

*Amendment 28*

**Decision Notice,  
Finding of No Significant Impact,  
and Designation Order**

for

**LOST WATER CANYON  
RESEARCH NATURAL AREA**

Beartooth Ranger District  
Custer National Forest  
Carbon County, Montana

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*Legal notice publication date 7/28/94  
and appeal period 9/12/94*

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**I. DESIGNATION ORDER**

By virtue of the authority delegated to me by the Chief of the Forest Service in Forest Service Manual Section 4063, I hereby establish the Lost Water Canyon Research Natural Area (RNA). It shall be comprised of 3,645 acres of lands in Carbon County, Montana, on the Beartooth Ranger District of the Custer National Forest, as described in the section of the Establishment Record (EA, Appendix A) entitled "Location".

The Custer National Forest Supervisor recommended the establishment of this RNA in the Establishment Record for Lost Water Canyon RNA dated 1994. The Intermountain Station Director concurred with that recommendation. That recommendation was the result of an analysis of the factors listed in 36 CFR 219.25 and Forest Service Manual 4063.41. Results of the analysis are documented in the Forest Plan, Forest Plan Final Environmental Impact Statement, and the Environmental Assessment for this action.

**II. DECISION**

Based on the information disclosed in the Environmental Assessment, it is my decision to select Alternative 4, to establish Lost Water Canyon as a RNA with a boundary modified from that outlined in the Forest Plan. With this decision, I am amending the Custer Forest Plan to change the status of the Lost Water Canyon RNA from "proposed" to "established." I am also modifying its boundary to that described under "Location" in the Establishment Record. Management Area L will be increase by 1,889 acres, but this increased portion will remain within the existing exterior boundary of Management Area H (Recommended Wilderness). This is a non-significant Forest Plan amendment [36 CFR 219.10(f)]. See the appendix of this document for the full text of this amendment.

Since the Forest Plan was approved in 1987, new information from field inspection led to a proposed modification to the proposed boundary as outlined in the Forest Plan. Alternative 4 addresses this new information.

Lost Water Canyon RNA will be managed in compliance with all relevant laws, regulation, and Forest Service Manual direction regarding RNAs and in accordance with the management direction identified in the Forest Plan, as amended.

Lost Water Canyon RNA is within an area proposed for wilderness under HR 2473 (the Williams bill). This decision will not compromise the consideration of this area for wilderness under this bill.

### III. RATIONALE FOR DECISION

The selected Alternative 4--"Designate RNA Modifying Forest Plan Proposal" fully meets the objectives of the Lost Water RNA. Alternative 4 best meets the primary objectives of the RNA by maintaining its plant communities, rare plant populations, and geologic features in a natural condition. The area serves as a baseline area for monitoring long-term ecological changes, especially in those communities dominated by Douglas-fir, found near its eastern limit, and in subalpine grasslands. The RNA also serves as an intact watershed for study of limestone bedrock hydrology. The RNA also provides a protected site for long-term monitoring of a large population of the regionally endemic plant *Shoshonea pulvinata*. Alternative 4 is selected because it provides long-term protection and recognition of these features with minimal conflicts with prior land uses and opportunities.

Alternative 1--"No Action" was not selected because it would only provide short-term protection of the Lost Water Canyon area and does not meet the objectives of the RNA system as discussed in the environmental assessment. Alternative 2--"Deny Designation" was not selected because it does not meet the objectives of the RNA system. Alternative 3--"Designate RNA as Proposed in the Forest Plan" was not selected because it would only partially meet the objectives of the RNA system as outlined in the environmental assessment.

### IV. PUBLIC INVOLVEMENT and ISSUES

A news release was published in the Carbon County Newspaper outlining the proposed action. Approximately 75 scoping letters were sent to potentially interested individuals, organizations, and agencies. Eight written responses were received. They consisted of three individual responses, three agency responses, and two responses from organizations. Through interdisciplinary internal scoping and external scoping, the Forest Service identified the following issues:

**\*Research Natural Area (RNA) system objectives:** Are the objectives of the RNA system being met? Should the proposed boundaries be adjusted?

**\*Wild Horses:** How would designation affect the management of the Pryor Mountain Wild Horse Range?

**\*Proposed Wilderness:** What are the potential impacts on managing for wilderness values of the proposed Lost Water Canyon Wilderness if the area is designated as a RNA?

**\*Mineral Resources:** A "no surface occupancy" stipulation may be required for oil and gas leases on designated RNAs, and withdrawal from entry for locatable minerals could be sought after designation. What would the impacts of RNA designation be on future mineral development?

