

Decision Notice
& Finding of No Significant Impact
CLANCY GRAZING REAUTHORIZATION

USDA Forest Service
Helena Ranger District, Helena National Forest
Jefferson Ranger District, Beaverhead-Deerlodge National Forest
Jefferson County, Montana
T8N R4W, T8N R5W, T7N R4W and T7N R5W

Introduction

The Helena Ranger District of the Helena National Forest has proposed to reauthorize cattle grazing on the Clancy allotment (see EA Figure 1-1). The allotment is located in the Prickly Pear drainage, west of Clancy, Montana.

The Clancy allotment encompasses approximately 7,200 acres; this includes about 5,800 National Forest System (NFS) acres. The Forest Service currently authorizes one permit holder (permittee) to graze 100 cow/calf pair, under a five pasture, modified rest rotation grazing system within a season of June 16 through September 30. This level is equivalent to 430 Animal Unit Months (AUMs). Rangeland vegetation includes bunchgrass uplands, some timbered range, and riparian bottoms.

An Environmental Assessment (EA), documenting analysis of this proposal, was prepared and provided to the public for review. The goal of the analysis is to determine whether livestock grazing should be reauthorized on the Clancy allotment and, if so, what level of livestock grazing should be authorized and what management prescriptions should be applied, according to direction and objectives of both the Helena and Beaverhead-Deerlodge (B-D) Forest Plans and in compliance with applicable laws, regulations, and policies, (i.e. to utilize forage available for livestock grazing as identified in the Forest Plans while meeting other resource objectives).

The EA documents the analysis of three alternatives: continuation of grazing following current management (Alternative 1), continuation of grazing under changed management (Alternative 2 – Proposed Action), and no grazing (Alternative 3). This Decision Notice and Finding of No Significant Impact (DN/FONSI) documents the rationale for my decision to implement Alternative 2.

Decision and Summary of Process

Background/Purpose and Need for Action

Grazing is legislatively authorized on suitable lands when it is consistent with other multiple-use goals and objectives (Multiple-Use Sustained Yield Act of 1960, Wilderness Act of 1964, Forest and Rangeland Renewable Resource Planning Act of 1975, Federal Land Policy and Management Act of 1976, and National Forest Management Act of 1976). Forest Service policy provides that forage can be made available to qualified livestock operators on lands suitable for grazing when it is consistent with land management plans (Forest Service Manual 2203.1). The Helena National Forest Plan (1986) directs vegetation be managed to provide optimum forage conditions for livestock (pg II/1), and provides objectives (pg II/4), Forest-wide standards (pg II/22) and management area guidance for grazing. The B-D Forest Plan (2009) goals for livestock grazing directs sustainable grazing

opportunities are provided for domestic livestock from lands suitable for forage production; and, use of forage by domestic livestock will maintain or enhance the desired structure and diversity of plant communities on grasslands, shrub lands and forests, use will be managed to maintain or restore riparian function as defined in the allotment management plan (Ch. 3, page 25).

In 1995, Congress enacted Public Law 104-19 (commonly referred to as the “Rescissions Act”), which required the Forest Service to establish and adhere to a schedule for the completion of NEPA analyses for grazing allotments needing such analysis. Clancy was identified as an allotment subject to the Rescissions Act and requiring NEPA analysis.

The proposed action for the Clancy allotment addresses the need to:

- Maintain site productivity - to provide for wildlife needs, to help improve low seral rangelands, to maintain high seral rangelands.
- Improve livestock distribution to improve range and riparian resource conditions.
- Move existing conditions toward desired condition, particularly within riparian areas, on areas that are not currently at desired conditions.
- Maintain unique vegetative communities such as sedge bogs, wet meadows and aspen communities
- Comply with applicable Forest Plan direction and related laws, including the Rescissions Act of 1995.

Desired condition for riparian areas is proper functioning condition (PFC).

Riparian-wetland areas are functioning properly when adequate vegetation, landform, or woody debris is present to:

- Dissipate stream energy associated with high flows.
- Filter sediment, capture bedload, and aid in floodplain development.
- Improve floodwater retention and groundwater storage.
- Develop root masses for stable stream banks against cutting action.
- Develop diverse ponding and channel characteristics to provide habitat and water depth, duration and temperature needed for fish production and other uses.
- Support greater biodiversity.

