Decision Notice
And
Finding of No Significant Impact

Wood Bison Project

Chugach National Forest
Glacier Ranger District

Background

The Forest Service in conjunction with the US Fish and Wildlife Service (USFWS), Alaska Department of Fish and Game (ADF&G), Natural Resource Conservation Service (NRCS), and the Alaska Wildlife Conservation Center (AWCC) has supported a wood bison restoration program that intends to reintroduce extant wood bison onto its former range in Alaska, as documented in a Memorandum of Understanding (US Forest Service, 2007). The Forest Service role and contribution in support of the wood bison reintroduction program is to provide pasture land adjacent to existing AWCC facilities. In 2007 the Forest Service approved the establishment of 27 acres of NFS land (NFS land) that supplemented 65 acres at the AWCC for 15 years.

The wood bison reintroduction effort has been delayed as ADF&G and USFWS work together to complete rules under the ESA section 10(j) to designate the reintroduction population as a non-essential experimental population, and provide protections and guidelines for the continued state management of the population once reintroduced. As a result of the delay, the current pasture lands, 92 acres, has become insufficient to support the growing wood bison herd. Once the 10(j) rule is resolved and some bison are released, the bison herd will continue to grow and need additional land for captive breeding to support the multiple releases planned for the bison reintroduction program. As crowding and competition increases it causes stress to the bison, which can jeopardize health and can result in the death of some animals. Stressed animals can become more vulnerable to bullying by other wood bison, to parasite infections, and to a generally reduced ability to thrive. For the safety and health of the wood bison and insufficient pasture space, some older bison have had to be culled to make space for new calves born this spring.

Thus the purpose of the Wood Bison project is to provide an adequate amount of NFS land suitable for wood bison grazing and near existing wood bison pasture to maintain healthy stocks of wood bison for the captive breeding program until successful reintroduction of wood bison occurs in Alaska, which is expected to occur over the next 15 years.

Decision

It is my decision to implement the Proposed Action as described in the Environmental Assessment for the Wood Bison Project (EA). My decision incorporates Appendix A in this Decision Notice that lists the project implementation components which include the proposed action, mitigation and monitoring. It is my decision to authorize year round grazing and holding of up to 160 wood bison, the equivalent of 70 cow calf pairs and 20 individuals, on 165 acres of

NFS land. This decision will increase the amount of grazing of wood bison on NFS land by up to the equivalent of 70 cow-calf pairs compared to current conditions.

Rationale for the Decision

I reviewed the Environmental Assessment for the Wood Bison Project (EA) and the project record. I have decided to implement the Proposed Action because the proposed action best meets the purpose and need, and is consistent with Forest Plan direction, and other applicable laws and regulation. Implementation will occur through a 15 year special use authorization (permit) to the Alaska Department of Fish & Game.

I feel the benefits and needs of this project outweigh the effects of the project. I support the continued collaboration and coordination with multiple partners to reach the goal of reintroducing recently extant wood bison to its former range in Alaska. Maintaining native wildlife populations within their historic ranges and intact ecological processes are elements of our Forest Plan. Although wood bison will eventually be reintroduced on land outside of the Chugach National Forest, actions to improve the health of native wildlife populations and ecological processes on adjoining land will contribute to the overall health of ecosystems that are interconnected with the Chugach National Forest.

I reviewed and considered the public comment we received on the project. I appreciate the support, concerns, and suggestions that were shared with us. I appreciate the leadership of District Ranger and staff of the Glacier Ranger District meeting and working with the community and partners on the project's implementation details as well as meeting with the Alaska Department and Transportation and Senator Giessel separately to foster understanding of the project.

I recognize based on public comment and Forest Service staff analysis that there are some environmental effects associated with grazing and pasturing wood bison on NFS land. These effects include:

- Reducing the amount of winter and summer moose forage by 1% in the Placer River/Twenty Mile moose range;
- Increasing the potential for the introduction and spread invasive plants in this area;
- Confining wood bison results in limited organic (fecal, urea) matter that may be transported into the adjacent Placer River/Cook Inlet;
- Potential for wood bison to escape the pasture which could create a public hazard on/along the Seward Highway; and a
- Very small risk of spreading brucellosis.

These effects are disclosed in the EA. The invasive plants are addressed further through mitigation and monitoring. We do not anticipate any public hazard as we are designing the new facilities consistent with our current one which to date has not resulted in any bison escaping. While there are effects of organic matter, the large tidal fluctuations naturally dilute the impact and result in negligible effects.

I feel we have addressed the effects to the extent possible building upon recent experience.