### V. ALTERNATIVES CONSIDERED

The following alternatives are described in more detail in the Environmental Assessment.

**Alternative 1--Continue Existing Management:** Lost Water Canyon will remain as a proposed RNA. Management of the area will continue under the direction and standards outlined for Forest Plan management area L, proposed Lost Water Canyon RNA (No Action).

**Alternative 2--Deny RNA Designation:** Lost Water Canyon will not be designated as a RNA. Lost Water Canyon proposed RNA lies within the Lost Water Canyon proposed wilderness. If RNA classification of Lost Water Canyon is not made, then the area will revert to Forest Plan management area H (proposed Lost Water Canyon Wilderness).

**Alternative 3--Designate RNA as proposed.** The Forest Plan would be amended to reflect Lost Water Canyon going from a proposed 1,756 acre RNA to that of a formally designated RNA. The area would be managed under the management direction outlined in management area L (RNAs) of the Forest Plan.

**Alternative 4--Designate RNA with modification to proposal:** The Forest Plan would be amended to reflect Lost Water Canyon going from a proposed RNA to that of a formally designated RNA with modification to Forest Plan proposed boundary, increasing from Forest Plan allocation of 1,756 acres to 3,645 acres.

Under this alternative the proposed boundary for the RNA would be expanded to include the subalpine meadow system (650 acres) in the upper reaches of the watershed. It would also be expanded to include representation of sparse Douglas-fir with depauperate undergrowth (1,239 acres). Presently, both of these expansions fall within management area H, proposed Lost Water Canyon Wilderness.

## VI. FINDING OF NO SIGNIFICANT IMPACTS

The Environmental Assessment disclosed environmental effects regarding the proposed actions. It is determined that the alternative selected in this Decision Notice will not have a significant effect on the human environment considering context and intensity of impacts as follows (40 CFR 1508.27):

● **Context:** Although this is an addition to the national system of RNA's both short-term and long-term physical and biological effects are limited to the local area. There will not be significant effects to the local human environment.

● **Intensity:** The intensity of the proposed action regarding effects to the human environment have been considered. The intensity of the proposed actions are addressed immediately after each of the following ten citations outlined in the 40 CFR 1508.27 regulations:

1. *"Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial."*

There are no significant direct, indirect, or cumulative impacts on the resources associated with the decision being made: The direct, indirect, and cumulative effects disclosed in the Environmental Assessment are of low intensity, and none involve extraordinary circumstances or unknown conditions. All issues were addressed and meets Forest Plan goals and standards.

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

There were no public health or safety issues identified in the scoping process associated with the proposed actions.

3. *"Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas."*

The decision protects the unique values of the area.

4. *"The degree to which the effects on the quality of the human environment are likely to be highly controversial."*

The effects are not controversial. The RNA was selected in an area with minimal conflict with existing land uses.

5. *"The degree to which the effects on the quality of the human environment are highly uncertain or involve unique or unknown risks."*

The direct, indirect, and cumulative effects disclosed in the Environmental Assessment are of low intensity, and none involve extraordinary circumstances or unknown conditions.

6. *"The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration."*

This decision is not of a precedent setting nature, it will have no effect on, nor set precedent for future actions. Future management of the RNA is prescribed in the Establishment Record (EA, Appendix A), the Forest Plan, and the Forest Service 4063 Manual.

7. *"Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts."*

There are no significant cumulative effects.

8. *"The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources."*

There will be no adverse effect on any sites eligible for the National Register of Historical Places. Effects to cultural resources are of a positive nature where RNA designation affords protection to known sites.

9. *"The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973."*

There are no known Threatened or Endangered plant or animal species that will be adversely affected by this decision. A copy of the Biological Evaluation may be obtained from the administrative record maintained at the Beartooth Ranger District.

10. *"Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment."*

This decision is consistent with other Federal, State or local laws for the protection of the environment.

## VII. MONITORING AND EVALUATION

**Administration Records and Protection:** Administration and protection of Lost Water Canyon RNA will be the responsibility of the Custer National Forest. The Beartooth Ranger District has direct, day-to-day responsibility.

The Intermountain Research Station Director will be responsible for any studies or research conducted in the area, and requests to conduct research should be directed to him/her. The Station Director will evaluate research proposals and coordinate all RNA studies and research with the District Ranger. All plant and animal specimens collected in the course of RNA research will be properly preserved and maintained within university or federal agency herbaria and museums approved by the Station Director.

