

**FINDING OF NO SIGNIFICANT IMPACT
and
DECISION RECORD
FOREST HEALTH AND VEGETATION MANAGEMENT
FOR THE JUDITH AND MOCCASIN MOUNTAINS**

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the Environmental Assessment for Forest Health and Vegetation Management for the Judith and Moccasin Mountains (EA MT-060-02-01 or 'the EA') including public comments received. It is my conclusion that potential effects have been adequately identified, considered, and appropriately mitigated. I have determined that none of the alternatives will have significant impacts on the quality of the human environment and that an environmental impact statement is not required. I have determined that the proposed action alternative is in conformance with the goals and objectives provided by the Judith Valley Phillips Resource Management Plan approved in 1994 and the Fire/Fuels Management Plan EA for Montana and the Dakotas, approved September 2003.

DECISION

It is my decision to implement the Proposed Action as displayed in section 2.1 in the final EA, dated June 2006. Modifications have been made in the final EA in response to public comments received and additional internal review. These modifications do not substantially change the Proposed Action or the Environmental Consequences described in Chapter 3 of the EA. This decision is made under the authorities of the Healthy Forest Restoration Act of 2003 (HFRA) and the Forest Management regulations (43 CFR 5003) for all actions except for grazing management. The grazing management decisions are made under the authority of 43 CFR 4100. All actions take place within the wildland-urban interface area identified in the Fergus County Community Wildfire Protection Plan approved in September 2004.

All of section 2.1 Proposed Action is incorporated by reference from the final EA (June 2006). Following is a general summary of the actions that will be taken:

Forest Health

Up to 7,871 acres in eight areas (see Figure 2.1 from the EA) will be thinned to between 40 and 140 square feet basal area, depending on habitat type as specified in the EA, using uneven-aged prescriptions and group selection. As specified by HFRA Sec. 102(f)(1) the project "(A) focuses largely on small diameter trees, thinning, strategic fuel breaks, and prescribed fire to modify fire behavior..." and "(B) maximizes the retention of large trees, as appropriate for the forest type, to the extent that the trees promote fire-resilient stands."

Large, healthy trees of fire resistant species will be retained, consistent with requirements for crown spacing and uneven-aged prescriptions to promote a fire resilient stand. Ladder

fuels will be removed and tree crown spacing will be increased to the extent needed to reduce the risk of stand-replacing fires. Underburning will occur approximately two years after thinning operations.

Up to 134 acres of lodgepole pine habitat will be clearcut in patches of 10 acres or less in order to increase patchiness and reduce the risk of severe, large fires in these stands. No more than 50 percent of any lodgepole stand will be harvested in such patches. Broadcast burning will occur approximately two years after harvest.

Depending on tonnage, slash will be piled or scattered before burning or may be utilized for biomass products if market conditions allow.

All applicable Best Management Practices will be implemented and Streamside Management Zone laws will be followed. Tractor logging will be limited to slopes averaging 40 percent or less. Aerial systems, such as cable or helicopter, will occur on steeper slopes. Machine operations will only occur when soils are dry, frozen, or snow-covered so that rutting is generally limited to less than 4 inches in depth.

Fire Management

Up to 1,165 additional acres will be treated in areas adjacent to structures and major access roads to the lower end of the habitat-specific prescriptions provided in 2.1.1 of the EA. These areas are displayed in Figure 2.1 of the EA as the wildland-rural interface areas. The objective for treatments in this zone is to create and maintain fuel conditions that will result in predicted flame lengths of no more than four feet under extreme fire weather (95th percentile Burning Index). Understory fuel loads will be reduced to less than 10 tons per acre.

Slash will be piled or scattered before burning or may be utilized for biomass products if market conditions allow. Where pile or underburning cannot be safely implemented, slash may be disposed of by grinding or chipping.

Wildlife Habitat

Up to 4,930 acres will be treated to increase vegetative diversity, to increase and maintain meadows and forest openings, and to increase deciduous trees and shrubs across the landscape for the purpose of improving wildlife habitat and distribution on the public lands. These vegetative diversity areas (shown in Figure 2.1 of the EA) contain key deciduous or herbaceous species with the potential for increasing after prescribed fire and for improving wildlife habitat.

Prescribed fire will be the primary treatment method. Manual thinning, followed by prescribed fire, will be employed where conifer density is so great as to make an initial entry with prescribed fire either unsafe or ineffective.

In forest health and interface treatment areas referenced above all conifers will be removed from within aspen stands and a 50-foot buffer around the stands, except large,

old Douglas-fir and ponderosa pine (at least 15" in diameter with thick bark and generally flat crowns) and any large conifer snags that occur within aspen stands. Mature aspen trees will be cut only when the clone appears decadent, and cutting large trees is needed to induce sprouting.