Finding of No Significant Impact

I have reviewed the Council on Environmental Quality Regulations for "significance" (40 C.F.R. 1508.27) and I have determined that the decision is not an action that would significantly affect the quality of the environment either individually or cumulatively; nor would this decision affect the quality of the human environment in either context or intensity. Therefore, an environmental impact statement (EIS) will not be prepared. This conclusion and finding is based on the following context and factors:

0. Context

The project area is isolated from the rest of the Chugach National Forest by the Seward Highway, as the land is bordered by the highway, rivers, the ocean and the AWCC. Isolated and a relatively small patch of land, this area provides limited intrinsic natural benefit and function for wildlife, plants, fish, and natural ecosystem functions, than the general forest as a whole. Even though isolated, this area contains some of the lower elevation moose winter forage that is generally accessible even in winters with deep snow accumulations and winter browse is believed to be a population limiting factor (EA page 8).

1. Beneficial and adverse impacts

My finding of no significant environmental effects is not biased by the beneficial effects of the action (EA pages 8-10). Design features and mitigations implemented will result in effects at less than significant levels (EA pages 4-7).

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

a. Visual screening through retained brush (Pastures A & B) and planted brush (Pasture A) will minimize visibility of the bison from the Seward Highway (EA page 10).

b. The risk of wood bison escaping the pastures is considered unlikely; however if bison did escape they would likely cross the Seward highway and cause traffic disturbances. The risk of potential traffic accidents with wood bison is considered very low (EA page 10-11).

3. Unique characteristics of the geographic area.

Petrified trees are in the area, remnants of the 1964 earthquake, and three petrified trees will be fenced off in Pasture B. There will be no significant effects on the forest and to the residual remnants of the 1964 earthquake.

4. The degree of controversy over human environment effects.

The establishment of pasture for wood bison follows established methods and are not considered controversial (EA page 11).

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

The establishment of pasture for wood bison follows established methods and are not considered controversial (EA page 11).

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.

This decision is a site specific decision in conjunction with a unique species reintroduction program. NFS land that will be used for grazing with the proposed action will be removed from use as pasture at the completion of this project (EA page 11).

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

There are no other related or connected actions to this project. Other actions that may occur in the vicinity of the project are highway improvements and a relocation of the AWCC driveway, and these actions were considered in cumulative effects analysis (EA page 11-12).

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.*

Several culture resource sites are located within existing Pasture A and past monitoring has determined that fencing is adequate in protecting cultural resources. No documented cultural resources are located in or adjacent to Pasture B (EA page 12).

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.*

There are no effects to threatened or endangered species or critical habitat, as none occur in or adjacent to the project area (EA page 12).

10. *Whether the action threatens a violation of Federal, State, or local law or other 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. The action is consistent with the Forest Plan (see EA pages 12-15 & project file).

Public Involvement

The public has been invited to participate in the project. The proposal was listed in the Schedule of Proposed Actions in the July and October 2012 editions. A letter was mailed or emailed to 21 adjacent landowners and interested members of the public during scoping July 3, 2012 through August 2, 2012. A legal ad was published in the Anchorage Daily News on July 3, 2012 beginning the scoping period. A public notice was published in the Turnagain Times on July 5, 2012. A public notice flyer was also posted near mile post 78 of the Seward Highway at the project site, knowing that members of the public likely use the area for dispersed access to Placer River.

The Draft Environmental Assessment was distributed for public comment from October 23, 2012 to November 22, 2012, and a legal ad was published in the Anchorage Daily News on October 23, 2012 beginning the comment period. The Draft Environmental Assessment was published on the Forest Service website, and post cards or emails were sent to all scoping commenters. A notice was also published in the Turnagain Times on November 15, 2012.

I considered the public comments we received. Appendices 2 and 3 of the EA provide a list of the comments received and how each comment was addressed in the EA. All of the commenters were supportive of the wood bison project overall. Some commenters expressed concern regarding the expense and inconvenience of the weed washing mitigation. The weed washing

mitigation was clarified as to when weed washing is required. Another commenter requested clarification of the capacity of Pasture B, whether only cow-calf pairs or bulls could also be placed in Pasture B. The EA allows for the up to the equivalent of 70 cow-calf pairs in Pasture B. One commenter requested disclosure of the risk of wood bison escaping the pastures and causing vehicle collisions. Analysis of the potential and risk of bison-vehicle collisions was added to the EA. One commenter asked for more information supporting the "high risk" of spreading weeds conclusion in the EA. Additional detail was added from the Charnon 2012 report. One commenter suggested that the planting of willow and alder along the fence of Pasture A could wait until the Alaska Wildlife Conservation Center relocates its driveway. The potential for the Alaska Wildlife Conservation Center (AWCC) to relocate its entrance road has been ongoing since before the decision to install Pasture A in 2007; however, the Forest Service has not received a specific request to relocate this entrance road (partially located on NFS land), so there is no reason to delay planting.