Riparian-wetland areas identified as functioning-at-risk (FAR) are in functional condition, but at least one attribute/process gives a high probability of degradation with a high flow event. For areas identified as functioning-at-risk (FAR), the trend should be toward PFC. Recent evaluations of riparian and stream conditions on the allotment indicate some areas are meeting objectives, while other sections are rated as either “functioning at risk” or “non-functioning” (i.e. lacking the elements listed above for PFC) and are not in compliance with Forest Plan standards and objectives.

The objective for uplands is to improve low seral rangelands (typically areas with low plant cover, higher bare ground, and/or species composition dominated by non-desired species). Inventories indicate that upland conditions on primary and secondary range are generally moving toward desired conditions (page 29 of the EA) as displayed below:

- Primary range in Stage 1 – 76 percent (desired condition is 45-65% in stage 1)
- Primary range in Stage 2 – 17 percent (desired condition is 25-40% in stage 2)
- Primary range in Stage 3 – 8 percent (desired condition is 10-20% in stage 3)
- Primary range in Stage 4 – 0 percent (desired condition is 5-10% in stage 4)

Decision Space

There is a three-part decision to be made for authorizing livestock grazing. First, it must be determined whether livestock grazing should be authorized on all, part, or none of the project area. Second, if the decision is to authorize some level of livestock grazing - it must be determined what management prescriptions would be applied in a new Allotment Management Plan to assure desired condition objectives are met or movement occurs toward meeting those objectives in an acceptable timeframe. Third, it must be determined whether or not a Forest Plan amendment would be necessary to accomplish these goals.

Decision – Summary of Selected Alternative 2

Based upon my review of all alternatives, I have decided to implement Alternative 2 (see Decision Map, page 5). This alternative was developed to address the need to improve riparian conditions, improve low seral rangelands and to provide opportunities to adapt management based on monitoring results.

The Helena National Forest will authorize grazing of livestock on the Clancy allotment using an adaptive management strategy that provides for a range of stocking options that would be adjusted based upon monitoring, to ensure movement toward desired conditions. A permitted stocking rate of 750 animal unit months with a season from June 16 to September 30 or equivalent AUMs, will serve as the upper limit for the allotment during the term of the permit. An adaptive management strategy outlines steps (a sequence of management adjustments) to be implemented if identified monitoring “triggers” are reached (a monitoring result that indicates the need for change). The strategy is designed to ensure vegetative conditions continue to move toward desired conditions. Stocking rates could be adjusted up or down based on monitoring results, but would not exceed 750 AUMs.

The alternative also includes mitigation measures to address fisheries issues, soil impacts, protect wetland complexes, and localized areas of riparian impacts. Approximately 400 meters of upper Clancy Creek will be protected by an electric fence to help address fisheries issues and riparian conditions. Areas of historic high use will receive less grazing pressure due to the decrease in AUMs from 1240 to a maximum of 750. Other areas would be protected by restricting the grazing season.

Best management practices and mitigations will be implemented to reduce establishment and spread of noxious weeds from livestock grazing and grazing related activities, to assure compliance with the National Historic Preservation Act, to minimize and to sustain and/or improve soil conditions. These actions are displayed in Attachment 2.

Adaptive management will allow flexibility to adjust the timing, period and occurrence of cattle grazing, moving cattle within the allotment, and cattle numbers based upon monitoring results. If adjustments are needed, they will be implemented through the Annual Operating Instructions, assuring that cattle use is consistent with current productivity. This type of management is particularly useful during drought periods or if monitoring indicates that desired conditions are not being achieved. Management would be modified in cooperation with the permittee. Changes can include administrative decisions such as the specific number of livestock authorized annually, specific dates of grazing, class of animal or modifications in pasture rotations, but such changes will not exceed the limits for timing (beginning of grazing determined by range readiness on the early pasture, and ending when utilization allowances are met in the late pasture and including timing restrictions on Kady Gulch and South Fork of Quartz), intensity (determined by the pasture rotation), period (June 16 – September 30), and a combination of number, occurrence and frequency of cattle grazing as defined by the permitted stocking level.