In forest health treatment areas a minimum average of one large snag (> 10 inches DBH) per acre will be retained. The same standard will apply to interface treatment areas, insofar as it can be achieved without posing a public safety hazard.

Surveys for northern goshawk nest sites will be completed before any harvest activities begin. Nest trees will be left undisturbed. During brooding and fledgling use (roughly April 15th to August 15th) a buffer of ½ mile radius will be maintained around active nest sites (less if topographic breaks are present).

Riparian and Aquatic Habitat

Riparian thinning, planting and placement of large woody material (LWM) will occur on 18 different streams, as listed in Table 2.3 and displayed in Figure 2.2 of the EA. Obstructions will be removed to improve fish passage on Collar Gulch and stream function on Plum Creek and North Moccasin Creek. A livestock exclosure will be constructed around a spring on Black Butte. Riparian thinning treatments will take place along approximately 13.5 stream miles, riparian planting along 0.9 miles, and LWM placement along 17 miles.

Range Management

New term grazing permits and leases will be issued incorporating Rangeland Health Standards and Grazing Management Guidelines as conditions of the permit as required by 43 CFR 4180.1. Alpine Gulch and Judith Peak allotments will have large woody material placed within the riparian areas to reduce trailing along the stream bank. Shelterhook Allotment will incorporate herding, and placement of minerals and supplements to improve distribution; season of use will be varied to reduce repeated impacts to plants. Grazing management decisions are made under the authority of 43 CFR 4100.

Noxious Weed Management

To prevent the introduction or spread of noxious weeds, forest treatment contractors will be required to pressure wash or otherwise thoroughly clean all equipment and vehicles at an approved wash station prior to entering public land.

All log landings, skid roads and temporary spurs will be seeded with a mixture of native grasses and forbs upon the completion of harvest activities. All burn pile areas will be seeded with native species upon completion of burning.

Areas with thinning and/or prescribed fire treatments will be monitored for noxious weeds for two years, and appropriate control measures implemented where weeds are found.

Weed control will be made a condition of new term grazing permits and leases, based on Guideline #11 for Grazing Management. Control will be accomplished through cooperative agreements between BLM and the permittee for each allotment.

Cultural Resources

Cultural surveys will be completed prior to treatment activities. Impacts to all cultural sites with potential for listing on the National Register of Historic Places will be avoided or mitigated.

Visual Resources

A VRM contrast rating will be conducted for each area to be thinned, and visual contrasts will be minimized, consistent with achievement of the forest health and wildfire objectives.

Decision Rationale

The proposed action and the no action alternative were analyzed in the EA. The proposed action was selected because it addresses concerns for public health and safety, reduces the risk of catastrophic wildfire, improves forest and rangeland health, improves terrestrial wildlife, riparian, and aquatic habitats while protecting the integrity of soils, watersheds, and wildlife populations. The proposed action implements Standards for Rangeland Health and current Guidelines for Grazing Management.

Public Comment

A 30-day public comment period occurred from March 30 to April 30, 2006. Thirteen written comments were received, plus requests for meetings from two individuals. One additional written comment was received in June. Two field visits resulted from the meetings with individuals. Substantive comments and the responses are provided in the appendix attached to this Decision Record.

Monitoring

Monitoring, as specified in Appendix H of the EA, will be done as part of the Lewistown Field Office's annual monitoring workload. In addition, all listed implementation and compliance monitoring specified in the proposed action will be completed.

Environmental Justice

Federal agencies are required to address "disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations" (Executive Order 12898). During this analysis BLM considered all public input from persons or groups, regardless of age, race, income status, or other social and economic characteristics. A review of the document does not reveal any disproportionately high and adverse effects or issues specific to minority or low-income populations.

Timing of the Decision

This Decision Record constitutes the decision document for all of the above described specific actions in accordance with 43 CFR 5003 - Administrative Remedies, except for actions which result in the issuance of grazing permits or leases.

The decision document for the issuance of grazing leases will be the Notice of Proposed Grazing Decision which will be sent to all affected parties at a later date in accordance with 43 CFR 4160.

Timing of Implementation

Implementation of this decision will occur over several phases, sequenced over approximately ten years. All forest management actions should be completed 10 years after implementation begins. Implementation is contingent on funds being available. Some project work may begin in fiscal year 2007. The new terms for livestock grazing permits and leases will go into effect when they are renewed.