Findings Required by Other Laws and Regulations

The proposed action will not threaten a violation of federal, state, or local law, or requirements imposed for the protection of the environment. It is consistent with: Chugach Revised Land and Resource Management Plan, ANILCA Section 810, ANILCA Section 811, National Historic Preservation Act of 1966, Floodplain Management (Executive Order 11988), Protection of Wetlands (Executive Order 11990), Recreational Fisheries (Executive Order 12962), Invasive Species (Executive Order 13112), Magnuson-Stevens Fishery Conservation and Management Act, National Forest Management Act, Endangered Species Act, Clean Water Act (Public Law 92-500), Environmental Justice (Executive Order 12898), and there are no special area designations (see EA pages 12-15 & project file).

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. Individuals or non-federal organizations who submitted written comments or otherwise expressed interest in this particular action during the comment period specified at 36 CFR 215.6 have standing to appeal this decision.

The notice of appeal must be in writing, meet the appeal content requirements at 36 CFR 215.14 and be filed with the Appeal Deciding Officer:

Beth Pendleton, Regional Forest
USDA Forest Service
Alaska Regional Office
PO Box 21628
Juneau, AK 99802-1628
Fax: (907) 586-7840

appeals-alaska-regional-office@fs.fed.us

The Notice of Appeal, including attachments, must be filed (regular mail, fax, e-mail, express delivery or messenger service) with the Appeal Deciding Officer at the correct location within 45

calendar days of publication of notice of this decision in the *Anchorage Daily News*, the newspaper of record for the Chugach Forest Supervisor. The publication date in the newspaper of record is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Appeals submitted electronically, including attachments, must be in an electronic format compatible with Microsoft Word.

Hand delivered appeals will be accepted at the Regional Office during normal business hours (8:00 am through 4:30 pm) Monday through Friday, excluding holidays.

Implementation Date

Pursuant to appeal regulation found at 36 CFR 215.10, implementation of decisions subject to appeal can occur as follows:

1. If no appeal is filed, implementation of decisions subject to appeal may occur on, but not before, 5 business days from the close of the appeal filing period.
2. If an appeal is filed, implementation may not occur for 15 business days following the data of appeal disposition. In the event of multiple appeals of the same decision, the date of the disposition of the last appeal controls the implementation date.

Contact

For additional information concerning this decision, the Forest Service appeal process, or for copies of this Environmental Assessment and the Decision Notice, you can find the documents and process information online at the Chugach National Forest Website http://www.fs.fed.us/nepa/fs-usda-pop.php/?project=39764 or by contacting:

Jessica Ilse
Glacier Ranger District
PO Box 129
Girdwood, AK 99587
Phone: 907-783-3242

Terri Marceron

Terri Marceron
Forest Supervisor
Chugach National Forest

January 29, 2013
Date

Appendix A – Proposed Action, Mitigations, and Monitoring to be Implemented

Proposed Action

The decision is to establish Pasture B, 138 acres of new pasture, and continue grazing of wood bison on Pasture A, 27 acres of existing pasture, in Portage. Both pastures are located adjacent to the Seward highway. Establishing Pasture B will include fencing the pasture, creating a temporary road from the Seward Highway to access the pasture, and installing troughs and water pump. Both pastures will be used until wood bison are successfully reintroduced into Alaska, which is anticipated to be approximately 15 years. Fencing and vegetation clearing to establish Pasture B is anticipated to occur in the fall of 2012. Specifically this will entail:

1. Fence approximately 138 acres of Forest Service land (see Figure 1) to create Pasture B. Fencing will be 8' high and anchored by posts every 20'. Posts will be black or a dark, rusty brown. Fencing material will be dark in color and non-reflective. Fencing would be located at least 100' from the shoreline of Portage and Placer Creek. No vegetation will be removed within 100 feet of shorelines. Fencing will be located 150' from the edge of the Seward Highway, outside of the Alaska Department of Transportation (DOT) easement. Fence construction will likely require some brush clearing and cutting.
2. Retain brush approximately 25' of brush adjacent to the portion of the Pasture B fence along the Seward Highway such that the brush will shield the pasture, fencing and wood bison from view from the Seward Highway. Retain mature cottonwood trees. Retain petrified trees and fence petrified trees to protect from being them from being pushed over by the wood bison.
3. In Pasture B, place a trough approximately 3 feet off the ground in the new pasture. Place a new 2-inch ¾ gallon gas pump, mounted to the trough, and the water from the pump will feed directly into the trough. The input waterline from the Placer River will be above ground. A gas spill containment device will be placed under the gas pump whenever there is gas in the pump or gas being poured into or removed from the pump. A spill plan will be implemented in the event of a gas spill.
4. In Pasture B, construct an access route and turn-around by clearing brush and placing gravel from the Portage Gravel Pit to harden the road enough to prevent vehicles from getting stuck in spring and fall mud. A temporary corral will be placed adjacent to the access route for loading and unloading of wood bison, and will be removed from the site in-between uses.
5. In Pasture B, construct a cross fence to subdivide Pasture B as shown in Figure 2. A cross fence will provide a rest rotation that will provide for better grass recovery and soil productivity than without a cross fence. Pastures will have a simple rest rotation system such that when 50% of the biomass in a pasture is consumed, animals will be removed from that pasture. A 3-inch residual stubble height will be used to approximate when 50% of the biomass has been consumed, but may be adjusted based upon photo monitoring. When 6-8 inches of grow occurs after removal, then animals may be returned to that pasture.
6. In Pasture A, continue to permit the use of 27 acres of NFS land for wood bison pasture simultaneous as Pasture B (additional 9 years) (see map below), retaining existing fencing, waterlines, powerlines, and water troughs (same as original decision). Willow and alder will be planted along the portion of Pasture A fence line adjacent to the Seward highway to improve visual screening, as analyzed in the Wood Bison Pasture Environmental Analysis

(WBPEA) and Wood Bison Pasture Decision Notice (WBPEA DN) hereby incorporated by reference, except that planting of alder and willow will begin within 2 years.

7. Total amount of wood bison to be placed in Pastures A and B will not exceed NRCS recommendations for conservative grazing use, of no more than the equivalent of 70 cow-calf pairs in Pasture B and 20 individuals in Pasture A. Both pastures could be used year round.
8. Existing shrub will be cleared and native grass seeds will be spread as needed within both pastures to increase grasses for grazing. If native grasses are unavailable, non-native grasses will be reviewed by botanist to ensure that non-native grass with the minimum potential to continue to persist in the area is used. Supplemental hay will be used. The intent is to use hay that is as clean and free of invasive seeds and plant parts as possible, and as certified weed-free hay is available, it will be used.
9. Prior to the completion of 15 years of wood bison use, when the reintroduction program has a reduced need for wood bison and less land is needed for wood bison, the amount of NFS land used for wood bison pasture will be evaluated by the Forest Service in coordination with ADF&G, and NFS land no longer needed to support the captive breeding program will have all improvements removed and native vegetation allowed to repopulate.
10. After successful reintroduction of wood bison, all improvements will be removed and native vegetation will be allowed to repopulate (except for the gravel placed to harden the access route).

Mitigations

1. Should any historic properties be discovered during archaeological survey, avoidance and mitigation measures will be determined by the heritage specialist using the established guidelines in the Programmatic Agreement with the State Historic Preservation Office (SHPO).
2. One-time vegetation clearing necessary for fence installation and to increase grasses will occur outside the migratory bird core nesting period of May 1 to July 15.
3. Prior to entry onto NFS land, ensure all off-road equipment engaged in construction or vegetation clearing have been cleaned/washed so they are free of visible dirt, plants, and plant parts. Take particular care to ensure undercarriages of vehicles are clean. In the event equipment is taken off site and then brought back, re-cleaning is only necessary if the equipment was used in another area with known infestations of white sweet clover, orange hawkweed, bird vetch, reed canarygrass, and/or invasive plants identified as highly or extremely invasive by the Alaska Natural Heritage Program (http://aknhp.uaa.alaska.edu/botany/akepic/non-native-plant-species-biographies). The Forest Service will be notified after equipment has been clean and is available for inspection.
4. Biannual monitoring to detect the presence of non-native plant species within both pastures will occur, see Appendix 1 for monitoring protocol. If non-native plant species are found within or adjacent to the pastures non-native plants and their parts will be removed and disposed.

