

Scoping Notice for the Purchase of the Grazing Rights From the Royal Teton Ranch

In the year 2000 the Montana Department of Livestock, Montana Fish, Wildlife and Parks, Yellowstone National Park, Gallatin National Forest and the Animal and Plant Health Inspection Service adopted the Interagency Bison Management Plan (IBMP) that provides the framework for managing bison in Montana that migrate out of Yellowstone National Park (YNP). The IBMP is intended to maintain a wild, free-ranging population of bison, and address the risk of brucellosis transmission to protect the economic interest and viability of the livestock industry in Montana. The risk of transmission is primarily limited by providing for spatial and temporal separation of bison and domestic cattle.

The IBMP describes a three-step adaptive management process for lands west and north of YNP with the successive steps triggered by management actions. On the north side of YNP the second adaptive step begins when cattle no longer graze private lands outside YNP on portions of lands known as the Royal Teton Ranch (RTR).

Montana Fish, Wildlife and Parks and the Gallatin National Forest are jointly scoping to determine if the agencies should purchase the grazing rights from the Royal Teton Ranch for a 30-year period, and authorize, install, and maintain fencing and cattle-guards necessary to keep bison in acceptable areas as described in the IBMP. Fencing is required as part of the grazing rights purchase agreement with the RTR to reduce the risk of property damage and human injury. These actions would enable the IBMP partners to implement step two of the IBMP and allow specific numbers of bison to occupy portions of management zone 2 north of YNP.

The project area is located north of Gardiner, Montana, and Yellowstone National Park, south of Yankee Jim Canyon, and west of the Yellowstone River (see attached vicinity map).

Montana Fish, Wildlife and Parks' proposed action is whether or not to enter into a 30-year agreement with the RTR and commit approximately \$300,000 towards purchase of the grazing rights from the Royal Teton Ranch.

The Gallatin National Forest is proposing to authorize installation and maintenance of fencing described above on National Forest System lands and on RTR property where the United States holds a conservation easement (Devils Slide Conservation Easement, 1999).

The Gallatin National Forest believes the fencing proposal fits within one or more categories of actions that can be excluded from documentation in an environmental assessment or an environmental impact statement. These categories may include:

- Forest Service Handbook 1909.15 [31.2(3)] – Approval, modification, or continuation of minor special uses of National Forest System lands that require less than five contiguous acres of land.
- Forest Service Handbook 1909.15 [31.2(6)] – Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction (service level D, FSH 7709.56).

- Forest Service Handbook 1909.15 [31.2(9)] – Implementation or modification of minor management practices to improve allotment condition or animal distribution when Allotment Management Plan is not yet in place.

Montana Fish, Wildlife and Parks and the Gallatin National Forest are asking for comments on these proposals until August 11, 2008. To be most helpful, comments should be substantive and specific to the proposed actions being considered. They should include: (1) name, address, telephone number, and organization represented, if any; (2) title of the action (i.e. “RTR Grazing Rights Purchase”); (3) specific facts and supporting reasons to consider; and (4) signatures.

Comments should be mailed or emailed to:

Montana Fish, Wildlife and Parks
Attention: RTR Grazing Rights Purchase
1420 East Sixth Avenue
P.O. Box 200701
Helena, MT 59620-0701
RTRgrazing@mt.gov

In addition, an open house on the proposed action will occur on July 30, 2008, at the Gardiner Community Center from 4:00 p.m. to 7:00 p.m. The Community Center is located in the old Eagle’s Hall on Main Street in Gardiner.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record and will be available for public inspection. Comments submitted anonymously will be accepted and considered. Additionally, pursuant to 7 CFR 1.27(d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without name and address.

Patrick J. Flowers
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Montana Fish, Wildlife and Parks

Ken Britton
Gardiner District Ranger
Gallatin National Forest

Date: July 11, 2008