

PROPOSED PROJECT SCOPING STATEMENT

Sauerkraut Pasture Improvements

USDA Forest Service
Douglas Ranger District
Medicine Bow/Routt National Forests
And Thunder Basin National Grasslands
Converse County, Wyoming

INTRODUCTION

The United States Forest Service and the Thunder Basin Grazing Association entered into a Cooperative Grazing Agreement on August 23, 2002. This agreement is for a period of ten (10) years, and permits the grazing of livestock owned by members of the grazing association in allotments and pastures on federal lands on the Thunder Basin National Grassland (TBNG).

The Sauerkraut livestock grazing pasture is located along the Rochelle Hills Road in the Fiddleback Allotment northeast of Bill, WY. Most of the pasture lies within the northwest quarter of T. 40 N, R. 68 W. The pasture includes 5,444 total acres of which 4,793 are National Grasslands. The type of livestock permitted in the pasture is 'mature cows'. Grazing usually occurs seasonally each year from 09/15 to 10/15, but with a change in season from 05/24 to 06/13 every third year. The Sauerkraut pasture occurs entirely within the boundary of the TBNG black-footed ferret threatened and endangered species (T&E) management reintroduction area.

The purpose of this proposed project scoping statement, and the invitation to comment on the proposed action, is to provide interested persons with the opportunity for early and meaningful participation in the environmental effects analysis process for this proposal prior to a decision being made by the Responsible Official. Those persons who provide substantive comments now about this project will be eligible to appeal the decision if that decision is appealable under the regulations.

PROPOSED ACTION

The District Ranger has received a joint request from the allotment permittee, Gary Jacobson, and the Natural Resource Conservation Service (a USDA agency) to extend a water pipeline from state land onto adjacent National Grassland administered by the USFS. The proposed improvement involves constructing 1.5 miles of new water pipeline and installing three (3) livestock water tanks. A general water use agreement would be obtained from the state leaseholder ensuring a water supply to the pipeline is maintained. These improvements would be installed using machinery to trench the pipeline and haul

materials, and the total land area that would be temporarily disturbed during the placement of improvements is estimated to be 1.95 acres.

PURPOSE AND NEED FOR ACTION

The Forest Service and Natural Resource Conservation Service concur that there is an existing *need* to better distribute livestock grazing in the pasture and to more fully utilize areas away from existing water sources. With a change in the way domestic livestock grazing use is distributed in the allotment, the condition of vegetation can be improved to better reflect the desired conditions and goals described in the Thunder Basin National Grasslands Land and Resource Management Plan. Implementing the proposal to create three new water sources for livestock, can serve the *purpose* of better distributing grazing use and forage utilization which can move riparian areas, woody draws, and other key vegetation areas in the pasture toward the desired condition as described in the Grassland Plan (2-9 – 2-11).

The Grassland Plan implements a *standard* requiring that “In riparian habitats/wooded draws, only allow livestock strategies that promote healthy understory and productive shrubs.” It also provides a *guideline* for managing livestock to maintain or improve riparian/woody draw areas. Additional water sources would provide an opportunity to better meet this *standard* and to achieve the intent of the *guideline*. *Objectives* for the Cellars Rosecrans Geographic Area, where the Sauerkraut pasture lies, call for 30 to 40% low vegetation structure. Prairie dog colonies provided most of this structure prior to recent plague events. Distributing cattle on upland sites and away from existing water sources could maintain low structure in areas where prairie dogs have died off, which could maintain and even promote additional important critical habitat for threatened and endangered species.

The current pasture improvements in place do not lend themselves to capturing the opportunity for, and accomplishing a level of forage utilization that could be implemented there. Currently, the use of a deferred grazing system in conjunction with another allotment has the Sauerkraut pasture grazed in the late fall two out of three years. The current pattern of forage utilization, and the location of water sources, leaves some areas of the pasture under-utilized, while pasture areas on and along the Cheyenne River and around current water sources are over utilized. In addition, the improved distribution of livestock, and the utilization of available forage that can be realized by implementing the proposal, would improve the efficiency of the permittee’s operation while also better achieving Grassland Plan standards, guidelines and objectives.

AFFECTED ENVIRONMENT

The Sauerkraut pasture occurs in an area of gently rolling hills and drainages. The vegetation type is typically a mix of sagebrush and grassland. All federal lands in the allotment and pasture are permitted for livestock grazing and are also used by hunters, and other recreational users.

The Land and Resource Management Plan for the Thunder Basin National Grassland (2002) describes this area as being located in Management Area 3.63, which aims at managing black-tailed prairie dog colony complexes to create or maintain suitable reintroduction habitat for black-footed ferrets. All 4,793 grassland acres in the pasture fall within this T&E species Management Area.