Records for Lost Water Canyon RNA will be maintained in the following offices:

Regional Forester, Northern Region, Missoula, Montana  
Forest Supervisor, Custer National Forest, Billings, Montana  
District Ranger, Beartooth Ranger District, Red Lodge, Montana  
Station Director, Intermountain Research Station, Ogden, Utah  
Intermountain Research Station, Forestry Sciences Laboratory, Missoula,  
Montana  
Montana Natural Heritage Program, Helena, Montana

**Archiving:** The Administrative Officer, Missoula Forestry Sciences Laboratory, Intermountain Research Station, will be responsible for maintaining data and reports from Lost Water Canyon RNA. Descriptive data on the RNA is stored in the computerized natural areas database maintained at the Northern Region office, Missoula, Montana.

**Vegetation Management:** Custer Forest Plan fire management guidelines for the RNA and proposed wilderness are to allow fire to generally play a natural role. The Custer Forest Plan prohibits planned ignitions, while unplanned ignitions may be used to perpetuate the wilderness character of the area or to support the objectives of maintaining natural ecosystems. If fire suppression is required, methods causing the least disturbance to soils and vegetation will be used.

Grazing by wild horses in the RNA is largely confined to subalpine grasslands and upper canyon areas in the northeast portion of the RNA. Periodic monitoring is recommended to ensure that RNA values are not compromised by such use.

#### VIII. FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

I conclude that this decision is consistent with the goals, objectives, and management standards of the Custer Forest Plan, as amended (36 CFR 219.27). Objectives and standards listed for Management Area L provide a general framework for management of Lost Water Canyon RNA. Standards for the recommended wilderness area (Management Area H) also apply to that portion of the RNA within Management Area H.

Management of the RNA is compatible with that of the recommended wilderness area, and does not compromise its consideration for wilderness designation. For that reason, this action is not in violation of the agreement between the Administration and Legislature concerning pending wilderness legislation (referred to as the Bumpers Agreement).

Because this action does not involve any activities on the ground, there will be no effects on cultural resources or wildlife that require coordination with other state or federal agencies.

Because the designation of this RNA would have a beneficial effect or no effect on any threatened, endangered, or sensitive species, no consultation with other agencies is required.

#### IX. NON-SIGNIFICANT AMENDMENT

This amendment does not result in a significant change in the Custer National Forest Plan. The determination that this is a non-significant amendment is made in accordance with the requirements of 16 U.S.C. 1640(f), 36 CFR 219.10(e) and (f), 36 CFR 219.12(k), and Forest Service Manual 1920 - Land and Resource Management Planning. Actions under this amendment do not significantly alter the multiple-use goals or objectives for long-term land and resource management nor significantly change the planned annual outputs for the Forest.

1604(+)[4]

**X. IMPLEMENTATION AND APPEAL PROVISIONS**

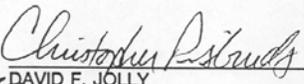
Legal notice of this decision will appear in the Billings Gazette, Great Falls Tribune, and the Missoulian. The Forest Supervisor of the Custer National Forest shall notify the public of this decision and mail a copy of the Decision Notice and Designation Order to all persons who have expressed interest.

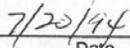
This decision is subject to appeal pursuant to 36 CFR 217. Two (2) copies of the Notice of Appeal must be in writing and submitted to:

Chief, USDA Forest Service  
14th and Independence Ave., S. W.  
P.O. Box 96090  
Washington, D. C. 20090-6090

The Notice of Appeal prepared pursuant to 36 CFR 217.9(b) must be submitted within 45 days from the date of legal notice of this decision.

Implementation of this decision may not occur for seven (7) calendar days following publication of the legal notice of this decision.

  
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DAVID F. JOLLY  
Regional Forester

