table 2-12 – Riparian Monitoring Schedule by Affected Stream Reach

Stream Reach	PFC	Riparian Utilization*	Bank Alteration	Pfankuch	Channel Cross-Section	Photo Points	Priority/** Rational
Fridley Creek	Every 3 yrs	NA	NA	NA	NA	NA	L – No Existing Problems
S. Fork Miller	Every 3 yrs	Annually – 2-3 times a year	Annually – towards end of grazing period	Every 3 yrs	Every 3 yrs	Annually	H – Critical Parameters to Meet DFC
N. Fork Miller	Every 3 yrs	Annually – 2-3 times a year	Annually – towards end of grazing period	Every 3 yrs	Every 3 yrs	Annually	H – Critical Parameters to Meet DFC
Miller Creek	Every 3 yrs	Annually – 2-3 times a year	Annually – towards end of grazing period	Every 3 yrs	Every 3 yrs	Annually	H – Critical Parameters to Meet DFC
Golmeier Cr.	Every 3 yrs	NA	NA	NA	NA	NA	M – Possible Problem Areas
Unnamed Sec. 34	Every 3 yrs	Annually – 2-3 times a year	Annually – towards end of grazing period	Every 3 yrs	Every 3 yrs	NA	H – Expect Utilization to be Met Early
Dry Creek	Every 3 yrs	NA	NA	NA	NA	NA	L – No Existing Problems
Mill Fork	Every 3 yrs	Annually – 2-3 times a year	Annually – towards end of grazing period	NA	NA	NA	M – Possible Problem Areas
Lewis Creek	NA	NA	NA	NA	NA	NA	L – No Existing Problems
Big Creek	NA	NA	NA	NA	NA	NA	L – No Existing Problems
Hyalite Creek	NA	NA	NA	NA	NA	NA	L – No Existing Problems
Costs**	\$2585	\$991.35	\$1120	\$645	\$322.62	\$991.35	
*							

*Riparian Utilization includes: Forage utilization, woody species utilization and stubble height.

**Priorities are classified as: Low, Medium and High.

***Costs do not include vehicle costs or permittee time.

Table 2-13- Upland Utilization Monitoring Schedule by Allotment

Allotment	Range Utilization (Grazed Plant)/Ocular Estimate	Photo Points	Days	Costs*
Fridley Creek	Annually – at least twice per pasture	Annually	2	\$370.92
Lewis Creek	Annually – at least twice per pasture	Annually	1	\$185.46
Sunnybrook	Annually – at least twice per pasture	Annually	1	\$185.46
Dry Creek	Annually – at least twice per pasture	Annually	1	\$185.46

*Costs are calculated for 2 GS-3 seasonals

Monitoring Results

If monitoring results indicate both short-term management prescriptions and long-term goals are not being met with application of the adaptive management measures, then administrative actions would be invoked. These actions could include early removal of the cattle for the season once upland and woody utilization standards or stream bank stability limits have been reached. The three key areas of concern in achieving desired future conditions for the allotments are defined as:

- Moving area streams towards properly functioning conditions.
- Restoring riparian vegetation diversity around springs.
- Creating a variety of age classes within aspen stands.
- Maintaining upland conditions while managing invasive species.

Reductions in permitted livestock numbers and season of use would continue until demonstrated progress towards the desired future condition is made, as evidenced by monitoring and inventory data collected. Changes would be reflected in the annual operating instructions (AOI) and in the term grazing permits.

X. Alternatives Considered but Eliminated From Detailed Study

During the analysis process, a number of other alternatives were suggested and discussed. These five alternatives were considered but were not carried forward for specific reasons as described below:

Alternative 4 – Change access to Lewis Creek Allotment

The suggestion was made to look at other options for access to the Lewis Creek Allotment other than Lewis Creek Trail #181. The Lewis Creek Allotment is bordered by private land on the north and east sides. The Lewis Creek Trail forms the boundary on the south and west side, providing the only public National Forest Service lands access. In the past, permittees have been granted access to pass through private land by the landowners on the east side. The Forest Service does not have the authority to guarantee access through private land.

For these reasons, an alternative that would change the legal access to the Lewis Creek Allotment is not considered viable and was not carried forward and fully developed in the environmental assessment.

Alternative 5 – Increased public access into allotment areas

The suggestion was made to increase public access into the allotments. The Lewis Creek Trail is presently the only public access into National Forest System lands to the allotment areas. The Forest Service has attempted to work with the adjacent private landowners to increase public access into the three allotment areas but have been unsuccessful to date. The Forest Service will continue to pursue viable options for increasing public access to National Forest System lands in the allotment areas. This suggestion is outside of the scope of this environmental assessment and decision.

For these reasons, an alternative that would increase public access is not considered viable and was not carried forward and fully developed in the environmental assessment.

Alternative 6 – Permittees pay for administration of their allotments

The suggestion was made to have permittees pay for administration of their allotments. The National Forest policy does not require permittees to pay for the administration of allotments, nor does it authorize the Forest Service to assess for these costs.

For these reasons, an alternative that would make permittees pay for administration of their allotment was not carried forward.

Alternative 7 – Change the suitability of lands within the allotments

The suggestion was made to change the suitability of some of the land within the allotments. Suitability as defined by law/regulation, must be determined as part of the forest planning process and is not a requirement of project level planning. Suitability is outside the scope of the decision to be made and should not be carried forward as an issue addressed in the environmental analysis for permit issuance.

The Secretary’s regulations for the NFMA (36 CFR 219.20) direct that “In forest planning, suitability and potential capability of National Forest System lands for producing forage for grazing animals and for providing habitat for indicator species shall be determined.... Lands so identified shall be managed in accordance with direction established in forest plans”.

As a part of Gallatin Forest Plan Revision, which is slated to begin in 2008, the Forest Service will re-evaluate the suitability of lands for livestock grazing within the forest boundaries. This is a more appropriate scale of analysis to determine the best use of National Forest System (NFS) lands.

Alternative 8 - Forest Service fencing of FS/PVT boundaries

The suggestion was made for the Forest Service to fence the properties adjacent to private land. According to the direction given in FSM 2200 Range Management (CH 2230.6 – Lands Not under Jurisdiction of Forest Service) “The United States is not responsible for intrusion of permitted livestock upon private lands or for the settlement of controversies between the owner of the livestock and the owner of the land. Federal courts have rendered numerous decisions holding that the United States is not required to fence its lands to protect them against unauthorized livestock or to control the livestock permitted to graze on the National Forest.”

For these reasons, Forest Service fencing of FS/Private boundaries is not a viable option and was not carried forward and fully developed in the environmental assessment.