ENVIRONMENTAL ASSESSMENT DECISION NOTICE
for the
Fleecer WMA Grazing Lease Renewal

Montana Fish, Wildlife & Parks
Region 3, Bozeman
March 2013

Preface

The enclosed Decision Notice has been prepared to maintain a coordinated rest-rotation grazing program on Fleecer Wildlife Management Area (WMA) near Divide, MT, for a six-year term to extend April 2013 through October 2018. The program, which began in 1982 and has been in effect in its current format since 1987, consists of a spring grazing exchange agreement (500 Animal Unit Months, AUM) with Smith 6 Bar S Livestock and a separate fall fee-grazing agreement (94 AUM) with Smith 6 Bar S Livestock and Russel Dupuis.

The proposed grazing program would encompass 3,700 acres owned by FWP, 875 acres that FWP leases from Montana Department of Natural Resources and Conservation (DNRC), 1,920 acres owned by Smith 6 Bar S Livestock, and 640 acres that Smith 6 Bar S Livestock leases from DNRC. There are an additional 9,920 acres of Forest Service land incorporated in this coordinated grazing system. Total acreage affected by the proposed action is 17,055 acres.

The Fleecer WMA Coordinated Grazing System allows for landscape level management of elk winter range across ownerships and has demonstrated the compatibility of livestock production and wildlife/recreation-based economies over the past 30 years.

Public Process and Comments

FWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of a proposed action to the human and physical environment. An Environmental Assessment (EA) in compliance with MEPA was completed for the proposed project by FWP and released for public comment on February 5, 2013.

The following three alternatives were considered in this Environmental Assessment:
Alternative A: Renewal of both the spring and fall grazing leases on Fleecer WMA.
Alternative B: Renewal of only the spring or only the fall grazing lease on Fleecer WMA.
Alternative C: Elimination of livestock grazing on the Fleecer WMA.

Public comments were taken for 39 days (through March 15, 2013). Legal notices were printed in the *Montana Standard* (Butte) and the *Leader* (Anaconda). The Environmental Assessment was also posted on the FWP webpage: http://fwp.mt.gov//publicnotices/.

Fifteen parties submitted comments. Of these respondents, four represented themselves while eleven represented the following organizations or agencies: Beaverhead-Deerlodge National Forest, Public Lands/Water Access Association, Anaconda Sportsmen, Skyline Sportsmen, Southwest Montana Stockman's Association, Big Hole Watershed, Western Watersheds Project, Gallatin Wildlife Association, Montana Wildlife Federation, Montana Rivers, and Helena Hunters and Anglers.

Of the fifteen respondents, eight stated support for Alternative A. Six parties either stated or implied support for Alternative C. One party, representing Helena Hunters and Anglers, did not clearly state nor imply support for any of the alternatives but did provide four points of concern that have been addressed in the Decision Notice.

Following is a summary of the comments received regarding the grazing lease renewal on Fleecer Wildlife Management Area and FWP's response to them.

Support for Alternative A

Eight parties supported this alternative. Two respondents represented themselves. Six parties represented: Beaverhead-Deerlodge National Forest, Public Lands/Water Access Coalition, Anaconda Sportsmen, Skyline Sportsmen, Southwest Montana Stockman's Association, and the Big Hole Watershed Committee/Wildlife Subcommittee.

The following statements were made in support of continuing the spring and fall grazing leases on Fleecer WMA:

- Dave Sabo, Butte District Ranger, Beaverhead-Deerlodge National Forest: "*Renewal of these leases will enable the continuation of the cooperative grazing system between MT FWP, B-D NF, and adjacent private landowners. I believe the cooperation between our two agencies and the private landowners over the past 25 years has benefited resources on all ownerships in the Fleecer area. I look forward to that cooperation continuing.*"

- Public Lands/Water Access Coalition, Anaconda Sportsmen, and Skyline Sportsmen: "*Both the Anaconda Sportsmen and Skyline Sportsmen's Club have been involved with the original purchase of the (Fleecer) game range and subsequent grazing methods used to benefit both livestock and wildlife. … The Smith family were exceptional folks to work with and even took out some old fencing that was hindering the movement of wildlife and modified their fencing so that it was more wildlife friendly. … In our opinion, the rest-rotation grazing system on Fleecer Game Range has been very beneficial, not only for livestock, but also the large numbers of wildlife throughout the entire area.... The system is working well, it is not broken, and our groups will go to any lengths to protect Fleecer Game Range as it exists today."*