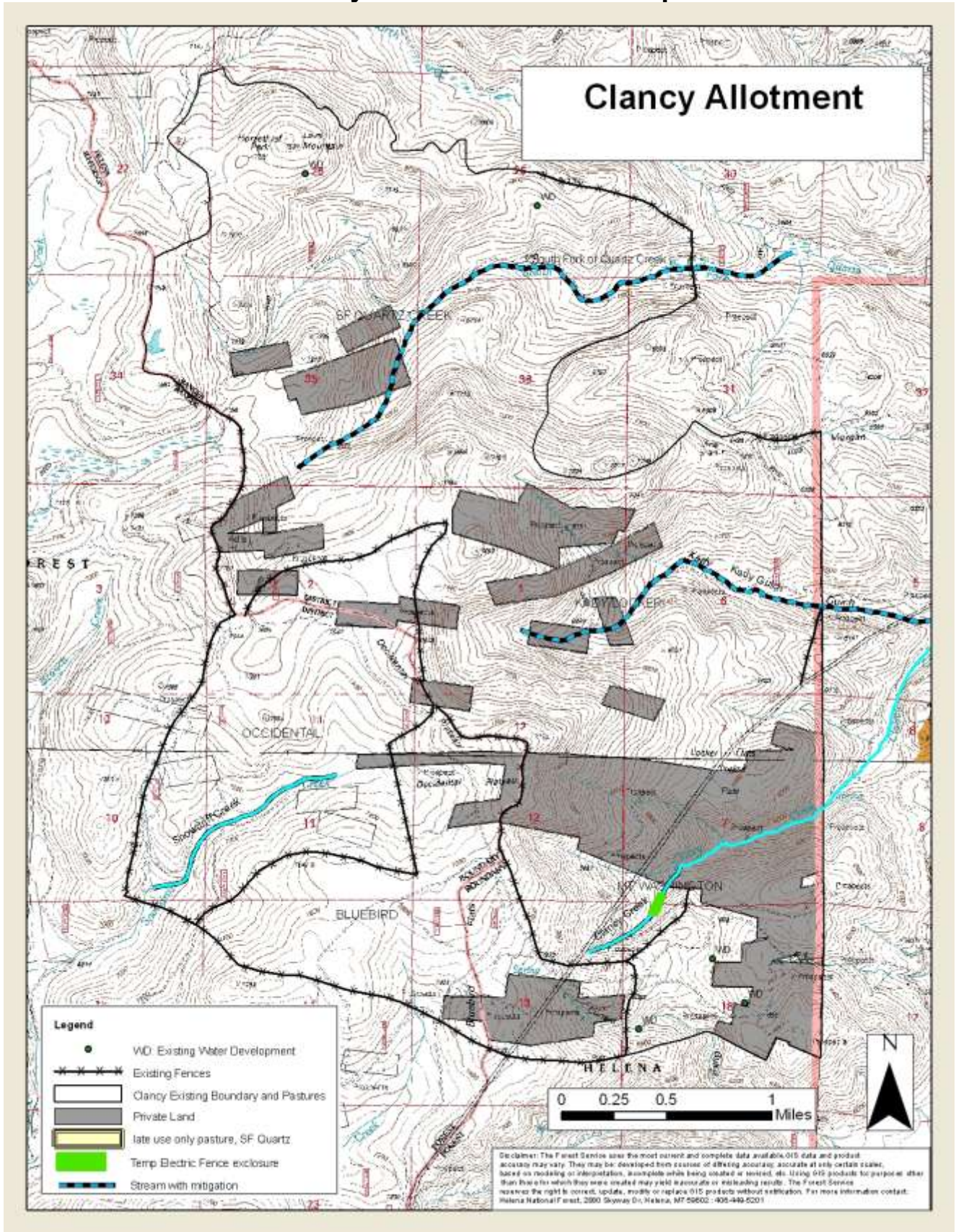
Stocking options, including the specific timing and duration of grazing within the authorized season of use, will be based on monitoring of utilization standards in each pasture as well as other factors such as weather patterns, likelihood of plant regrowth, impacts to soil conditions, and previous years' utilization levels. Cattle will be moved from one pasture to the other, removed from a portion of the allotment, or from the allotment altogether, based on utilization monitoring (including stubble height), soil monitoring, and evaluation of stream bank disturbance. Specific utilization standards for key forage species needed to protect soil and water quality will be specified in the allotment management plan, as required by the Forest Plan (page II/22). Utilization standards to be specified in the Clancy Allotment Management Plan (AMP) are included in Attachment 1. Cattle distribution across a given pasture will be accomplished by a combination of salt and water placement and herding. If annual utilization and bank disturbance levels are exceeded in 3 of 5 years, or 2 consecutive years, adjustments will be made according to the adaptive management strategy to bring livestock use into compliance with the terms of the permit. Adaptive management will be used as a management tool until the permit expires and/or further environmental review is made. Details of monitoring and adaptive management are described below and summarized in Attachment 3.

