Spotted Dog Grazing Lease—Proposed One-Year Extension

Montana Environmental Policy Act Checklist

Cow grazing on Spotted Dog Wildlife Management Area

Montana Fish, Wildlife & Parks

PART I. PROPOSED ACTION DESCRIPTION

1. Type of Proposed State Action

Montana Fish, Wildlife & Parks (FWP) proposes to extend the grazing lease with Rock Creek Cattle Company (RCCC) on FWP's 27,616-acre Spotted Dog Wildlife Management Area (WMA) to December 31, 2013. Under the purchase agreement (dated July 28, 2010) by which RCCC agreed to sell the WMA lands to FWP, the grazing lease was to expire on December 31, 2012. If this current proposal is approved the grazing outlined in the purchase agreement with RCCC would be extended for one final year, coincident with FWP's continued efforts in 2013 to explore potential boundary adjustments and complete boundary fencing. At the end of this one-year grazing extension, FWP intends to implement its Management Plan and the Livestock Grazing Amendments to the Plan contained in the Decision Notice[1] for the purchase of Spotted Dog WMA lands.

RCCC would pay to FWP the established standard WMA grazing rate for 2013, which was $19.40/AUM in 2012, for up to 9,675 AUM. The annual rate is based on USDA National Agricultural Statistics Service data for private lands in Montana. Simultaneous with this lease extension, but as a separate action, FWP is pursuing a land exchange with the Helena (NF) Forest which would square up boundaries between the two ownerships and simplify range management. In 2013, FWP would complete boundary fencing for Spotted Dog WMA, which would also improve range management by excluding cattle from adjoining grazing allotments.

2. Agency Authority for the Proposed Action

FWP purchased the Spotted Dog WMA from RCCC on September 2, 2010. Funding from the Natural Resource Damage Program (NRDP; $15,271,841) was used to pay for fee-title purchase of the land as well as attendant mineral and water rights held by the seller. Under the purchase agreement RCCC maintained the right to graze cattle on WMA lands through December 31, 2012.

Montana Code Annotated (MCA) specifies that: *The department may develop, operate, and maintain acquired lands or waters: (b) as lands or water suitable for game, bird, fish, or fur-bearing animal restoration, propagation, or protection* (§ 87-1-209(1)). FWP and the Fish, Wildlife & Parks Commission adopted and operate under the guidance of a Land Lease-Out Policy for considering livestock grazing on WMAs.

3. Name of Project

Spotted Dog Grazing Lease—Proposed One-Year Extension

[1] FWP. Decision Notice For the Proposed Land Acquisition: Spotted Dog Wildlife Management Area. Aug 2, 2010. http://fwp.mt.gov/news/publicNotices/decisionNotices/pn_0458.html Accessed Nov 1, 2012.

4. Name, Address and Phone Number of Project Sponsor

Montana Fish, Wildlife & Parks, Region 2, 3201 Spurgin Road, Missoula, MT 59804; 406-542-5500

5. Estimated Commencement Date: January 1, 2013

Estimated Completion Date: December 31, 2013

Current Status of Project Design (% complete) 100% (draft proposal)

6. Location Affected by Proposed Action (county, range and township)

The FWP lands to be leased to RCCC are part of the Spotted Dog WMA in Powell County, and are described as follows (also see map in Appendix B):

FWP fee-title lands, legal descriptions:

T8N, R8W:	All of sections 1, 3, 5, 7, 9, 11, 13, 14, 15, 17, 18, and 21; SE ¼ sect. 2.
T8N, R9W:	All of sections 1 and 2, portion of section 3.
T9N, R7W:	All of sections 7, 18, 19, 21, 29, 31, 33, and 35; SE ¼ section 20; W ¼ sect. 27; and portions of sect. 30.
T9N, R8W:	All of sections 1, 11, 13, 14, 19, 23, 24, 25, 29, 31, 33, 35, and 36; W ½ sect. 2; portion of sect. 17; SE ¼ sect. 21; E ½ sect. 22; S ½ sect. 26; and a portion of sect. 27.
T9N, R9W:	All of sections 23, 25, 27, and 35.
T10N, R8W:	southeast ¼ section 35.

7. Project Size: Estimate the number of acres that would be directly affected:

The entire WMA, including the 27,616 acres owned in fee by FWP and the intermingled 10,260 acres owned by the Montana Department of Natural Resources and Conservation (DNRC) and unfenced from the FWP land, would be directly affected by this proposal.