- Southwest Montana Stockman's Association: "*This arrangement has been a very successful collaboration of management between several different entities that in general often have difficulties working together. Not only are the objectives of each entity enhanced in this situation, the overall health of the ecosystem benefits as well.*"

- Big Hole Watershed Committee/Wildlife Subcommittee: "*Managing for a sustainable range resource requires that the ecological, economic, and social components of sustainability all be addressed. Alternative A in the EA describing the past management of this resource achieves the goal of sustainable management far better than the other proposed alternatives and in a holistic manner considering all the uses and parties involved. This management scenario that includes all interested parties, all uses, and all landownership entities is a model that needs to be used more west-wide to provide better stewardship on the range resource. The BHWC and the Wildlife Committee in particular are looking at these kinds of relationships to find solutions for problems that have been caused by ownership fragmentation of the total resource we live in.*"

- *"Many of the research articles I had read over the years as a rangeland ecologist with the USDA-NRCS (now retired) showed possible conflicts between elk and cattle grazing mainly when the cattle grazing occurred in the summer. In the case of Fleecer WMA the cattle are not used in the growing season. The fact that the livestock are able to maintain the vegetation so the elk will use the entire area is proof that no one area is over-utilized at the expense of another area. Since wildlife know no boundaries it is essential to work with adjacent landowners to allow the elk to flourish without damaging the resource."*

- *"This alternative allows the Montana Department of Fish, Wildlife and Parks to be involved in the management of over 7,000 acres, instead of 4,575 acres,….I encourage the MT Dept. Fish, Wildlife & Parks to consider developing an interpretative plan to help increase public understanding of the range and wildlife management concepts applied at Fleecer and the benefits of engaging in the cooperative management of this rangeland."*

Additional information (though not submitted as an official response to this EA) from Gary Swant of GoBirdMontana, LLC includes the following based on bird survey work he was contracted through FWP to do on Fleecer WMA in 2010:

> "*Grazing (on Fleecer WMA) is conducted early in the spring before the breeding season for native birds and again in the fall after birds of the year have fledged. Cattle grazing can be a concern if grasslands are cropped to close and protection for ground dwelling bird species is inadequate. Food sources can also be unavailable due to lack of grass and forb seeds which are used directly by birds or through the food chain via rodents to birds of prey. Riparian areas are extremely fragile and easily damaged. Again I did not observe physical degradation of these areas, nor were bird species and densities low in these areas.*
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> *"In the grasslands, I found good numbers of Vesper and Savannah Sparrows, Western Meadowlarks, Gray Partridge, and Horned Larks indicating good grassland conditions. There were also Long-billed Curlews breeding in these grasslands indicating a healthy*

habitat. Fleecer WMA also has a sagebrush habitat that is easily damaged, and it is in good condition. Again, indicator species were found that supports a healthy environment.

"Another indicator of healthy grasslands is the number of raptors that feed on rodents and insects which are dependent on healthy grasslands. Species found at Fleecer WMA include Northern Harrier, Sharp-shinned Hawk, Cooper's Hawk, Northern Goshawk, Red-tailed Hawk, Rough-legged hawk, Golden eagle, American Kestrel, Merlin, Turkey vulture and Prairie Falcon.

"There were no expected species that I did not find in these surveys…It is my opinion, based on the field work that I did in 2010, cattle grazing is stimulating the short and tall grass habitats of Fleecer WMA, without damaging the riparian habitat. Fleecer is a good example of how both sportsman, hikers, birders, and the cattle industry can benefit from multi-use management."

<u>Support for Alternative C</u>

Six parties either stated or implied support for Alternative C. Two parties, both representing themselves, stated that they supported Alternative C. One party, representing Gallatin Wildlife Association, supported Alternative C or an additional alternative of using prescriptive grazing instead of a rest-rotation program on Fleecer WMA. Two parties (representing Montana Wildlife Federation and Western Watersheds Project) submitted comments that were either identical to those provided by Gallatin Wildlife Association or stated their support for the comments submitted by Gallatin Wildlife Association. FWP, by inference, assumes that these parties support Alternative C as well. One party, representing Montana Rivers, did not clearly state support for Alternative C but judging from the comments, implied support for Alternative C.