If implementation of specific actions requires more than ten years, BLM will review the actions against the EA to ensure that the analysis is current and that the effects of these actions are still adequately addressed in the EA. A new EA will be prepared if the analysis is out-dated.

Protest Period

All forest management actions described in this Decision, including harvesting, thinning, fuel reduction, prescribed burning, and riparian improvements are now open for protest. A protest must be filed within 15 days of the date of this decision in accordance with 43 CFR 5003.3.

The decision to renew grazing permits or leases is protestable upon issuance of the individual Notices of Proposed Grazing Decision in accordance with 43 CFR 4160.

The EA and supporting documentation are available for review at the BLM, Lewistown Field Office at 920 NE Main St., Lewistown, Montana. The EA is also available online at www.mt.blm.gov/lfo/fire/eaindex.html.

/s/ June Bailey
Field Manager, Lewistown Field Office
Lewistown, MT

July 19, 2006
Date

APPENDIX

Judith-Moccasin Forest Health and Vegetation Management Public Comments and Agency Response

Forest Management

We encourage you to make this project a top priority. The larger the better. We would like you to shorten the time limit from 10 years to 5 and treat more acres per year. This will be a boost to the local mills and the economy of Central Montana.

Implementation of the proposed action is expected to occur primarily through a combination of timber sales and Stewardship contracting. A Stewardship contract can have a maximum time-frame of ten years, if conditions justify an extended timeframe. Given the scope of the project, the deep snow that often accumulates and the late spring melts that are characteristic of the Judith and Moccasin Mountains, my intention is to allow the extended time-frame to provide for maximum flexibility for the contractor. However, a contractor may choose to accelerate treatments and accomplish more acres in a shorter time-span.

People move into the forest interface not to live next to a clear cut.

You refer a number of times to “a timber sale” and to “clear cuts.” As specified in section 1.3 Purpose and Need for Proposed Action, the purpose and objectives for this project are not the production of merchantable saw logs. The objective is the restoration of a resilient and sustainable forest on a portion of the public land, and the return of a more natural fire regime. In order to achieve these objectives, trees ranging from sapling to mature will need to be cut. Large, healthy trees of fire resistant species and a mix of sizes and ages will be retained. Because most areas have an extensive volume of low-value or no-value trees that will need to be harvested, implementation of this project is expected to occur primarily through Stewardship Contracting, in which the value of merchantable saw logs offsets the cost of removing ladder fuels and small stems. Please note that of the 15,329 acres proposed for treatment, clearcutting is allowed on a *maximum* of 134 acres (50 percent of 268 acres of productive lodgepole pine habitat type). Thus clearcutting constitutes less than 1 percent of the proposed treatments.

The EA is severely flawed by not taking into consideration the debilitating effects to our watershed and the ecosystem in general due to Louisiana Pacific logging practices on PAC-10 property. The cumulative effects of this degradation must not be ignored. I urge you to strongly recommend that the BMPs be made mandatory.

A discussion of the cumulative impacts of past logging in the Lincoln Gulch area has been added to the final EA. As you are aware, the implementation of Best Management Practices (BMPs) for logging is currently voluntary on private land, and can be made mandatory only by changes to Montana state law. However, please be assured that following all BMPs will be required for treatments on federal and state land that are proposed in this EA.

I question the overall cost of the project and its apparent 10-year life span.

Because of the uncertain nature of timber markets, the overall cost of the project is unknown. We are optimistic that the value of the merchantable-sized timber that will be removed will at least partially offset the cost to remove smaller trees. We are also committed to finding alternative markets for smaller trees, such as for pulpwood, post and poles, firewood, hog fuel and other biomass products. While the overall life span of the project may be ten years, activity in any particular area is expected to be less than that. As detailed in Table 2.1, the area around Camp Maiden and Maiden Peak is the first priority for treatment, and so is expected to be the first area completed. The contractors who implement the treatments will have some digression as to timing, but in no case can they exceed ten years under Stewardship Contracting rules.

Why are you doing this? The government owns such a small percent of the land, what is done on this small share has no bearing on the remaining other 82% of the land.

First, though total public land within the analysis area is only about 18 percent, of the approximately 41,000 acres of federal and state ownership, over 31,000 acres (76 percent) is conifer forest. Thus public ownership accounts for 37 percent of the conifer forests within the analysis area. Second, forest health treatment areas have been strategically placed in areas where fuel hazard, current forest health problems, and the predicted probabilities of insect infestation and stand-replacing fire are highest (see section 2.1.1). Proposed interface treatment areas were dictated solely by the presence and location of structures and public roads. As detailed in Table 3.10, proposed forest treatments will result in a 46 percent increase over current conditions in Fire Regime Condition Class 1 across the landscape. Third, though BLM and DNRC have no control over forest management on the private forest lands within the analysis area, programs through such diverse organizations as DNRC, the Natural Resources Conservation Service, Montana Extension Service, The Nature Conservancy, and Rocky Mountain Elk Foundation provide education, encouragement and assistance for implementing such treatments on private land. Several private land owners have approached the BLM inquiring about joint thinning and/or prescribed burning for adjacent federal and private forest lands.