8. Map/site plan: attach a map showing the location and boundaries of the area that would be affected by the proposed action. If available, a site plan should also be attached.

A map is appended to this EA as Appendix B.

9. Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action.

The purpose of the proposed action—a one-year extension of cattle grazing by Rock Creek Cattle Company on Spotted Dog WMA—is to give FWP one more year to implement actions (fencing and a possible land exchange) that would allow for more effective range management while continuing to derive income from leasing pasture. As proposed this grazing lease extension would impact all lands within the WMA—27,616 acres owned by FWP and 10,261 owned by DNRC—37,877 acres in total.

Much of the boundary fencing for the WMA was in need of repair or relocation upon purchase of the property. Internal fencing is poor to non-existent with no fences separating cattle between FWP, DNRC and Helena NF lands. Without fencing it is difficult to exclude cattle from neighboring landowners or grazing allotments. (We estimate a total of 3,790/AUM from cattle belonging to 9 landowners, in addition to the 9,675/AUM leased by RCCC). This is the longstanding land management practice that FWP inherited, and FWP would not be able to complete its fencing responsibilities to make grazing adjustments that reflect its objectives and plans until 2013.

Progress has been made and continues. Boundary fencing is being replaced in segments along the legal boundary as defined by surveys completed by WCCC Engineering in 2011 and 2012. So far 18 miles of old fencing have been removed and replaced with 4-strand "wildlife friendly" fencing. Segments of the fence in the northeast (Avon) and southwest (Freeze-out Creek) portions of the WMA have been fenced. Another 14 miles of fence, on the southern (Fred Burr Creek) and northwestern (Beck Hill) boundaries would be fenced in 2013. Fencing on the eastern boundary would be completed once it is known what the final eastern boundary would be after any likely land exchanges occur. With secure fences and clear and enforceable boundaries FWP then would in a position to manage rangelands within Spotted Dog WMA.

Simultaneous with this lease extension, but as a separate action and subject to Commission approval, FWP is discussing options with US Forest Service (USFS) regarding land exchange on up to 4,000 acres that would simplify management of the WMA by eliminating the need to fence FWP in-holdings within the Helena NF. This land swap in tandem with the completion of exterior boundary fences in the WMA in 2013 would allow FWP to better manage grazing within the WMA.

RCCC would pay the same rate as other lessees on FWP properties—in 2012 the rate was $19.40 AUM (per animal unit month). This rate may change in 2013, depending on results of the 2012 National Agricultural Statistics Service survey of private grazing land leases. DNRC's grazing rate is projected to increase in 2013, which may also affect the lease rate. The final rate would be set in February 2013. Funds from RCCC's lease payment to FWP would be deposited in FWP's Real Property Trust Account, consistent with state law (§ 87-1-601(5), MCA). Assuming 9,675 AUM for RCCC (as per the purchase agreement; Appendix A), and the 2012 standard lease rate for grazing on FWP lands, RCCC's payment to FWP would be $187,695. Actual payment would be based on the 2013 lease rate, how many cattle are on the property, and the duration of their use.

After 2013, pastures on Spotted Dog WMA would be rested to allow native vegetation to improve in vigor and respond to the extensive weed treatments that FWP has invested in since purchase. Grazing would remain an option for management of the WMA when it is consistent with FWP's original goals for acquiring and managing Spotted Dog WMA. We expect that as per the August 2, 2012 Decision Notice for purchase of Spotted Dog, "it is unlikely that livestock grazing on the order of 10,000 AUMs would occur under an FWP prescription on Spotted Dog WMA after the terms of the purchase agreement expire . . . For necessities explained herein, any livestock grazing on Spotted Dog WMA . . . would be substantially restricted in numbers, distribution, and duration compared with the current condition."

10. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction:

    (a) Permits: The DNRC and Helena NF both administer grazing permits within and/or adjoining the Spotted Dog WMA.

    (b) Funding: The Natural Resource Damage Program funded the $15,271,841 purchase price for the Spotted Dog WMA as well as $1,225,140 for 5 years of start-up operations and maintenance.

    (c) Other Overlapping or Additional Jurisdictional Responsibilities: N/A

11. List of Agencies Consulted During Preparation of the EA:

- Natural Resource Damage Program.
- The Helena NF would be consulted during the public comment period.
- The DNRC would be consulted during the public comment period.