  
\_\_\_\_\_  
Date

APPENDIX

**Forest Plan Amendment Number 28  
Custer National Forest  
Billings, Montana**

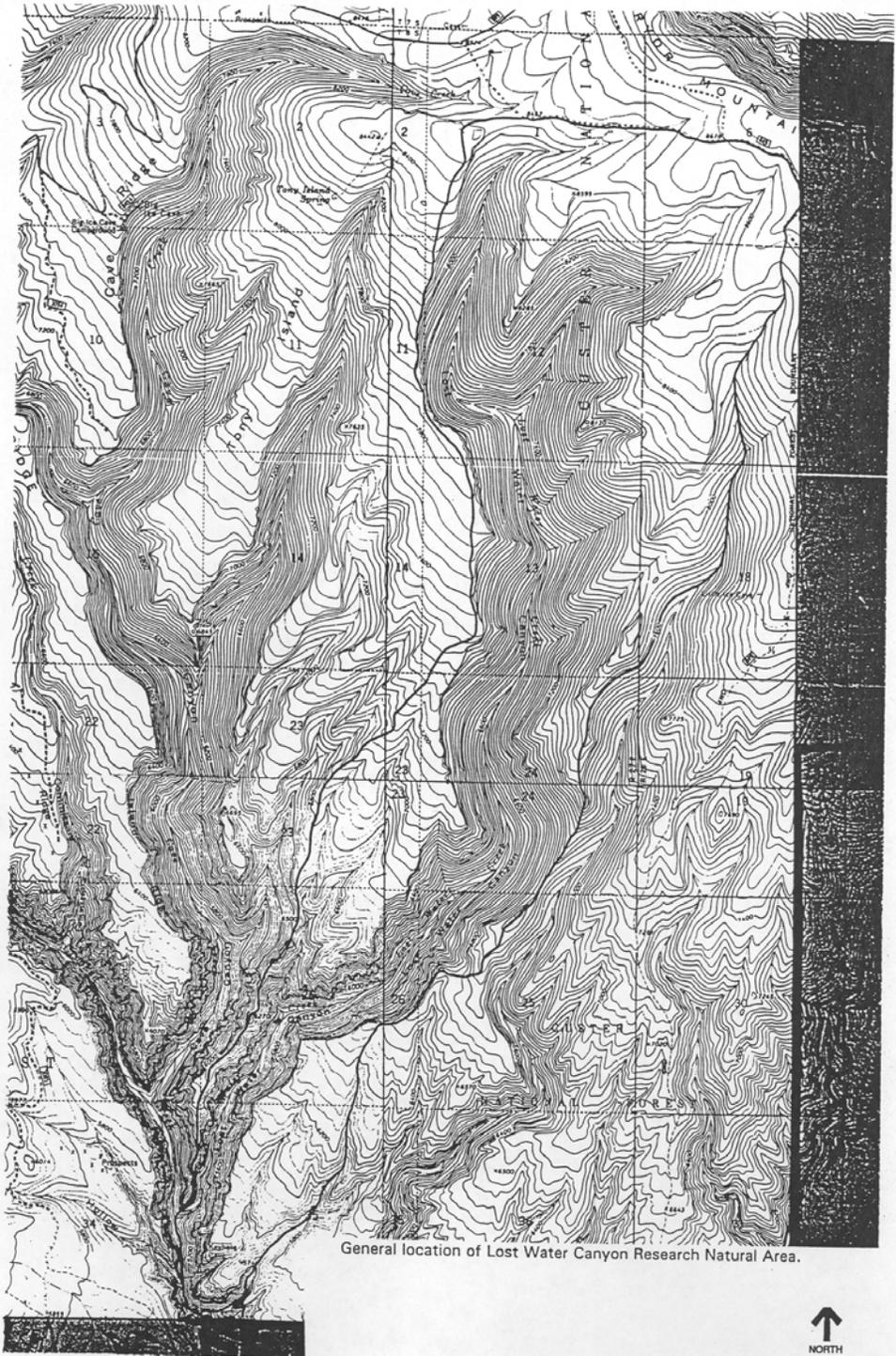
The Custer National Forest Land and Resource Management Plan is amended as follows:

- In the table in Forest Plan Amendment Number 18, the status of Lost Water Canyon is changed from "Proposed RNA" to "Established RNA."
- In the same table in Forest Plan Amendment Number 18, the acreage for Lost Water Canyon is changed from 1,756 acres to 3,645 acres with the following footnote:

1,756 acres of this RNA occurs in Management Area L as mapped in the Forest Plan. The remaining 1,889 occurs within the exterior boundary of the Lost Water Canyon portion of Management Area H (Recommended Wilderness) as described in the section entitled "Location" of the Establishment Record. The Forest Plan goals and management standards for both Management Areas H and L apply to the portion of the RNA within Management Area H.

- On page 67 under "A. Description", the next to last sentence of the first paragraph is changed to read: **"About 1,889 acres of the established Lost Water Canyon Research Natural Area falls within this management area."**
- On page 67 under "B. Goals", the last sentence is changed to read: **"If classification is not made, the portion of Lost Water Canyon within the established RNA will revert to Management Area L, the remaining Lost Water Canyon area will revert to Management Area J, and the areas adjacent to the Absaroka-Beartooth Wilderness will be absorbed into the adjacent management areas."**
- On page 67 under C.1.c., the wording is changed to read: **"A portion of the Lost Water Canyon area has been established as a Research Natural Area and those values will be protected (see Management Area L)."**

(Portion in bold print represent wording changes made on page 67.)



General location of Lost Water Canyon Research Natural Area.