My thinning project is in progress and I remain ready to discuss possible activities the BLM may take on the adjoining BLM managed forest.

We are hopeful that forest thinning will commence in the vicinity of your property within the next year or so. In the meantime, please contact Bruce Reid, our forester on this project, at 538-1960 to discuss the possibility of cooperative forest treatments on the public and private land.

I have enclosed a copy of the report titled "Montana's Timber and Forest Products Industry Situation 2004" prepared by Charles E. Keegan of the University of Montana. Mr. Keegan reviews the harvest levels of the past and makes predictions for the future. It is obviously important to the timber industry that harvest levels on agency land increase.

Information from other works by Dr. Keegan and the University of Montana's Bureau of Business and Economic Research was utilized in the EA. The BLM is aware of the crucial role of the timber industry in restoring forest health and reducing wildland fire hazards.

Please be assured that implementation of this project is a high priority for the BLM and not only at the Field Office level. Our state and national offices have made clear the importance of the Healthy Forest Restoration Act and the implementation of projects that fall under the goals of that act.

These trees were born in a cold and wet climate of the earth. We are now in Global Warming, hot and dry. There is nothing in the analysis on regeneration.

The primary issue with current patterns of tree regeneration in the Judith and Moccasin Mountains is excessive regeneration of shade tolerant, fire intolerant species (which also happen to be adapted to cooler and wetter habitats). Species such as ponderosa pine are underrepresented in the understory and younger age classes, relative to the older dominant trees. Any impacts from global warming on tree species establishment are either not yet present, are being overwhelmed by local environmental conditions, or are currently having an effect that is counter to that expected.

Treatments are designed to generally favor ponderosa pine over Douglas-fir and Douglas-fir over lodgepole pine, depending on environmental factors of aspect and elevation. Ponderosa pine is expected to fair better in warmer and drier climates than Douglas-fir; Douglas-fir is expected to fair better in warmer climates (though not necessarily drier) than lodgepole pine. Thus, as the climate becomes hotter and/or drier, the target species mixes under the various prescriptions would be expected to show more resilience and better adaptation than the current forest composition.

Regeneration concerns are discussed throughout section 2.1.1 for Douglas-fir and lodgepole habitat types, plus aspen (see pages 10, 11, 12, and 13).

I am hoping the Upper Missouri River Breaks National Monument, Bullwhacker Area and Dog Creek WSA is not part of this analysis and will not have 6,974 acres harvested.

Section 1.2 Project Area Location and Description, Figures 1.1, 2.1, 3.1, 3.2, and 3.3 all clearly state and show that the project area covered in this analysis is in central Montana, surrounding the Judith and Moccasin Mountains, well south of the Missouri River and the Upper Missouri River Breaks National Monument (UMRBNM). The area you mention is in the UMRBNM north of the Missouri River. The reference to 6,974 acres in the Bullwhacker-Dog 05 watershed is clearly shown on Figure 3.1 to refer to the portion of that so-named fifth order watershed that occurs within the analysis area. Portions of nine fifth-order watersheds occur within the analysis area. Neither BLM nor DNRC determines the names or codes for the

watersheds in Montana, but rather uses the accepted coding provided by the Montana Natural Resources Information System.

Fire Management

I have noticed the BLM's policy over the years is to let these fires get bigger so they get more appropriations for the next years, which is all wrong.

The primary intent of forest treatments proposed in this analysis is to reduce catastrophic impacts of wildfires and to make those fires easier and safer to control, thus reducing size, costs of control, property loss, and rehabilitation costs after the wildfire.

We have several rough fescue stands on our private property, near public land, that have been overtaken by trees. For several years we have been urging BLM to pursue prescribed burns on a mixture of public and our private land to increase rough fescue stands, reduce excessive fuels and improve forest health.

This EA proposes prescribed burning and thinning within and adjacent to the Judith Peak allotment and your private land. Please contact Pat Harty, one of our fuels management specialists, at 538-1983 regarding the configuration and timing of prescribed burns that could include some of your land.

The fire districts should be notified when loggers are in their area.

We will work with the County Fire Warden to implement that suggestion.

There is no cumulative effect that analyses past fires, Burnett Peak Fire for example.