Rough fescue pasture on Spotted Dog WMA

PART II. ENVIRONMENTAL REVIEW

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?			X			
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			X			
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources: Extension of grazing for one year would have minor impact to land resources. Spotted Dog has been grazed by livestock for decades so only minor additional impacts would occur to soils from the continued grazing pressure of 1500 cow: calf pairs and 300 bulls. Minor increases to soil compaction would occur in areas of heavy use, such as around salt blocks and near springs. The greatest effect would be a short delay in the long-term process of riparian recovery.

2. AIR Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		X				
f. Other						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources: There are no anticipated impacts to air resources if the proposed action is adopted.

3. WATER Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?	X					
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?	X					
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
I. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?	X					
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)		X				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		X				
n. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources: There are no anticipated effects to water resources if grazing on the WMA is extended to December 2013. While FWP does not monitor water quality or quantity on the WMA or adjoining lands, the proposed action would maintain the status quo and not alter existing effects unless cattle distribution shifts in an unexpected manner.

4. VEGETATION Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X			
b. Alteration of a plant community?			X			
c. Adverse effects on any unique, rare, threatened, or endangered species?	X					
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X			
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Vegetation Resources: Native vegetation on the Spotted Dog WMA, especially to the west and in riparian areas, is in declining condition and as a result continued grazing pressure would contribute to its continued decline in distribution, condition, and diversity. 9,735 permitted AUM as well as potentially another 4,000 AUM from cattle trespass would continue to degrade the native plant community and have the potential to spread noxious weeds. The effectiveness of recent weed treatments on the WMA would be compromised by continued grazing pressure. FWP does not have data on the presence or distribution of rare, threatened or endangered plant species on the WMA and impacts to them are unknown.

5. FISH/WILDLIFE Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?			X			
b. Changes in the diversity or abundance of game animals or bird species?			X			
c. Changes in the diversity or abundance of nongame species?	X					
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?	X					
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)	X					
I. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		X				
j. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Fish and Wildlife Resources: Extension of grazing for one year on Spotted Dog WMA would essentially maintain the status quo on a property that has been grazed by domestic livestock for decades. As such we would expect only minor impacts to fish and wildlife resources. Future rest, after 2013, would help native plant communities recover from past grazing practices and would leave more herbaceous vegetation for wildlife forage and cover.

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Noise: No known or anticipated impacts would result as a result of adoption of this proposal.

7. LAND USE Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Use: No known or anticipated impacts would result as a result of adoption of this proposal.

8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Risk/Health Hazards: No known or anticipated impacts would result as a result of adoption of this proposal.

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Community: No known or anticipated impacts would result as a result of adoption of this proposal. This proposal would maintain status quo from a community perspective, but would delay the possible future opportunity for one or more other neighbors to participate in a grazing treatment if prescribed for the WMA.

Range on Spotted Dog WMA.

10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
e. Define projected revenue sources		X				
f. Define projected maintenance costs.		X				
g. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Public Services/Taxes/Utilities: FWP would continue to pay taxes on the property if this proposal is adopted. In 2011 FWP paid $24,748 in taxes to Powell County for lands within Spotted Dog WMA. There are no known or anticipated impacts to services/taxes/utilities that would result as a result of adoption of this proposal.

11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)		X				
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Aesthetics/Recreation: No known or anticipated impacts would result as a result of adoption of this proposal, except for the delay in reduction or removal of cattle from the recreational environment.

12. CULTURAL/HISTORIC RESOURCES Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Destruction or alteration of any site, structure or object of prehistoric historic or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Cultural/Historic Resources: No known or anticipated impacts would result as a result of adoption of this proposal.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)			X			
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?			X			
e. Generate substantial debate or controversy about the nature of the impacts that would be created?			X			
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)			X			
g. For P-R/D-J, list any federal or state permits required.		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on a Summary Evaluation of Significance: Adoption of the proposed action is not anticipated to have any potentially significant cumulative effects. While it is uncertain to what extent continued grazing pressure on the WMA would affect rare and ESA plant and animal communities, given the long history of grazing on the WMA it is unlikely that another year would introduce significant impacts. There is potential that extension of this grazing lease would prompt continued requests for grazing lease extensions which might result in the WMA not being rested from grazing in the near, or perhaps, long term. There is a high degree of public interest in FWP grazing leases on WMAs, on all sides of the issue.