One party, representing Helena Hunters and Anglers, did not clearly state nor imply support for any of the alternatives. This party did, however, provide four points of concern that are addressed below.

The following summarizes comments that were received from respondents that supported or implied support for Alternative C:

1. Several respondents commented that 10 years is too long for the term of the grazing lease. The following reasons were given:
   - Livestock use should be assessed and permitted on an annual basis. A ten year permitting horizon is probably excessive given the scientific predictions that climate change is a reality and extensive drought conditions are part of probable impacts.

   - Term of the lease should be three years. There are strained landowner/sportsmen relations; the Fleecer WMA management plan is not yet done; statewide review of livestock use/impacts on WMAs is not yet complete; a ten-year lease would preclude FWP from testing any other habitat management/improvement methods; and livestock impacts to native wildlife and native habitats are at best controversial.

- The 10-year term seems to be largely to the benefit of the individual rancher instead of allowing maximum flexibility to FWP and its ability to manage the area for wildlife.

FWP's response: FWP is reducing the initial proposed lease term from ten years to six years.

The FWP grazing lease agreement allows for either party to terminate the lease at any time if they deem necessary. Termination of grazing leases at FWP's request have occurred before when conditions of the grazing program no longer met the department's objectives. This stipulation in the agreement gives FWP the flexibility to adaptively manage WMA's regardless of the length of the grazing lease.

The Fleecer area is a relatively arid ecosystem. The grazing program was designed with this in mind, i.e. stocking rates, timing of usage, guaranteed rest pastures across three ownerships. The lease agreement additionally includes language that addresses annual variation in moisture. Specifically it states that "on" and "off" dates could be adjusted by FWP personnel administering the lease if vegetative conditions warrant. This includes an understanding that livestock would not be allowed to graze the WMA under extremely dry conditions. This allowance again has been exercised successfully by FWP in the past, with full cooperation of the lessees.

FWP is not aware of strained landowner/sportsmen relations that are occurring with the 6 Bar S Ranch. This ranch has been enrolled in Block Management since 1996. They have three parcels of land totaling more than 6,000 acres enrolled in the program. They additionally allow free hunter access to their land along the Big Hole River that is not in the Block Management program. Property owned by Smith 6 Bar S provides an average of over 1,000 hunter days annually.

While the management plan for Fleecer WMA has not yet been finalized, it is expected that the grazing plan as proposed in this Environmental Assessment will continue to be part of the overall management of the WMA. There are 30 years of application that show that the objectives of the WMA (generally, to maintain biodiversity of the area while maximizing recreational opportunities) are being met while engaged in this cooperative program. Note that it is a priority for the Butte Area Wildlife Biologist to complete the Fleecer WMA Management Plan in 2013.

FWP is currently conducting a systematic review of its grazing leases in order to better define the use of livestock grazing as a management tool. A draft review is expected to be completed in 2013. FWP will work with the lessees to incorporate any changes to the Fleecer grazing program resulting from this review.

2. Several respondents want to see fair market value received for grazing fees so that the fees cover the costs of FWP evaluation and administering the grazing program (cost/benefit analysis).

FWP's response: The draft EA incorrectly states that this fee is "fair market value" (pp. 5, 7 and 15) when in fact it is the annual Department of Natural Resource and Conservation grazing rate which is being charged. FWP regrets this mistake and any confusion it may have caused.

The spring grazing lease is an exchange of use with the Smith 6 Bar S Ranch (i.e. FWP receives payment in the form of a rested pasture on private land that is on elk winter range) while the fall grazing lease is fee-based set at the annual DNRC rate, as explained in the draft EA (p.5). There are two grazing rate options that FWP can choose regarding the fall lease fee. One is the FWP rate, set at $20.50 per Animal Unit Month (AUM) for 2013; the other is the rate set by the Department of Natural Resources and Conservation, which is $9.94 per AUM for 2013. Both rates fluctuate annually, depending on market conditions. FWP has chosen to charge the DNRC rate on the Fleecer grazing lease with the condition that lessees are responsible for routine fence maintenance and repair (both during the spring and fall). Although this equates to less income derived from grazing fees, in the long run it has proved economical for the department by not having to commit a seasonal employee to fence maintenance during the grazing system, freeing up that employee to spend their time on other WMA-related projects instead.