In accordance with established protocols, non-compliance with the terms of the permit outside of adaptive management strategies will be managed through section 558(c) of the Administrative Procedures Act (APA), which allows for immediate actions to be taken to protect resources.

I have selected Alternative 2 because it addresses concerns with riparian conditions while continuing livestock grazing at a reduced stocking rate and with implementation of adaptive management. When compared to current management (Alternative 1), this alternative will enable more rapid movement toward desired conditions in specific riparian areas identified as not meeting desired conditions. Improvement is also expected to occur in riparian and upland areas as a result of restricting the timing of grazing in two riparian areas and one full pasture. Better livestock control will allow more accurate assessment of the effects of management changes on the allotment, by assuring that the prescribed rotation and stocking levels are implemented.

This alternative also outlines how monitoring results will be used to make management changes to assure that riparian conditions in stream reaches determined to be non-functioning (NF) and Functioning at Risk (FAR) continue to improve until proper functioning conditioning is reached. The relationship between monitoring results and management adjustments is not stipulated in the current permit, except to determine when livestock are moved from the early pasture to the late or off the allotment at season end. This alternative meets requirements of both Forest Plans and other laws as described below in the Rationale section below.

Clancy Allotment Decision Map



Other Alternatives Considered

In addition to the selected alternative, I considered two other alternatives in detail. A comparison of these alternatives can be found in the EA (Figures 2.5 and 2.6).

Alternative 1, No Action (Current Management)

Current management of the Clancy allotment is broadly guided by an AMP signed in 1988. The existing AMP sets grazing levels at 280 cow/calf pair within a season of June 16 – September 30 (about 1240 AUMs). The grazing season was identified as a modified rest rotation strategy with five pastures. This rotation system for the allotment was designed so the three lower pastures (Kady/Locker, Mt. Washington and South Fork Quartz) all received a rest treatment but the two high elevation pastures (Bluebird and Occidental) did not have a rest scheduled in the rotation.

While over the last 20 years administrative changes have been made in response to changes in various conditions, including resource conditions and changes in permittees, for the purpose of evaluating this alternative, the environmental assessment, assumed that management would continue under levels and conditions of use similar to those represented by the existing AMP. Existing improvements (fences and water developments) would continue to be maintained. Figure 2.1 in the EA shows the current allotment boundary and existing improvements.

Actual use for the last three grazing seasons has ranged from 85 to 100 cow/calf pair with grazing seasons usually ending in late September (410-430 AUMs). Over the past 20 years actual use has been less than authorized under the 1988 AMP due to resource protection, five years of non-use from 2001-2005, recent changes in the permit holder and the opportunity to adjust livestock numbers downward from the historic use.

Alternative 3, No Grazing

In evaluating the no grazing alternative, it was assumed that term grazing permits would not be reissued for the area currently included within the boundaries of the Clancy allotment. The allotment would be considered for permanent closure. Drift fences and any interior pasture fences would be removed. Fences along NFS boundaries and private in-holdings would remain (as these belong to private landowners). The existing water tanks would also be removed. The monitoring described for Alternatives 1 and 2 would not occur.

Public Involvement

Scoping/Issues

This project was originally scoped in 1998. The purpose at that time, which is still applicable today, was to determine if grazing should continue, if so at what level and to meet the requirements of the Rescissions Act was (that all grazing allotments must have National Environmental Policy Act (NEPA) analysis completed on them). The project was put on hold from 1999-2004. Then in 2004, a letter requesting input on the management of the Clancy allotment, and four other allotments in the Clancy-Unionville area was mailed to individuals who had expressed interest in livestock grazing activities in this area. As a result of scoping and analysis it was determined that the Clancy allotment did not fit the requirements for a categorical exclusion, therefore a new proposal and further analysis would be required. Information received in response to the 2004 letter, discussions with the livestock permittee, and analyses of resource conditions by Helena National Forest specialists were used in helping the refine the proposed action for this project.

In May of 2008, a scoping letter describing the agency's proposal for the Clancy allotment and seeking public comment was mailed to state, federal, and local agencies as well as individuals who had expressed interest in livestock grazing activities on this allotment. No comments were received in response to this letter.