An assessment of the Burnett Peak Fire has been added to the cumulative effects analysis in sections 3.2.2 and 3.7.3 in the final EA. Given that this fire occurred 15 years ago, any increased erosion hazard from the fire is no longer anticipated, due to natural revegetation. The burned area does not currently present an increased fire hazard because snags killed by the fire are, for the most part, still standing. Within the next 20 years standing snags are expected to fall and will pose an increased hazard for a hot fire that could damage soils. As is shown in Table 3.6, this fire accounts for all but 454 acres that burned on federal land from 1980 to 2005. The remaining acres are spread among 85 fires over the 25 year period, with only eleven fires exceeding 10 acres and one fire exceeding 100 acres in size. The cumulative effect of these remaining fires amounts to fire exclusion, cumulatively affecting less than 1.5 percent of the federal land over a 25 year period.

Air Quality

There will be negative effects of controlled burning, such as smoke and chemical emissions, as well as fire control.

Unfortunately, some impacts from smoke are unavoidable with prescribed burning. However, the lack of prescribed burning only increases the eventual likelihood of a wildfire under uncontrolled conditions. Smoke management and the ability to control the fire are critical factors when implementing a prescribed burn. Though we recognize there is always some level of uncertainty regarding the weather, we consider the influence of the weather on smoke dispersion and control very carefully when deciding whether to proceed with a prescribed burn on any given day. Without reasonable assurance that conditions are right, we will delay the burn.

The heavy metals from the soil in the wood when burned is highly concentrated in the smoke by a thousand times.

We can find no studies which show that heavy metals, if they do exist in the soils, become incorporated and concentrated into the wood of trees growing in such soil. We consulted scientists at the Rocky Mountain Research Station's Fire Science Lab in Missoula and at the University of Montana, Department of Environmental Sciences, and we also consulted with the Montana Environmental Information Center. None of these sources were aware of any documentation of heavy metals in wood smoke, with the exception of areas in the tropics that are downwind from mercury emitting smelters or power plants.

Wildlife Habitat

"Neotropical birds" (Montana is now in the tropics apparently) "and other wildlife that inhabit riparian communities will benefit from an increase in structural diversity in the riparian vegetation." This statement has never been true in any timber sale in the short run. What will happen in the immediate period is very important.

Removal of patches of conifer encroachment in the riparian area will result in an immediate increase in available light, water and nutrients to existing deciduous shrubs. This habitat is critical to many neotropical bird species (these are migratory species which nest in North America and winter in Latin America, commonly referred to as "songbirds"). As discussed in section 3.4.3, without treatment vegetation diversity, species diversity and structural diversity within the riparian areas will continue to decline, and the likelihood of high intensity, stand-replacing fires will increase over time. In upland thinning operations, local experience has shown an immediate flush of grasses and forbs when thinning is conducted during the growing season, and in the spring immediately following fall or winter thinning operations. Recent examples exist in the South Fork Flat Willow drainage and in the North Moccasin Mountains.

Riparian and Aquatic Habitat

In the 1950s a violent hail storm with tornadoes went through the mountains and the resulting flooding converted this riparian area [of Armells Creek] into a solid gravel wash. The U.S. Air Force then built a road up the streambed to access a military radar site. Since then, our ranch management efforts have improved this drainage from a gravel

wash to a nearly complete riparian area. ... To our knowledge the BLM has never advised us previously that livestock grazing was a significant issue in the riparian area, and we are certainly interested in discussing it with you. ... Considering the positive, long-term improvements shown in this watershed, what changes would you envision?

Ranching families such as yours with a long tenure on the land can often greatly increase our understanding of current conditions by sharing their knowledge of past events, and we appreciate it. Clearly the severe storms and flooding of the 1950s, followed by construction of the U.S. Air Force road directly adjacent to the creek has had long-term negative impacts on the riparian area.

Those portions of the creek that are currently subject to trailing by livestock have not healed to the same degree since those earlier disturbances. Current livestock management, when combined with placing large woody material within portions of the stream channel is expected to make significant progress towards meeting the standards for rangeland health.

I question the value of eradicating brook trout in Chicago Gulch to enhance the introduction of cutthroat trout.

The decision of whether or not to eradicate brook trout and establish westslope cutthroat trout in Chicago Gulch rests with Montana Fish Wildlife and Parks. If they decide to proceed with this project we will cooperate with them. Whatever the decision, we are committed to maintaining and improving fish habitat in Chicago Gulch and other fish-bearing streams in the project area.