The project area is located in the Cellars Rosecrans Geographic Area that is described in the Grassland Plan. Desired conditions for this Geographic Area call for a “natural appearing landscape where primitive conditions with minimal facility development are emphasized. Pipelines will be present but visually subordinate in the mid and background”. Since this improvement is a gravity flow system, the pipeline and tanks will be placed along lower areas of the terrain, therefore, minimizing disturbance and facility development in the most visible locations.

DECISIONS TO BE MADE

The decision to be made is whether or not, and if so under what circumstances and conditions, the proposed improvements would be constructed in the Sauerkraut pasture. It will consider the Grassland Plan vegetation management objectives for the Cellars Rosecrans Geographic Area, and that the pasture is in the black-footed ferret reintroduction habitat management area.

RELATIONSHIP TO OTHER LAWS AND DOCUMENTS

As a part of the effort to develop and describe the proposed action, the District Ranger and ID team reviewed and discussed all available information and data about the possible effects and or impacts that this action could have on the physical and biological environments in the analysis area, and the relationship between the proposal and laws, regulations, and agency policy that must be complied with if the proposal would be implemented.

Floodplains, wetlands, prime lands, threatened and endangered plant and animal species, global warming, minerals, cultural resources, consumers, civil rights, women, minority groups, and other environmental factors, and the possible beneficial effects and/or adverse impacts of this proposal on those resources will be considered.

The requirements of the Bankhead Jones Farm Tenant Act apply to this proposed project. The Bankhead Jones Farm Tenant Act of 1937 (7 USC 1010) provides that the Secretary of Agriculture is authorized and directed to develop a program of land conservation and utilization in order to correct maladjustments in land use, and thus assist in controlling soil erosion, conducting reforestation, preserving natural resources, protecting fish and wildlife, developing and protecting recreational facilities, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public land, health safety, and welfare, but not to build industrial parks or establish private industrial or commercial enterprises.

Public Rangelands Improvement Act of 1978 (P.L. 95-514, 92 Stat. 1806; 43 U.S.C. 1901-1908) “Manage, maintain and improve the condition of the public rangelands so that they become as feasible for all rangeland values in accordance with management objectives in land use planning process established pursuant to section 202 of the Federal Land and Policy Management Act (43 U.S.C. 1712).” The proposed action can improve public rangeland condition.

Endangered Species Act of December 28, 1973 (87 Stat. 884) P.L. 93-205, as amended. A Biological Assessment/Biological Evaluation document will be written for the project area and mitigation measures put into place for any threatened or endangered plants or animals that are found in the project area.

Executive Order 11990 – Protection of Wetland 42 FR 26961 (signed May 25, 1977), and Executive Order 11988 – Floodplain Management 42 FR 26951 (signed May 25, 1977). The Forest Service will consider the proposed action in accordance with the Executive Orders.

National Historic Preservation Act of October 15, 1966 (80 Stat. 915) P.L. 89-665, as amended, & Archeological Resources Protection Act of October 31, 1979 (93 Stat. 721) P.L. 96-95, as amended. A Heritage resource inventory and report will be completed for the Federal lands in the project area.

Clean Water Act (Federal Water Pollution Control Act) of June 30, 1948, (62 Stat. II 55) P.L. 80-845, as amended by the Water Quality Act of 1987 (Act of February 4, 1987, P.L. 100-4) and other laws. This proposed project is not expected to violate any provisions of this act.

The proposed action is expected to comply with the standards, guidelines, and stipulations for grazing of livestock on NFS lands as described in the Thunder Basin National Grassland Land and Resource Management Plan of 2002.

PUBLIC COMMENTS REQUESTED

Scoping to identify issues and concerns is an important part of the environmental effects analysis process (40 CFR 1501.7). The public is encouraged to take the time to consider the proposed improvements in the Sauerkraut pasture of the Fiddleback Allotment that are described in this scoping document and to submit their comments about this proposal to the Douglas District Ranger. The formal public comment period for this proposed action will end 30 days from the day after the Legal Notice about the action and this period of opportunity to comment is published in the Casper Star Tribune. No other formal public comment period regarding this action or the environmental analysis that will occur is planned.

Written comments may be submitted to the District Ranger, Douglas Ranger District, 2250 E. Richards, Douglas Wyoming 82633, Attention: Kyle Schmitt, Rangeland Management Specialist. Written comments must be postmarked by the Postal Service, e-mailed, faxed or otherwise submitted by 11:59 p.m. on the 30th calendar day following publication of the Legal Notice of this proposed action. E-mail comments should be sent to : comments-rocky-mountain-medicine-bow-routt-douglas-thunder-basin@fs.fed.us. If comments are electronically mailed, the sender should receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive such confirmation it is the sender's responsibility to ensure timely receipt by other means. Comments may be hand delivered to the Douglas Ranger District office between the hours of 7:30a.m. and 4:30p.m., Monday through Friday.