PART II. ENVIRONMENTAL REVIEW (continued)

1. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

No action is the only practical alternative to this proposal. If the no action alternative were to be selected the grazing lease with RCCC would expire at the end of 2012 as dictated in the 2010 purchase agreement. In 2013, FWP would not be able to manage livestock on the WMA since boundary fencing would not be completed and cattle would continue to graze on FWP lands intermingled with USFS lands and grazing allotments. FWP could continue to pursue a land exchange with the Helena NF.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency: N/A

PART III. NARRATIVE EVALUATION AND COMMENT

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

A one-year extension of Rock Creek Cattle Company's grazing lease on the Spotted Dog WMA is not anticipated to result in significant impacts to the physical or human environment. Overall there may be minor impacts to soil, water, vegetation, or wildlife from continued grazing on the WMA. Generally speaking, adverse impacts to natural resources on Spotted Dog have accrued across decades and they are unlikely to be significantly accelerated from another year of livestock grazing. A one-year extension of grazing would allow FWP to complete fencing and pursue a land exchange, both of which would have long-term benefits to the WMA and offset any minor impacts to resources that would occur in 2013 as a result of extended grazing.

PART IV. ENVIRONMENTAL ASSESSMENT CONCLUSION SECTION.

1. Based on the significance criteria evaluated in this EA, is an EIS required?

Based on an evaluation that the proposed action would not have a significant impact on the physical and human environment, under MEPA, the proposed action is not a significant action affecting the physical and human environment. Therefore, an environmental impact statement is not a necessary level of review.

2. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

The public will be notified in the following manners to comment on this current EA, the proposed action and alternative:

- One statewide press release;
- One legal notice in each of these newspapers: *Anaconda Leader*, *Independent Record* (Helena), *Missoulian*, *Montana Standard* (Butte), and *Silver State Post* (Deer Lodge);
- Direct mailing or email notification to adjacent landowners and interested parties (individuals, groups, agencies);
- Public notice on the FWP web page: http://fwp.mt.gov ("Public Notices").

Copies of this draft environmental assessment may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; by emailing fwprg22@mt.gov; or by viewing FWP's Internet website http://fwp.mt.gov ("Recent Public Notices," beginning November 2). Comments may be made online on the EA's webpage or may be directed by mail to the FWP address above or by email to shrose@mt.gov. Comments must be received by FWP no later than 5:00 p.m. on December 3, 2012.

Given the local focus and relative simplicity of this proposed action, a 30-day public comment period and subsequent Commission action are appropriate.

3. Duration of comment period if any: 30 days

4. Name, title, address and phone number of the Person(s) Responsible for Preparing the Spotted Dog WMA—2013 Grazing Extension Environmental Assessment:

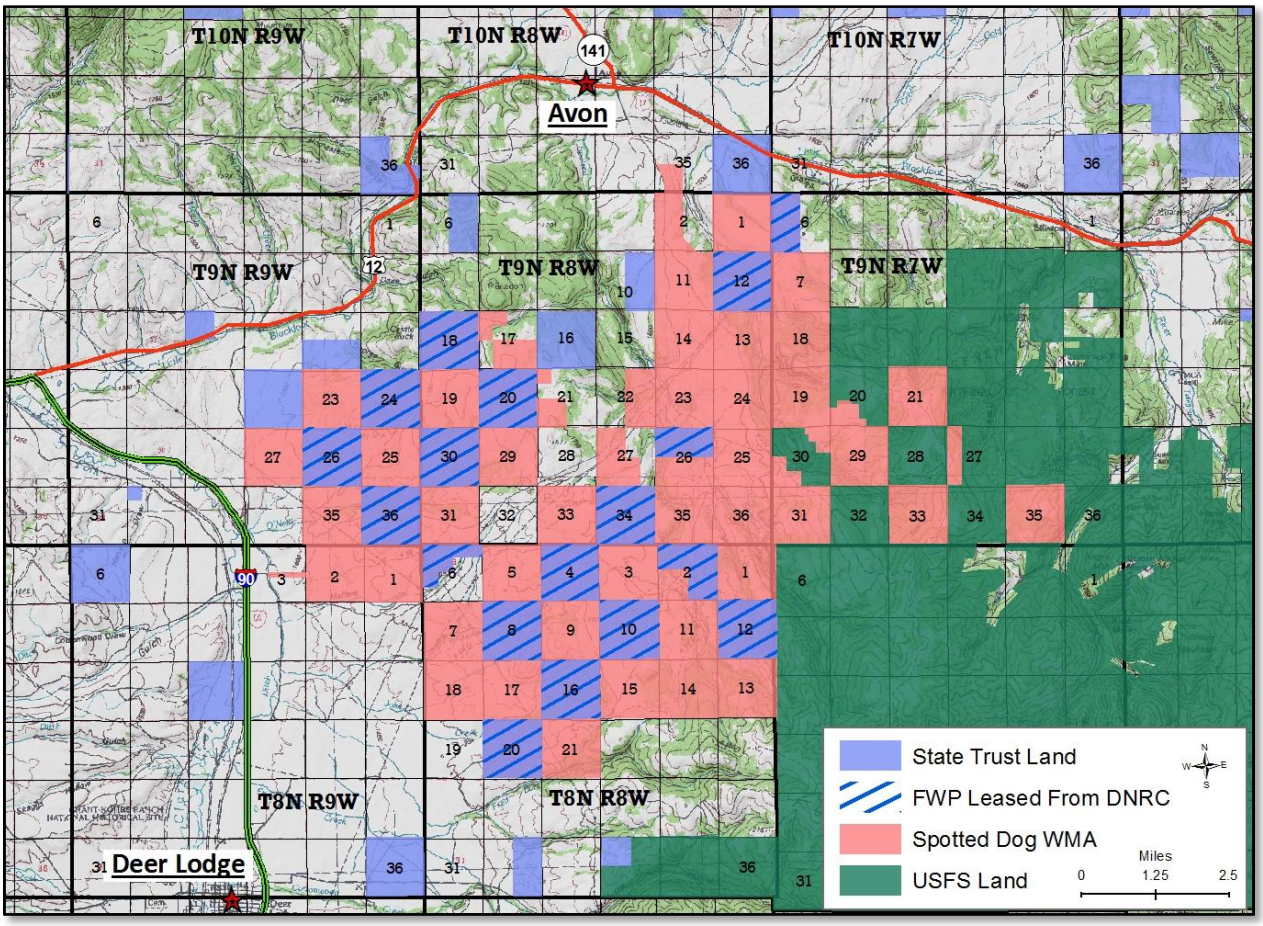
   Ray Vinkey, Wildlife Biologist; Montana Fish, Wildlife & Parks, P.O. Box 1066, Philipsburg, MT 59858; 406-859-1704; *rvinkey@mt.gov*

Big Sky over Spotted Dog WMA

Wintering elk on Spotted Dog WMA

APPENDIX A. Excerpt of grazing terms from July 28, 2010 purchase agreement.

Verbatim from the purchase agreement the terms of RCCC's grazing on Spotted Dog WMA are:

> *Grazing Leases and Seller's Grazing Rights: Seller agrees to execute all necessary documentation to transfer all grazing leases and permits to Buyer at closing. Notwithstanding such transfer, Buyer expressly agrees to allow Seller to continue to exclusively graze the Property and the land previously leased by Seller from the Montana Department of Natural Resources and Conservation located within or adjacent to the Property in accordance with past practices of Seller's cattle operations which grazing rights shall continue through December 31, 2012. In connection for such grazing rights, Seller shall pay Buyer a monthly payment during each month of the grazing season described below, with the first payment due June 15, 2011. The amount of the monthly payment will be based on AUM's actually used in the immediately preceding month. Seller may terminate such grazing rights at any time upon written notice to Buyer and receive a pro rata refund of any pre-paid lease payments. Grazing requirements are defined as:*
>
> *a) The number of cow-calf pairs on the Spotted Dog property will not exceed 1,700 in 2011 and not exceed 1,500 for 2012 and*
>
> *b) The expected number of bulls would be 5/100 cows.*
>
> *c) The grazing season is about May 15 to about November 15 (6 months)*
>
> *d) Annual AUMs would be no more than 10,965 for 2011 and 9,675 for 2012.*
>
> *e) The cattle will not be on the Spotted Dog range from December through April.*
>
> *t) The fee per AUM will be $15.00.*
>
> *g) Seller acknowledges and agrees that Buyer may fence off no greater than four (4) sections of the Property during the lease term and may preclude Seller from grazing said fenced off Property.*
>
> *Money received from grazing shall be deposited in an appropriate account per 87-1--601(5)(a)(iii) and shall be used for operations and maintenance on Department lands.*

APPENDIX B. **Spotted Dog WMA grazing lease map.**