3. Several respondents requested better accounting of the costs associated with the Fleecer WMA Grazing Program.

FWP's response: Operation and maintenance costs associated with the Fleecer WMA grazing program since 1988 include $400 for the annual DNRC Pasture Agreement ($25/yr x 16 years) and approximately $120,000 for pasture fencing. Anticipated O&M costs associated with the 2013-2018 lease are $100 for the DNRC Pasture Agreement (only gets paid when cattle are in the pasture with DNRC land, i.e. two out of every three years) and an estimated $36,000 for fencing (based on previous expenditures). These are the direct costs of allowing livestock grazing on Fleecer WMA. It should be noted that in the absence of this grazing program, especially the spring grazing exchange with the adjacent Smith 6 Bar S Ranch, much of these costs would be redirected toward providing game damage assistance to the Smiths. The current grazing exchange program has helped to greatly reduce requests for game damage assistance in the 30 years that the coordinated Fleecer grazing program has been in place.

It is estimated that on an annual basis the implementation of the grazing program on Fleecer WMA takes on average approximately 5 days of the wildlife biologist's time, 1 day of the statewide grazing coordinator's time, 1 day of the Region 3 wildlife manager's time, 3 days of the design engineer's time (when there is a grazing-related maintenance project), 3 days of the Region 3 WMA manager's time, and 3 days of a seasonal technician's time, for personnel and administrative costs. The amount of time to conduct this Environmental Assessment has been approximately t 10 days of the biologist's time, 2 days of the Region three wildlife manager's time, 2 days of the Region 3 Supervisor's time, 1 day of the statewide Habitat Bureau Chief's time, and 4 days of administrative assistant time.

4. Several respondents stated that they would like to see FWP complete the Fleecer WMA management plan.

FWP's response: It is a priority for the Butte Area Wildlife Biologist to complete the Fleecer WMA Management Plan in 2013.

5. Several respondents stated that the objectives for Fleecer WMA should not focus on livestock but rather on wildlife, including moose, antelope and mule deer. One respondent stated that the objective of increasing cattle conflicts with increasing wildlife.

FWP's response: FWP agrees that the objectives for Fleecer WMA and all WMA's should focus on wildlife and wildlife habitat and not on livestock. Indeed this is the case. FWP uses livestock grazing in an intelligent and ecological way as a management tool to improve conditions for wildlife and their habitat, as has been stated in this and other grazing lease renewal EA's. This includes not only elk but mule deer, white-tailed deer, antelope, moose, small mammals, upland and song birds, and other native species on Fleecer WMA.

It appears that some of the respondents confused the objectives of the coordinated grazing program, which were mutually agreed upon by Smith 6 Bar S and the public agencies, as being the objectives for the WMA. The objectives listed in the draft EA (p. 3) are those of the Fleecer coordinated grazing program.

Page ten of the draft EA discusses how the Fleecer elk herd grew from just a few hundred animals at the time FWP acquired the game range to over 1,400 elk during the late 1990's. This increase in elk numbers occurred while the grazing program on Fleecer WMA was in place and the Smith 6 Bar S Ranch was running a viable cattle operation.

6. Two respondents requested a site visit to Fleecer WMA this spring when the cattle are on the WMA and before the final decision on the proposed action is made.

FWP's response: Fleecer WMA is open to the public from May 15th (gates open at noon) through December 1st. Respondents are encouraged to visit the WMA anytime during this period. Grazing leases go before the FWP Commission for approval on April 11th. Cattle will not be put on the WMA until the decision on this proposed action is made and approved.

7. One respondent has questioned the inconsistency in allowing livestock producers and their cattle on the WMA in April while the general public is not allowed on the WMA until May 15th.

FWP's response: FWP has chosen to utilize livestock grazing as a tool to remove old plant matter in the spring and to do so prior to the rapid growing period of current year's vegetation. The timing of this is generally mid-April to late-May. During this time, the permittees are on the WMA on several occasions to monitor their cattle. This is usually done on horseback so as to limit resource damage to the ground. Given the local conditions of Fleecer WMA, road conditions are too wet to allow travel by the general public in April; thus the mid-May opening of the WMA.