During this 30-day public comment period only those persons who submit timely and substantive comments with supporting reasons that the Responsible Official should consider in reaching a decision will be accepted as appellants, if the decision is appealable under the regulations (36 CFR 215.13). In order to secure appeal eligibility, an individual or representative of an organization submitting comments must either sign the comments document or verify their identity upon request. For multiple names or multiple organizations, a signature must be provided by the individual authorized to represent the organization, or by each individual that wishes to have appeal eligibility. Individual members of an organization must submit their own substantive comments in order to meet the requirements of appeal eligibility as an individual. Comments received on behalf of an organization shall be considered as those of the organization only.

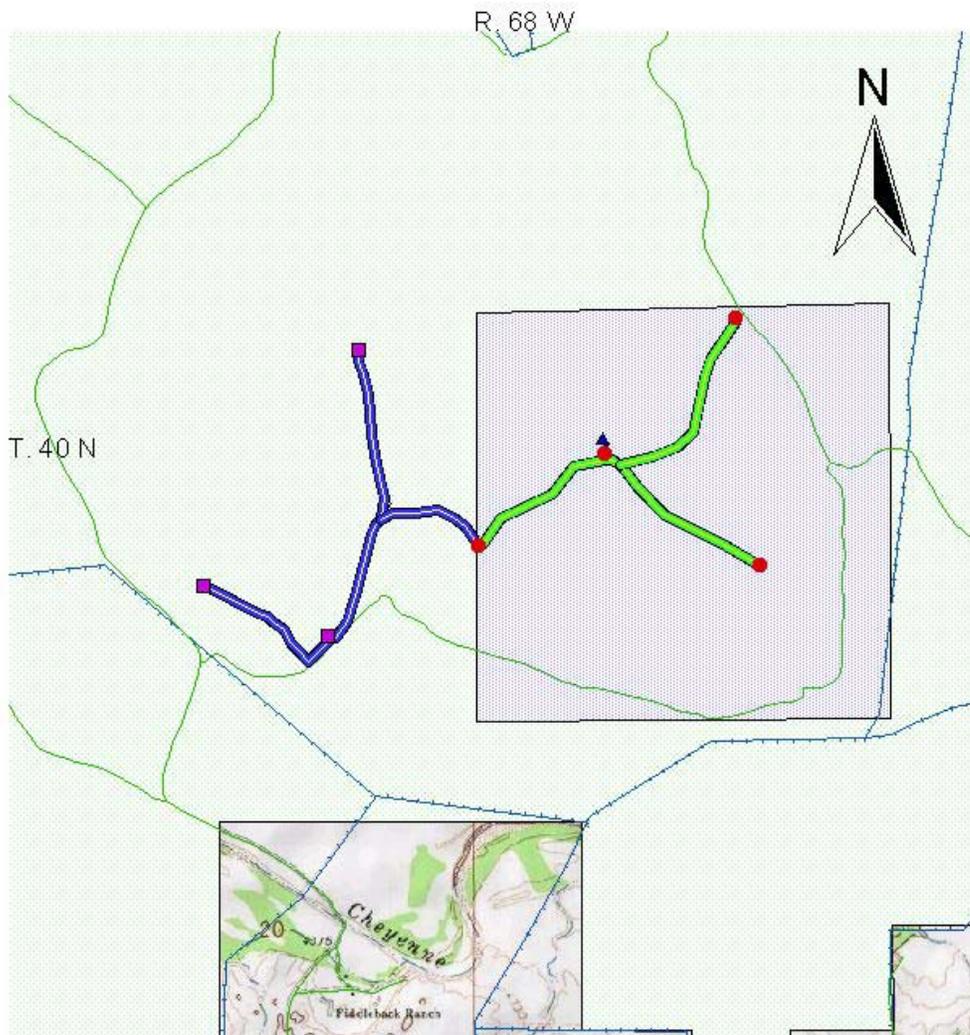
This request for comments has also been mailed to other Federal, State and local agencies, adjacent landowners, and individuals or organizations who may be interested in or could be affected by this project.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. 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 within 10 days. For additional information, contact Kyle Schmitt, Rangeland Management Specialist, at (307) 358-1631.

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Sauerkraut Water Pipeline



0.5 0 0.5 1 Miles

1:24,000

- Tanks.shp
 - existing tank
 - proposed tank
 - ▲ storage tank
- Pipeline.shp
 - existing pipeline
 - proposed pipeline
- Roads.shp
 - Roads
- Fence.shp
 - Fence
- Pipeline.shp
 - Pipeline
- Status.shp
 - MFS
 - PVT
 - STE

Map Prepared by: Kyle Seimitt
 Map Created: 05/05/2004
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