This project has also appeared on the quarterly schedule of proposed actions (SOPA), which provided an early informal notice of this activity for the public. This current effort for the Clancy allotment has been listed on the SOPA since April of 2009. Opportunity for the public to get involved with this project was also posted on the Helena National Forest website under 'Projects and Plans'. The scoping letter (including map) and a public comment sheet were available at this site.

Forest Service Comment Period

A legal notice announcing the availability of the EA for review appeared in the Helena Independent Record on August 29, 2009; establishing the beginning of the official 30-day comment period. One comment was received and it stated support for the proposed action.

Rationale for Selection

Finding of No Significant Impact (FONSI)

The Council on Environmental Quality (CEQ) regulates that when an environmental assessment (EA) has been prepared, as the responsible official I must review the EA and determine whether the activities may have a significant effect on the quality of the human environment and if an environmental impact statement (EIS) should be prepared (40 CFR 1508.13)

I have reviewed the EA, which includes: the purpose and need for action and objective for the project; the descriptions of the no-action and range of action alternatives as well as those eliminated from detailed analysis and the anticipated direct, indirect, and cumulative effects, as well as possible irretrievable or irreversible commitment to the resources, of the proposed activities. The project record, including public input (during both scoping and 30-day comment period) and the specialist's reports were also reviewed. All of these sources helped to reach the following findings.

Implementing regulations for NEPA (40 CFR 1508.27) provide criteria to help me determine the significance of the anticipated effects. Part of these significance criteria requires me to consider both the context of the actions and the intensity (severity) of impacts.

The discussion of the affected environment and disclosure of consequences in Chapter 3 of the EA leads to the conclusion that these actions are limited in context. The discussions of methods and assumptions in each resource report, and summarized in Chapter 3, addressed and clarified each resource-anticipated effect regarding context or scope of analyses. The area impacted by grazing on this allotment is limited in size and the actions are minor in context depending on the resource, therefore, the effects are local and site-specific. Anticipated effects are analyzed and discussed in Chapter 3, displayed at the end of Chapter 2 of the EA (Table 2.6, pages 2-27) and further clarified and supported by specialist reports (reports in project record). Both short- and long-term effects are considered. The results of the anticipated impacts are not likely to significantly affect local, regional or national resources.

After reviewing this information and the evidence presented in the EA and project record, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. The findings are based on the following:

1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effects will be beneficial.

A finding of no significant environmental effects is not biased by the beneficial effects of the action. Impacts associated with the project are discussed in Chapter 3 – Affected Environment and Consequences section of the EA, specialist reports, and supplemental information. The effects of the decision to be made are not significant in the short- and long-term. The analysis clearly shows that the beneficial effects will not occur at the expense of other resources (see EA Chapter 3 and supporting specialist reports in project record).

2. The degree to which the proposed action affects public health or safety.

There will be no significant effects on public health and safety. No potential impacts to public safety were identified in the analysis.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There will be no significant effects on historical or cultural resources. There are no park lands, prime farmlands, wild and scenic rivers or ecologically critical areas within the project area.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects on the quality of the human environment are not likely to be highly controversial because there is no known scientific controversy over the impacts of the project. This project is compatible with Forest Plan goals and objectives as outlined in the Helena Forest Plan pages II/1(6), II/4, II/22 and II/34-35 and Chapter 3, page 25 (EA Chapter 1, Purpose and Need).

5. The degree to which the possible effects on the human environment is highly uncertain or involves unique or unknown risks.

We have considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA Chapter 3 and specialist reports).

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The action is not likely to establish a precedent for future actions with significant effects, because the existing uses, added to this decision, are compatible with the Forest Plans and with the capabilities of the land (EA, Chapter 3). Only minor irretrievable commitments of resources were identified for Alternative 2, and in all cases, these are expected to be less than for the No Action (i.e. current management of the allotment).

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

EA Chapter 3, discusses direct, indirect and cumulative effects relative to each resource area. Appendix A of the EA lists other activities within and adjacent to the project area, including past, on-going and reasonably foreseeable actions, and summarizes the potential for cumulative effects

from each of these to the various resources. In reviewing this information, it was found that these cumulative impacts are not significant.