Water Quality

The quality of the water flowing [in Armells Creek] from the public land above our property has always been a problem. It appears to be a natural occurrence, but we would certainly like the problem resolved. We are not aware of any historic or current use of mining chemicals on the public property in the canyon above our private property.

The Montana Department of Environmental Quality (Montana DEQ) has determined that, based on the chemical characteristics of the water; the creek does not meet Montana water quality standards and does not fully support designated uses. BLM and Montana DEQ are both well aware that the cause of impairment may be a natural function of the native substrate. We have no indication or suspicion that acid mine drainage associated with mining operations is contributing pollutants to the impaired reach.

Montana DEQ is the agency responsible for making beneficial use support determinations and listing a water body as impaired or not impaired. BLM's responsibility lies in trying to identify whether or not our land management activities are contributing pollutants to the listed reach.

Water Rights

The Spotted Horse Mine has a water right originating at that location [the historic dam site in Collar Gulch] and should be consulted before any action is taken.

The water rights you mention are no longer owned by Spotted Horse Mine. They are co-owned by two gentlemen from Texas. Although the statement of claim is recognized by Montana DNRC, no right-of-way exists with BLM to legally access and utilize the fore mentioned water rights. Furthermore, the 10-year time frame for abandonment or intent to abandon will begin when the Flatwillow basin adjudication is completed. We have no proposal to use water or change any use of water in Collar Gulch.

Range Management

Small acreages need to be grazed adjacent to private lands to increase wildlife forage and to help prevent fire, especially in upper Maiden Canyon.

Tracts of BLM lands that are currently permitted for livestock use can be grazed by the permit holder. However, if BLM lands are unallotted and closed to grazing in the Judith-Valley-Phillips Resource Management Plan, no grazing can occur. The areas of the Judith Mountains that are currently closed to livestock grazing include the Collar Peak, Judith Peak, Big Grassy Peak and Maiden Canyon areas.

We do not support using stubble heights to monitor grazing.

The use of stubble heights is mentioned in Appendix D of the document, which is the Guidelines for Livestock Grazing Management. These guidelines are tied to the Standards for Rangeland Health, which all BLM grazing allotments are required to meet or be making significant progress towards meeting. The guidelines are intended to be used as guidance on levels of livestock use and not grazing objectives that would be monitored using quantitative procedures.

We would like you to show documentation of allotments that cannot be feasibly grazed and will remain unallotted. Where are they? Thinning a forest will make more use of allotments by the enhancement of grasses being able to grow.

Table 2.5 in the final EA has been corrected to show three allotments that are currently vacant: Limekiln, Pekay Peak and Sheep Mountain. These allotments are vacant due to changes in base property ownership and the lack of a qualifying grazing application, as required by 43 CFR 4130.1, not because of resource condition. Grazing on any of these allotments would be permitted if a qualifying grazing application and proof of control of base property were received by the BLM. Locations for these allotments are given in the table below.

Allotment Name	Allotment Number	Location
Limekiln	20076	T16N, R18E, Sec. 17-20
Pekay Peak	02600	T16N, R20E, Sec. 7,8,18,19
Sheep Mountain	02617	T16N, R20E, Sec. 8,9

Any alteration of current grazing management because of prescribed burns must have an alternate place for the permittee to move his livestock.

Temporary grazing could be authorized on these allotments when livestock displacement occurs on other allotments within the analysis area due to the implementation of proposed vegetation management actions. Permittees would be required to apply for this use in accordance with 43 CFR 4130.2(g) and 4130.2(h).

We expect that a cooperative agreement between the BLM and each individual permittee be made prior to any changes in grazing management.

BLM grazing regulations require consultation, coordination and cooperation with permittees regarding the management of grazing allotments, and we will always endeavor to keep the permittees informed and to work with them prior to instituting any changes. Grazing management changes are proposed only for those allotments that are not meeting the Standards for Rangeland Health. These allotments are listed in table 2.6 of the EA. Consultation with the permittees regarding proposed changes in livestock management on these allotments has already occurred.

One issue of great importance is how this project will affect the future of our allotments. We do not want to lose these allotments, and this is a make or break issue.

Please be assured that nothing in the project and nothing being proposed by the BLM threatens the continued authorization of the grazing allotments associated with your base property. A primary objective of this project is increasing vegetative diversity and herbaceous production, which should improve the sustainability of your grazing allotments.

Any water development costs should be considered in the analysis.

No water developments are proposed. If water developments are proposed in the future in response to management concerns, they will be analyzed in a new environmental assessment.

Noxious Weeds

We diligently spray thistles and on occasion locate a knapweed plant which we immediately spray. While we can not argue that there are no noxious weeds present, we do manage the problem closely and do not feel they are the dominant plants on this allotment... we had no prior indication from the BLM that noxious weeds were a significant problem in this allotment.