8. Two respondents stated that there was not sufficient input from interest groups prior to the alternatives for the EA being established.

FWP's response: FWP did not feel that scoping was necessary since the proposed action is to renew a lease for a program that has been in existence for 30 years. The local FWP wildlife biologist did, however, discuss this proposal with local sportsmen groups prior to developing the EA.

9. One respondent commented that the effects of drought and climate change have not been taken into account with this grazing program and would like to see FWP embrace climate-smart approaches and management adaptations. The respondent provided FWP with a list of resources for local climate conditions.

FWP's response: FWP has done this, as early as 30 years ago. The local climate conditions of the Fleecer area (i.e. arid), as explained in #1, were taken into consideration when the grazing program was designed. Climate conditions are taken into consideration annually through monitoring of range conditions. FWP thanks the respondent for the climate resources.

10. Several respondents strongly object to the use of the term "decadent vegetation", stating that there is much debate about whether dead grass leaves are "decadent" or serve a valuable ecological function.

FWP's response: The respondents' point is well made. More accurate terminology will be used in the future.

11. Two respondents suggest that targeted prescribed fire rather than cattle would be a much more effective tool in reducing decadent vegetation on Fleecer WMA, and that the use of prescribed fire would have fewer negative impacts on wildlife than livestock grazing. One respondent suggested that "mixed"-"severe" fires that result under extreme fire weather actually create the greatest biodiversity, and FWP should be doing what it can to promote such events.

FWP's response: there are two main reasons why FWP will not consider prescribed fire as a management tool on Fleecer WMA:

1) *Human Safety – Fleecer WMA is a mile wide swath of primarily open grasslands located on a mountainside. The prevailing winds come off the top of Fleecer Mountain from the west. To the east of the WMA are private lands and dwellings, and Interstate 15. This is not a site conducive for "controlled" burns that likely will be out of control.*

2) *Wildlife habitat – the southern portion of Fleecer WMA contains sagebrush-curlleaf mountain mahogany habitat that is highly valuable to wintering mule deer, elk, and numerous small mammal and bird species. The sagebrush community on the WMA is unique in that it contains three of four Big Sagebrush species – Basin, Mountain, and Wyoming. All three of these sagebrush species, in addition to curlleaf mountain mahogany, are long-growing plants that reproduce only through seeds. Because of this, these important shrubs are highly fire-intolerant. Prescribed fire is not the appropriate tool to be used for habitat management on Fleecer WMA.*

12. Several respondents inquired about reseeding areas of nonnative grasses (i.e. smooth brome) rather than using livestock grazing as a tool to improve vegetative conditions.

FWP's response: As explained in the EA (p.7), there is a residual hayfield of smooth brome located on the WMA. Livestock grazing is used to remove the old grass, which is not palatable to elk, so that the grass of the year is more available to wintering elk. In order to reseed the

smooth brome patch with native vegetation, the ground and soil would have to be disced and reseeded for several years, with the results not guaranteed given the nature of smooth brome. This option would leave the area at risk for weed infestation and is not the desired approach that FWP would like to take.

13. One respondent questioned how Alternative A could provide "maximum rest" when this is the alternative that provides for the most livestock use. They felt that Alternative C (No Action) provides "maximum rest" of the alternatives reviewed.

FWP's response: Clarification - the statement that Alternative A provides maximum rest was made within the context of this grazing program design, not in comparison to Alternative C.

14. Two respondents felt there was a factual error on page 9 of the EA regarding the use of the term "relatively low" when applied to the spring and fall stocking rates.

FWP's response: FWP's use of the term "relatively low" was applied to both the spring and fall stocking rates within the context of stocking rates on other allotments with similar conditions. The respondents apparently thought the term was used to compare spring stocking rates to fall rates. If this had been the case, then the respondents' comment would have been correct.

15. Two respondents felt that the EA did not adequately evaluate the impacts of livestock to salting , riparian, and aspen areas.