8. 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 Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

Two cultural resource sites have been identified within the project area (see EA page 63). The action will not cause loss or destruction of significant scientific, cultural, or historical resources, because measures to reduce or mitigate adverse effects to identified cultural resources (project abandonment, relocation and re-design) would be implemented (see EA page 65). BMPs to assure compliance with National Historic Preservation Act are listed in Attachment 2.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The action will not adversely affect any endangered or threatened species or habitat that has been determined to be critical under the Endangered Species act of 1973. A Biological Assessment for threatened and endangered species was completed by the Forest Wildlife Biologist. Table 3.7 in the EA (page 50) indicates that Alternative 2 will not have adverse effects upon threatened and endangered species. No endangered or threatened species of fish or plants are known to occur within the project area (see EA pages 37 for fish; pages 72 for sensitive plants; USFWS Species List for HNF and BDF – Project File).

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA and specialist reports, and the action is consistent with both the Helena and B-D National Forest Land and Resource Management Plans, as described below.

Consistency with the Helena Forest Plan (1986) and the Beaverhead-Deerlodge Forest Plan (2009)

Upon review, the EA is found to be consistent with both Forest Plans. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for range management and riparian areas (Helena FP pages II/22 and II/34-35 and B-D FP chapter 3, pages 25-27 and chapter 4, page 91). The upper limit of 750 AUMs is consistent with local range conditions, soil stability, and known individual plant requirements. The selected alternative is in compliance with management area (MA) direction established for those MAs found within the project area: L-1, L-2, M-1, T-1, T-5, W-1 and Basin Cataract (see EA, page 7).

Consistency with the National Forest Management Act (NFMA)

After reviewing the anticipated consequences of Alternative 2, I believe the selected action is better suited to implement Forest Plan direction and in accomplishing the purpose and need for this action than that of no action or of no grazing. Alternative 2 allows continuation of livestock grazing while providing protection for riparian areas. It includes specific actions to protect riparian areas identified as not meeting desired condition, and provisions to monitor and adjust grazing management to assure that other sensitive riparian areas and soil conditions continue to move toward desired (EA pages 13-19).

Consistency with National Environmental Policy Act (NEPA)

The NEPA provisions have been followed as required by 40 CFR 1500-1508. The EA analyzed three alternatives including current management (Alternative 1) and no grazing (Alternative 3) (EA pages 10-11, 19-20). The EA also disclosed the expected impacts of these alternatives and discussed the issues and concerns identified through public involvement (EA Chapter 3). The analysis was performed through an interdisciplinary process. This DN/FONSI describes and documents the decisions made and the rationale for these decisions.

Consistency with Endangered Species Act (ESA)

This decision meets all requirements of the ESA. The action will not adversely affect any endangered or threatened species or their designated critical habitat. See discussion above, at #9.

Consistency with National Historic Preservation Act (NHPA)

The selected alternative complies with the provisions of the NHPA as amended. The management of the allotment and maintenance of existing improvements would not result in direct impacts to two known sites. Site-specific survey prior to implementation, and application of best management practices and monitoring described in the EA (pages 18 and 65) would assure that no yet-to-be-discovered resources would be impacted. See discussion above, at # 8.

Consistency with Environmental Justice

There are no minority or low income communities that will be disproportionately affected through economic or cultural factors. Therefore, Executive Order 12898 has been adequately addressed.

Global Climate Change Prevention Act (GCCPA)

The GCCPA amended the Resources Planning Act to require the Secretary of Agriculture to consider the potential effects of global climate change on the condition of the renewable resources on the forests and grasslands of the United States, and to analyze opportunities to mitigate the build up of atmospheric carbon dioxide and reduce the risk of global climate change. However, that statute does not require the agency to consider global climate change in a quantitative, monetary analysis in every site-specific decision but instead gives the agency the discretion to consider this issue as appropriate. Given the narrow scope of the decision and the uncertainty of weather modeling and the indication that there will be little change in the next 10 years, it was concluded that the decision to authorize continued grazing of the Clancy allotment following direction In Alternative 2 will have little or no impact on the concerns which this Act addresses.

Based upon the test for significance and environmental analyses conducted, I have determined actions analyzed for this project do not constitute a major federal action. In addition, implementation of this project will not significantly affect the quality of the human environment. Accordingly, I have determined an environmental impact statement need not be prepared for this project.

Findings Required by Other Laws and Regulations

This decision to reauthorize grazing on the Clancy allotment under a 10-year term permit and new AMP, according to Alternative 2, is consistent with the intent of the long term goals and objectives for livestock grazing in both the Helena and B-D Forest Plans. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for range and riparian, as well as wildlife and fisheries, sensitive plants and watershed (Helena FP, pages II-17 to II-22, II-24 to II-26, and II-34 to II-36 and B-D FP, chapter

3, pages 13-18, 25 and 43-48.