Noxious weeds are not dominant on this allotment and are not “a significant problem.” Prior to the assessment in 2002, we had no documentation of the presence of noxious weeds. Undoubtedly, this fact is attributable to your efforts. We typically enter into a cooperative agreement with grazing permittees for the management of noxious weeds, wherein BLM agrees to supply the necessary herbicides and the permittee agrees to apply them. If you would like, Lowell Hassler, our weeds management specialist, will arrange for such an agreement with you. You may contact Lowell at 538-1909.

How will you monitor for noxious weeds and for how long? Does monitor mean just look at, or does it mean spray?

Monitoring for noxious weeds is an ongoing effort, accomplished by cooperative agreement with permittees on grazing allotments, and by BLM personnel on areas without an active grazing permit or lease. When weeds are found, they are generally sprayed by the permittee with chemical supplied by the BLM, by BLM personnel, or by private parties under contract to the BLM. BLM also uses biological agents (e.g., flea beetles for leafy spurge). Forest treatment areas will be monitored during treatment and for two years following completion of treatments to look for newly established populations. Any weed populations will be controlled by chemical or biological means as soon as they are detected; control measures will be continued as long as necessary.

Roads

I am concerned about the damage to the Maiden Road from heavy logging trucks. I hope the county will be able to take steps to stripe our road, repair the asphalt, and ensure the speed limit is observed.

The BLM and DNRC have met jointly with the Fergus County Commissioners to discuss these issues. While neither BLM nor DNRC can dictate the maintenance activities that the county will pursue, we have agreed to coordinate closely with the County Road Department to reduce impacts to this paved road. Limitations on seasons for thinning and avoiding hauling during high temperatures are expected to reduce these impacts.

I hope the logging roads will be turned back to forest land at the end of the project.

The BLM proposes building a total of 5.6 miles of new permanent roads in the area of Pyramid Peak in the Judiths (3.2 miles) and above Kendall in the North Moccasins (2.4 miles). While these roads will remain in place for future forest management activities, they may be closed to public motorized access, depending on decisions made in the ongoing Judith-Moccasin Travel Plan. All temporary roads and spurs associated with treatment activities will be reclaimed by reshaping, ripping and seeding after treatment activities are completed.

If private road were not "listed" on the maps it would be beneficial to land owners, in the sense of the public seeking to use these roads. I would prefer to have them removed rather than just labeled as private.

Additional roads data is being compiled for the upcoming Judith-Moccasin Travel Plan. Although no final decision has been made on which and how roads will be displayed in the plan maps, I can assure you that my intent is not to create an undue burden or public expectation on private roads or the landowners they serve.

It will not take very long for ATV users to travel every skid trail, every temporary road and will be very hard to the BLM to produce a travel plan in the future unless it is stated up front, NO UNAUTHORIZED MOTORIZED ACCESS TO ANY PART OF TIMBER SALE.

Under the Judith-Valley-Phillips Resource Management Plan (JVP RMP), access is authorized only on those roads that were designated as open in the plan. This standard is more restrictive than OHV regulations for most BLM land, where travel is allowed on any pre-existing road. Be assured that *none* of the skid trails and other temporary travel ways associated with forest treatments will be authorized for motorized public access, as none of these travel ways will become a permanent part of the road system. On BLM land only the two roads shown in Figure 2.1 and discussed in sections 2.2.1 and 3.2.1 will be permanent (Pyramid Peak and North Moccasin areas). Temporary travel ways in active treatment areas will be signed to inform the public that motorized access is not allowed.

Recreation

The big park right at the beginning of Alpine Gulch was great for large groups; I would like to see it open to the public again.

In the area of Alpine Gulch, the BLM does not currently own any land adjacent to the county road. Therefore, we have no opportunity to establish a public use picnic area here, as you suggest.

We do have public campgrounds in the area.

You are correct that there are campgrounds open to public use in the Judith and Moccasin Mountains. However, no such facilities currently exist on federal land. Our current funding levels for recreation preclude developing additional camping or picnic facilities. Dispersed camping outside of developed campgrounds is allowed.

Cultural Resources

A review of the condition and historic importance of the old dam in Collar Gulch weighed against the future of fish habitat should be considered.

The dam is currently a partial blockage to fish passage. As stated in the EA, we will fully assess both the historic significance of the dam and the associated mill

foundation before making any modifications to this structure to improve fish habitat. We welcome your interest and future involvement. Zane Fulbright, our archaeologist, will be overseeing the historical assessment. Please contact him at 538-1923 for further updates.