FWP's response: On page 10 of the EA, it mentions that salt/mineral blocks will be placed on rocky areas and hard-packed ground. These are naturally occurring areas. The use of these sites for salting does not create additional hardened sites on the WMA. Dry cows are put on the WMA in the spring rather than cow-calf pairs. They have less of a tendency to bunch up and are more widely distributed across the pasture. In the fall, cows with 1-2 month old calves are put on the WMA. At this age, calves are still suckling rather than eating vegetation. Cattle are less likely to congregate at riparian areas or aspen stands on the WMA in the spring and fall due to the cooler weather and often presence of snow that provides moisture to cattle. The EA discussed the impact of livestock and elk on aspen (p. 9) citing work done by Keigley and Frisina (2008) where findings showed that elk were primarily responsible for observed impacts to aspen. As stated on page 3 of this Decision Notice regarding a professional survey and inventory of birds utilitizing the WMA, riparian areas were found to support the expected species in the expected densities on Fleecer WMA, suggesting healthy riparian communities. Vegetation monitoring and results were discussed in the EA (p. 8).

16. Two respondents state that the EA fails to mention decomposers, micro-consumers and burrowing mammals.

FWP's response: While these important components of the ecosystem were not mentioned directly, they were taken into consideration indirectly through descriptions and discussion of the vegetation and wildlife communities on the WMA (pp. 8-12). Small mammal and bird surveys have been conducted on the WMA in recent years. Data collected at permanent vegetation exclosures (as described on p. 8 of the EA) include percent cover of vegetation, lichen, moss,

rock, bare soil, and litter in addition to soil characteristics that measure the micro-conditions of the site. Collectively, these data can be seen as surrogates to decomposers, micro-consumers and burrowing mammals from a top-down perspective; i.e. if the habitat supports healthy communities of consumers such as elk and raptors, then it stands to reason that lesser consumers and components of the ecosystem are healthy as well.

17. Two respondents that the EA does not adequately review the adverse impacts of fencing on wildlife.

FWP's response: It is not the role of this EA to review the role of fencing on wildlife in general but to discuss that which pertains to the Fleecer WMA. As such, there are 2 types of fencing on Fleecer WMA: boundary fencing and interior pasture fencing. The boundary fencing would be in place regardless of the coordinated grazing program since the lands surrounding the WMA are being grazed by livestock. This fence is primarily 4-strand wire fencing built to wildlife-friendly specifics. The pasture fencing is only needed because of the coordinated grazing program. However, it is single-strand electric wire fencing that is only put up when the cattle are in the pasture. During the rest of the year, the fencing is taken down. The permittee is responsible for erecting this fence.

18. Two respondents felt that the EA did not adequately review the impacts of livestock competing for food, space and water with native wildlife.

FWP's response: Because of the timing and spatial use of this grazing design, FWP feels there are very few impacts to native wildlife in competition with livestock for resources. In the spring, antelope, deer and elk are beginning to migrate off the WMA, to their fawning/calving and summer ranges. In the fall when cattle are on the WMA, native ungulates have not yet returned to their winter range. As noted by Swant, grazing occurs outside of the bird nesting period and therefore does not impact it.

19. Several respondents questioned the impacts of livestock use on weed infestations.

FWP's response: Livestock use of Fleecer WMA does have the potential to spread weeds. However, even if this grazing program were discontinued, the likelihood of weed spread still exists from recreationists and 700+ elk that winter on the WMA. FWP has an active weed management program, as mentioned in the EA (p.9).

20. Two respondents felt the EA did not adequately review the impacts of livestock use on conifer encroachment.

FWP's response: There is a minimal amount of conifer within the pastures of the Fleecer WMA grazing system.

21. Two respondents felt the EA did not adequately review the impacts of livestock use on disease transmission issues.

FWP's response: There have been no known cases of disease transmission between livestock and wildlife in the Fleecer WMA area.

22. Two respondents felt the EA did not adequately review the impacts of livestock use on the limited water sources on the WMA.

FWP's response: Please see the response to #15.

23. Two respondents expressed concern over the monitoring and compliance of the Fleecer WMA grazing program.

FWP's response: The Butte Area Wildlife Biologist is responsible for monitoring range conditions, including the spring removal trigger, and ensuring that compliance is occurring. They have and will continue to conduct this compliance work in a timely way.

24. One respondent asked why the renewal of the Fleecer WMA grazing lease is not coordinated with the Forest Service's National Environmental Policy Act process on adjacent federal allotments that are part of this grazing program.

FWP's response: Although this is a coordinated grazing program, state and federal assessments and decisions remain independent. The Forest Service is schedule to review the Allotment Management Plan for Fleecer no sooner than 2015, through the NEPA process.