This decision meets the intent of conducting a site-specific analysis subsequent to issuance of a grazing permit pursuant to section 504(a) of the Rescissions Act, or the 2004 Omnibus Appropriations Resolution (Pub. L. 108-108, Nov. 10, 2003).

This analysis is consistent with direction in Title 36 CFR 220 that allows incorporation of adaptive management strategies into an alternative, including the proposed action.

Management of a term grazing permit subsequent to this decision remains subject to Forest Service guidelines developed for protection of resources through immediate administrative actions per Section 558(c) of the Administrative Procedures Act (APA).

Administrative Review or Appeal Opportunities

Copies of the Clancy allotment project EA and DN/FONSI are available at the Helena National Forest Supervisor's Office and at the Helena District Office. It may also be accessed on the worldwide web through the Helena National Forest website at <http://www.fs.fed.us/r1/helena/projects/index.shtml>. The supporting project record is available for review at the Helena National Forest Supervisor's Office at 2880 Skyway Drive, Helena, MT.

This decision is not subject to administrative review (appeal) pursuant to 36 CFR Part 215.12, as only supportive and non-substantive comments were received during the comment period.

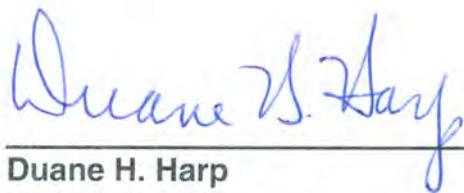
This decision is subject to appeal pursuant to Department of Agriculture regulations 36 CFR 251.82. Eligibility to appeal under 251 is limited to permittee(s). They will be notified of the decision, appeal period, and appeal requirements by separate letter.

Implementation Date

This project decision is not subject to appeal pursuant to 36 CFR 215.12, and therefore, implementation may occur immediately after publication (36 CFR 215.7(6)) of this decision.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Jan FauntLeRoy, NEPA Coordinator, Supervisor's Office, 2880 Skyway Drive, Helena, MT 59602, 406-449-5201.



Duane H. Harp
District Ranger
Helena Ranger District

12-9-09

Date

ATTACHMENT 1 – Utilization and Grazing Standards
ATTACHMENT 2 – Best Management Practices and Mitigations
ATTACHMENT 3 -- Allotment Monitoring and Adaptive Management Strategy

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ATTACHMENT 1

Livestock Utilization Levels for Uplands

	Dominant Vegetation	Early Pasture % Use	Mid/Late Pasture % Use
Rest rotation	Grass/grasslike/forb (uplands)	60%	40%
Deferred rotation	Grass/grasslike/forb (uplands)	50%	35%

*The "early" pasture is the pasture(s) used first and/or until approximately August 31, the "late" pasture used after this date.

More stringent standards would be applied in the following riparian areas:

Grazing Standards for Specific Stream Segments

	Kady Gulch	Kady Gulch	South Fork Quartz (key area)
Aggregate ¹ /Resiliency ²	26/Moderate	26/Moderate	27/Moderate
Reach	1	2	2
Similarity ³ /Functionality ⁴	PFC/High	PFC/High	PFC/High
Floodplain Utilization	Early =50% Late=30%	Early =50% Late=30%	Early =50% Late=30%
Stubble Height	N/A	N/A	NA
Woody Utilization	30%	30%	30%
Bank Disturbance	N/A	NA	NA
Floodplain Soil Disturbance	N/A	NA	NA

¹**Aggregate**-A group of riparian sites with similar landtype, parent material (geology) and landform

²**Resiliency**- The inherent recovery potential or response to grazing. Some aggregates have favorable characteristics and recover more quickly from grazing disturbance (High resiliency). Some aggregates are physically very susceptible to grazing disturbance (Low resiliency).

³**Similarity**- How similar a stream reach is to a set of conditions conducive to sustaining healthy, diverse and functional riparian systems. Some riparian reaches have physical characteristics and plant communities that reflect low or moderately low grazing disturbance (High similarity). Some riparian reaches have physical characteristics and plant communities that reflect intense long-term grazing disturbance (Low similarity).

⁴**Functionality** –See PFC discussion in Chapter .