Visual Resource Management

Visual resource parameters must be listed in the report, not sometime later.

Visual Resource Management objectives for the Judith and Moccasin Mountains are specified by the JVP RMP and are discussed in sections 3.7.1 and 3.7.2. In these areas, management changes must conform to the predominant natural features of the landscape, i.e., openings created must follow natural topography and thinning areas must blend in to the general forest structure. As discussed in 3.7.2, the existing thinning prescriptions are consistent with visual resource objectives, given the emphasis on uneven grouping and variation within a stand for tree spacing, basal area retention and large tree retention. A visual resource management specialist will interact during implementation to fine tune such activities as placement of temporary spur roads, conformance with topographic features, and location of dense patches to be retained.

NEPA and Public Involvement Process

Your public involvement process has not been adequate. I have seen no information in the Great Falls Tribune, word on the street of Lewistown or any information from any organization on this Healthy Forest Restoration Act project.

A detailed description of public involvement over the course of the project is provided in the final EA. Information letters were sent to landowners and grazing permittees in the spring of 2002 and January 2003. The 2003 mailing included Resource Advisory Committee members, tribes, local government agencies, and interested organizations. You were included in the January 2003 mailing, as well as The Wilderness Society, Montana Wilderness Association (Helena and Great Falls chapters), National Wildlife Federation, Montana Wildlife Federation, Central Montana Wildlands, Montana Outfitters and Guides Association, and others. The team leader made presentations regarding the project to the Big Spring Watershed Partnership in January and April 2003. Articles appeared in the Lewistown News Argus before the public meetings in January 2003 and April 2006.

The entire document has been outlined, cut and pasted by North Wind Environmental as a standard environmental statement to be used across the county in Healthy Forest Restoration projects. It has little bearing for the Judith Mountains.

North Wind Environmental was contracted to complete field inventories for forest, range, and riparian vegetation, a number of wildlife species, water quality, and fire history. They conducted this field work in 2002. North Wind also provided GIS

services, digitizing forest stands and correcting range allotment boundaries, and ran the SIMPPLE model, based on input from team specialists.

All of the analysis that underlies the EA was derived from field data collected in 2002 from the Judith and Moccasin Mountains. All writing was completed by people listed in section 4.2 List of Contributors, specifically: Shannon Downey wrote the sections on Forest Health, Economics, and Fire Management, with the exception of the air quality analysis that was performed and written by Gary Kirpach; Fred Roberts wrote the section on Wildlife; Chad Krause and Joe Platz wrote Riparian and Aquatic Habitat; Adam Carr wrote Range; Lowell Hassler wrote Noxious Weeds; Rod Sanders wrote Visual Resources and Recreation; Zane Fulbright wrote Cultural Resources. Shannon Downey and Gail Plovanic edited the entire document, and all contributors reviewed the document prior to printing. Shannon Downey, Jennifer Walker, Bruce Reid, Gary Kirpach, and Cindy Wilson completed various analyses using the Forest Vegetation Inventory System, Forest Vegetation Simulator, First Order Fire Effects Model, Microsoft Excel, and ArcMap GIS.

Ownership

Allotment 974 is now private ownership. Please make a conscious effort to remove from maps the identification as public ownership.

The mistaken ownership for the disjunct 120 acre parcel in the South Moccasin allotment has been corrected for Figure 2.2 in the final EA, as well as on the spatial data layer at our State Office in Billings. It now shows as private ownership.

Maps published by the BLM show the Hendricks and Edwards claims interface with Collar Creek incorrectly. In recent times I have spoken with the department and the maps were to be corrected. The maps in the EA, due to their small scale, are not clear if this correction has been made.

To the best of our knowledge, the lines have been corrected on spatial data layers for the Hendricks and Edwards claims. The scale of the maps does make verification difficult. However, the spatial data may be viewed at very large scales on a computer screen through the use of our Geographic Information System software. Please contact Shannon Downey at 538-1977 and she will assist you in verifying if our boundaries are correct.

The first step should be to survey and establish boundaries between private and BLM managed lands. These patented grounds were surveyed in the early 1900's and are in need of retracing the lines and erecting new boundary monuments.

Before any forest management activities take place, ownership boundaries will be verified and re-marked on the ground.

Mining Districts

It has always been my understanding that [the old wooden dam and mill site located in Collar Gulch] is located in the Warm Spring Mining District, not the Cone Butte. For historical purposes, that should be clarified.

The mining district for the Spotted Horse Mine: Cone Butte is a subdivision of the Warm Springs Mining District, located north of the standard 4th parallel. This puts the Spotted Horse Mine in the Cone Butte District.