Monitoring

The wood bison project has incorporated monitoring actions in order to determine if mitigation measures protecting cultural resources are effective and also to mitigate the increased risk of introducing or spreading noxious weeds. For efficiency, all monitoring may be conducted during the same site visit. The permit holder shall be responsible for conducting or overseeing monitoring and ensuring that monitoring results are submitted to the special uses permit administrator by December 31st each year. A note documenting monitoring trips, photos and monitoring results will be stored in the project monitoring file located at: O:\NFS\Chugach\Project\GRD\WoodBison\ProjectFile\10-Implementation\Monitoring

Condition Trend Photo Point Monitoring

Photo point monitoring will occur once during the summer annually in pastures to detect the trend of the condition of the pasture. Monitoring will involve taking a picture at an established photo monitoring point for comparison from year to year. Comparison of the grasses, soil, and overall conditions of the pasture between pictures from different years will be used to determine if conditions of the pasture degrade over time with grazing use. Each year the following will be recorded: date and time picture taken, number of bison using the pasture, whether bison are currently using pasture or not, how many days since the pasture had been most recently rested, and any additional observations regarding conditions of the pasture.

The pasture condition trend will be interpreted by comparing the photos over time with assistance from NRCS. Based on these trends:

1. If monitoring determines that the condition of the pasture has degraded, then the amount of biomass retained in the pastures will be increased. This would occur by decreasing the number of bison in pasture and/or increasing the residual stubble height.
2. If monitoring determines that conditions have not degraded and NRCS recommends allowing increased grazing intensity, then the amount of biomass retained in the pasture could be decreased. This would occur by decreasing the residual stubble height.

The special uses permit administrator will be responsible for ensuring that monitoring takes place and is documented according to this protocol, as well as to coordinate assistance from NRCS in interpreting monitoring results. It is estimated that monitoring will cost approximately $150 every year, assuming it takes one person two to four hours to find the photo monitoring point and take a picture, as well as compare the condition of the area to previous pictures. Over the lifetime of this project, photo point monitoring is anticipated to cost the permit holder approximately $2,250 in time and materials.

Noxious Weeds Monitoring

Monitoring will occur once during the summer biannually (every other year) in pastures and along the temporary access route to detect the introduction of noxious weeds to the project area. A common plant survey type, the General survey method will be used, and is described in more detail in the plant specialist report (Charnon, 2012). People conducting monitoring will be experienced in identifying known invasive plants as listed in the plant specialist report (Charnon, 2012). Monitoring will continue until the use of this land as wood bison pasture has ceased and

monitoring after the removal of improvements has completed has documented a lack of noxious weeds. Monitoring is needed for the duration of the project primarily because 1) the use of supplemental feed provides a continued vector for potentially introducing invasive species, 2) off road equipment and vehicles provide a vector for introducing invasive species.

If monitoring has discovered noxious weeds in the project area, the noxious weeds will be removed by hand, preferably after seed set, and discarded.

The special uses permit administrator will be responsible for ensuring that monitoring takes place and is documented according to this protocol. It is estimated that monitoring will cost approximately $500 every other year, assuming it takes a team of two people one day to monitor the two pastures. Over the lifetime of this project, noxious weed monitoring is anticipated to cost the permit holder approximately $4,000 in time and materials.

Cultural Resources Monitoring

Several cultural resource sites are located within the existing pasture, and have been excluded from wood bison with fencing. Monitoring will measure the effectiveness of the fencing mitigation at protecting cultural resources. Monitoring will occur by following established cultural resource monitoring protocols, same as monitoring that was conducted in 2009 and 2010. Monitoring will continue biannually (every other year) until the use of this land as wood bison pasture has ceased.

In addition to documenting the monitoring in the project monitoring file, monitoring surveys will be documented using the Heritage module in the nationwide Infra database and will be reported annually to the State Historic Preservation Officer in the Region 10 Heritage Programs Annual Report.

If monitoring discovers that mitigations are not effective in preventing damage to cultural resources, fencing may be relocated or strengthened.

The special uses permit administrator will be responsible for ensuring that monitoring takes place and is documented according to this protocol. It is estimated that monitoring will cost the permit holder approximately $400 every other year, assuming it takes one person one day to monitor the known cultural sites. Over the lifetime of this project, cultural resource monitoring is anticipated to cost the permit holder approximately $6,000 in time and materials.

In addition to formal monitoring above, when personnel are in the pastures tending to the bison, personnel will note if fencing protecting cultural resources sites appears to have been compromised. Compromised fencing will be repaired and the special uses permit administrator will be notified as soon as practical.

Figure 1 Map of Pastures A and B. Location of access road (black line) is approximate and will be located according to access permit from DOT.