Livestock Utilization Levels For Uplands

Vegetation	Timing of Use ¹			Timing of Use ²		Timing of Use ³
	Early	Mid	Late	Early	Mid	Season-long
Herbaceous						
Stage 1	60%	50%	40%	50%	45%	45%
Stage 2	50%	40%	30%	45%	35%	35%
Stage 3	35%	30%	25%	35%	25%	20%
Stage 4	0-5%	0-5%	0-5%	0-5%	0-5%	0-5%

1-These levels assume that the area is used for only a portion of the year and NOT every year; i.e. receives periodic rest. The first number represents "early season" use (generally prior to July 1st); the second number "mid-season" use (generally from July 1st through August 30th); and the third number "late" season use (generally after September 1st).

2-These levels assume that the area is used for only a portion of the year every year. The first number represents "early season" use (generally prior to July 31st); the second number "mid-season" use (generally after August 1). NOTE: These standards would be applied under deferred grazing.

3-This level assumes that the area is used for the entire grazing season.

ATTACHMENT 2

Best Management Practices and Mitigations for Grazing

Objective for Mitigation or BMP	Summary of Action(s)
Reduce establishment and spread of noxious weeds by minimizing ground disturbance and bare soils and minimizing transport of weed seed into and within the allotment (see EA Ch. 3, Noxious Weeds)	Revegetate bare soil from grazing activities and check areas of concentrated livestock use for weed establishment and treat new infestations. Clean all off road equipment before moving into the project area; clean all equipment prior to leaving the project site if operating in weed infested areas. These specific practices are outlined in the grazing permit and annual operating instructions. Weeds on the allotment are treated under the Forest-wide noxious weed treatment program. Forage utilization standards are designed to maintain the vigor of desirable plant species, and maintain healthy desirable vegetation that is resistant to noxious weed establishment.
Assure compliance with National Historic Preservation Act (see EA Ch. 3, Heritage Resources)	Range improvements would not be placed atop currently identified cultural resources unless appropriate mitigation/protection measures have been implemented. Cultural resource field surveys would precede all ground-disturbing range projects unless the affected area has been previously inventoried for range or other agency projects. Range improvements may proceed as planned when a project-affected cultural resource(s) is determined not to be archaeologically or historically significant by the Forest Archaeologist, per 36 CFR 60 and FSM 2363.2.
Sustain and/or improve soil productivity	With the adaptive management strategy, if annual or long-term trend monitoring indicates a decline in rangeland ecosystem health, then on a site-by-site basis soil monitoring may be implemented to help identify the cause of resource decline and/or soil mitigation, BMPs or restoration actions may be prescribed to improve resource conditions.

ATTACHMENT 3

Allotment Monitoring for Upland and Riparian for Alternatives 1 and 2

	Short-term (Implementation Monitoring)	Long-term (Effectiveness Monitoring)
Uplands	<p>Annual permit compliance including utilization of key upland forage species. Areas to be monitored would include a representative site in each pasture.</p> <p>Per FP standards, following the standards identified in Forest Plan Monitoring Element D1.2 Available Forage used by Livestock.</p> <p>See Table 2.1 for utilization numbers.</p> <p>Meets FP Monitoring Requirement D5 for range (“permit compliance”) +/- 10% change from annual operating instructions</p>	<p>Establish a photo point in a representative area in each pasture.</p> <p>Meets FP Monitoring Requirement D4 for range (“condition and trend of range; and forage availability”)</p>
Riparian	<p>Annual permit compliance, including streambank disturbance monitoring.</p> <p>Annual monitoring in accordance with the Helena National Forest Riparian Monitoring Strategy would be completed at the PIBO implementation monitoring location annually</p> <p>See Tables 2.1 and 2.2 for utilization numbers.</p> <p>Meets FP Monitoring Requirements D5 for range (“permit compliance”) and parts of C12 for riparian (“Streamside cover, forage utilization and streambank trampling”).</p>	<p>Establish Pacific Inland Biological Opinion (PIBO) riparian monitoring. Plots are established-at the following locations</p> <p>Kady – T7N, R4W sec6 Snowdrift – T&N, R5W sec 11 SF Quartz – T8N, R4W sec 30</p> <p>Following the procedures described in the Helena National Forest Riparian Monitoring Strategy (PACFISH/INFISH Biological Opinion Effectiveness Monitoring Program (PIBO-EM)</p> <p>Meets FP Monitoring Requirement D4 for range (“condition and trend of range; and forage availability”) and C12 for riparian (“Streamside cover, plant & animal communities, forage utilization and streambank trampling”).</p>

Adaptive Management Strategy for Clancy Allotment, Alternative 2
Initial Management Action
 Is the action having its intended effect?

