

DECISION NOTICE  
NONSIGNIFICANT AMENDMENT TO THE  
CUSTER NATIONAL FOREST LAND AND RESOURCE MANAGEMENT PLAN  
CUSTER NATIONAL FOREST, MONTANA, NORTH DAKOTA, AND SOUTH DAKOTA

AMENDMENT NUMBER 11  
Ferruginous hawk, *Buteo regalis*  
October 1991

DECISION NOTICE

**Decision:** It is my decision to amend the Wildlife Appendix in the Forest Plan, pages 177 - 181, to include the Ferruginous hawk as a sensitive species in North Dakota.

**Rationale for the Decision:** The Ferruginous hawk, (*Buteo regalis*) was not a listed species when the Forest Plan was developed. Because of the need to protect this species I am adding it to the list of species for protection in accordance with direction in the Forest Plan.

NONSIGNIFICANT NFMA AMENDMENT

This decision does not alter any of the long-term relationships between the level of goods and services projected by the Forest Plan as disclosed in the Northern Little Missouri National Grasslands FEIS of September 1991. Therefore, this amendment is non-significant under NFMA (36 CFR 219.10(f)), and Forest Service Manual 1922.51, item 1 and 3.

IMPLEMENTATION

This decision will be implemented upon public notice. This Decision Notice is public notice and will be sent to all those who have requested notice of Forest Plan amendments and those who have participated in the amendment process. In addition, notice of this decision will be published in local newspapers.

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#### ADMINISTRATIVE APPEAL

This decision is subject to appeal pursuant to 36 CFR 217. Any written notice of appeal to this decision must be fully consistent with 36 CFR 217.9, "Content of Notice of Appeal". As a minimum, a written notice of appeal filed with the reviewing officer must: 1) List the name, address, and telephone number of the appellant; 2) Identify the decision about which the requester objects; 3) Identify the document in which the decision is contained by title and subject, date of the decision, and name and title of the Deciding Officer; 4) Identify specifically that portion of the decision or decision document to which the requester objects; 5) State the reasons for objecting, including issues of fact, law, regulation, or policy and if applicable specifically how the decision violates law, regulation, or policy, and; 6) Identify the specific change(s) in the decision that the appellant seeks. (36 CFR 217.9(b)). A written notice of appeal must be filed within 45 days of the date of this decision and sent to:

John Hughes, Acting Regional Forester  
Northern Region  
200 East Broadway  
PO Box 7669  
Missoula, MT 59801

Simultaneously a copy of the notice of appeal must be sent to the Deciding Officer, Forest Supervisor, Curtis V. Bates, PO Box 2556, Billings, MT 59103. The notice of appeal must be filed in compliance with the procedures identified in 36 CFR 217 (54 FR 3357).

#### CONTACT PERSON

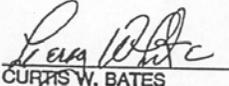
Further information about this decision can be obtained from:

Leroy White, Planning Program Officer  
Custer National Forest  
PO Box 2556  
Billings, MT 59103  
(406) 657-6361

Forest Plan Amendment Number 11  
Custer National Forest  
Billings, Montana

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

On page 180 of the Forest Plan (Wildlife Appendix VII), add Ferruginous hawk, (*Eluteo regalis*) as a Sensitive species in North Dakota.

  
CURTIS W. BATES  
Forest Supervisor

10/24/91  
Date