25. Several respondents questioned the utility and specifics of spring and fall grazing, stating that:
    - Spring grazing is too early; there's spatial competition with wintering/calving elk, mule deer, moose or antelope; and impacts to ground nesting upland game birds.

    - Fall grazing removes cool season grasses such as bluebunch wheatgrass which have the potential to regrow in the fall; and negative impacts of the removal of residual cover for nesting/fawning/calving and/or organic matter and watershed protection.

    FWP's response: The reasons for spring- and fall grazing on Fleecer WMA were explained in the EA (p. 5). It should be additionally noted that while Fleecer WMA is important winter range for elk and mule deer, it does not serve as calving range. Moose, as explained in the EA, are only transitory on the WMA. Only about half of the 120 or so antelope that winter on Fleecer WMA are resident to the area and do fawn on the WMA or adjacent land. Livestock grazing has minimal impact to antelope fawning because of the timing of grazing with respect to fawning, the dispersed nature of the cattle, and the fact that two thirds of the WMA is not being utilized. A comprehensive bird survey conducted in 2010 on Fleecer WMA found no impacts due to grazing to ground-nesting birds, both song- and game birds (G. Swant, personal comment). It should also be noted that because of the elevation of Fleecer WMA, spring green-up in general, and the rapid growth phase of bluebunch wheatgrass in particular, occurs later here than on the valley bottoms of southwest Montana, such as the Gallatin Valley. Lastly, while green-up of

some vegetation does occur during the spring grazing period, impacts to growing vegetation are minimized when followed by rest for the remainder of the growing season.

Vegetation has cured by the time livestock return to graze the WMA in the fall (Oct 1-15). Any late-season regrowth is minimal at this time, especially given the dry conditions that exist in the Fleecer area. Stocking rates are light, leaving plenty of residual cover on the ground. An additional benefit of cattle grazing at this time of year is that hoof action helps to set seed in the ground for better sprouting potential.

26. Two respondents offered numerous general criticisms about what they believed to be incorrect facts and misleading statements in the EA.

FWP's response: FWP stands behind this assessment as stated, based on monitoring, field observations, scientific literature, and expertise of their wildlife professionals.

27. Several respondents felt that there was an inadequate review of the scientific literature regarding the potential impacts of livestock grazing on wildlife. One respondent asked if FWP would be willing to supplement the draft EA with the science they (Gallatin Wildlife Association) had provided.

FWP's response: The Butte Area Wildlife Biologist reviewed the list of scientific literature that the respondent provided, in addition to a few others. Initial review reduced the list from 62 references down to 25 papers that were most relevant to Fleecer WMA. The biologist did not review papers that focused on bighorn sheep, sharptailed grouse or sage grouse since these species do not regularly occupy habitat on Fleecer WMA, if at all. In addition, papers whose study sites were vastly different from the Fleecer ecosystem (e.g. Sonoran desert) were not reviewed since their relevance was minimal. "Analyses of grazing must be ecosystem-specific," to quote Thomas Fleischner (Curtin et al, 1995).

Review of this literature, while providing further knowledge and generating thoughts, did not cause a departure from the belief that livestock grazing, when applied in an ecologically intelligent fashion such as what's been practiced and proposed for continued practice of the Fleecer Coordinated Grazing Program, is an effective management tool for wildlife and its habitat. The Butte Area Wildlife Biologist is willing to meet with any of the respondents to discuss her literature review in detail.

Below is the list of literature included in the review. Those citations denoted by "" were added to the respondent's list by the Butte Area Wildlife Biologist.*

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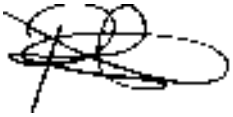
Final Environmental Assessment

Slight modifications to the Draft Environmental Assessment have been made as noted in the FWP response to comments above. The Draft Environmental Assessment, together with this Decision Notice, will serve as the final document for this proposal.

Decision

It is my decision, based on the Environmental Assessment and public comment to approve the implementation of Alternative A for renewal of both the spring and fall grazing leases on Fleecer WMA, that there will be no significant impacts on the human and physical environments associated with this project. I therefore conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.



March 26, 2013

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Patrick J. Flowers
Region 3 Supervisor
Montana Fish, Wildlife & Parks

Date