

# Appendix A

## DAKOTA PRAIRIE GRASSLANDS DEMONSTRATION PROJECT

**Background:** The Record of Decision (ROD) implementing the Dakota Prairie Grassland (DPG) Land and Resource Management Plan (LRMP) was signed July 31, 2002. Due to uncertainty and considerable controversy, regarding the assumptions, standards and guidelines, and projected effects of the LRMP, the ROD established a “phased in” approach for the livestock grazing program and the creation of an independent Scientific Review Team (SRT) to examine the Plan’s supporting science and estimated effects.

**Issues:** The Forest Service estimated a nine percent reduction in livestock grazing levels while other interests estimated reductions of 29 to 55 percent from the previous 20-year average and 43 to 69 percent from permitted numbers. Sixty-nine “mock up” sample allotment management plans (AMPs) were developed for SRT review during the two-year review process.

**SRT Conclusions:** The SRT members’ comments on the sample AMP reports stated that “Yes, the LRMP can be implemented.” However, the general qualifier to that statement was, “But the outcome is uncertain.” On the question “Are grazing levels in the sample AMPs similar to those projected in the Final Environmental Impact Statement (FEIS)?” the SRT stated “...that the proposed stocking rates in the sample AMPs are comparable to those projected in the FEIS,” but they also noted, ... “it is impossible to determine whether the projected stocking rates are appropriate to meet management goals and objectives.” After public comment, the Final DPG response to the SRT reports will be an appendix to the Grasslands Plan. All of the SRT recommendations and the Forest Service response will be incorporated into this demonstration project through this appendix. Recommendations shall be followed consistent with the Final SRT Report and the Forest Service response.

### Demonstration Project Purpose

Based on the SRT’s findings and recommendations, the continuing controversy over the livestock grazing portion of the DPG Plan, and the national grassland mandate to demonstrate sound and practical principles of multiple use management that includes grassland agriculture, a Demonstration Project has been in place for the past ten years. The purpose of the demonstration project is to develop and implement integrated allotment management plans

pursuant to a collaborative process with the respective grazing associations that share in the management of grazing on the National Grasslands, to determine if Plan Goals and Objectives are achievable or need modification, and monitor progress towards meeting the resource objectives. Consistent with the Bankhead-Jones Farm Tenant Act (BJFTA), the stated objectives of the land utilization projects, the Presidential Executive Orders, and other applicable federal law and policy to maintain open space and economically viable ranching operations, the Forest Service will seek, to the maximum extent practicable, to minimize any livestock grazing reductions in implementing the DPG LRMP, and to resolve resource management conflicts.

## **Demonstration Project Proposal**

**Objective:** To provide for long-term sustainable multiple use management on the DPG, to build a common vision for national grassland resources, and to demonstrate sound and practical management of grassland ecosystems for the multiple benefits of grassland agriculture, local communities, the rural economy and the public.

**Strategy:** Allotment Management Plans (AMPs) will be developed at the landscape or multiple allotment level. The pre-NEPA process would be completed in careful consultation, coordination, and cooperation with the grazing associations representing their members working in concert with the Forest Service. Either the traditional method of the Forest Service and grazing association and individual member or an inclusive collaborative approach, such as Coordinated Resource Management (CRM), will be used. This process must be requested by an association and the association will be involved, not just the member. Regardless of the model selected, the grazing associations and the Forest Service shall agree to the collaborative approach. For agency decisions under this Demonstration Project and if requested by a grazing permittee, the Forest Service shall use, in accordance with the agency's informal appeals regulations, the Farm Service Agency certified ND Department of Agriculture Mediation program.

CRM is a stakeholder consensus decision-making process sponsored by the Society for Range Management (SRM) and numerous other private and public institutions. This sort of inclusive collaborative approach works best with grassroots support and participation. CRM complements regulatory process, such as the National Environmental Policy Act, and responds to mandates to incorporate the public in decision-making. Trained facilitators conduct the process, participation is voluntary, and most importantly, CRM is landowner initiated.

## **Pilot Project Provisions**

- 1) The Demonstration Project has been included in the Record of Decision for the livestock grazing portion of the Plan. Restoration strategies for the Sheyenne

National Grassland will be amended to the Plan as provided in provision no. 6 below.

- 2) The ROD authorized livestock grazing, meeting Rescission Act requirements.
- 3) The Project was initially for ten years and now is extended for an additional ten years, and can be extended again if mutually agreeable. During this time, selected AMPs will be developed and implemented, working through the processes described in this document. Goals, objectives, standards and guidelines related to livestock grazing in the Grasslands Plans will be assessed. If adjustments are needed, Grassland Plan amendments will be proposed.
- 4) To provide maximum flexibility for this Demonstration Project, and to synchronize language in the ROD and LRMP, LRMP standards relative to livestock grazing will become guidelines, except those based on law and regulation (i.e., Clean Water Act, Endangered Species Act, etc.). Goals and objectives may also be modified or changed to meet on-the-ground conditions and/or capabilities. One goal will be to maintain or improve current on-the-ground conditions to maintain, to the maximum extent possible, a grazing program at current levels and provide sufficient habitat for grassland species. Site-specific amendments to the DPG Plan to incorporate these changes will be done, as needed. The terms of the Demonstration Project supersede any inconsistent terms in the ROD or the DPG LRMP.
- 5) Scientific Review Team (SRT) recommendations are incorporated into and implemented through the Final ROD and the livestock grazing allotment management planning process after clarifying questions (see July 8, 2005 HAND letter) have been addressed and the public has had opportunity to review and comment on the Forest Service's response to the Team's final report. As recommended by the SRT, the Forest Service will only apply vegetative structural objectives to biologically capable lands in the development of the AMPs.
- 6) The Forest Service will include the Sheyenne Valley Grazing Association in the development of the restoration and range management strategies for the Sheyenne National Grassland. A key SRT recommendation suggests that plans for restoration be implemented on a pilot basis and then only expanded if plans first succeed on a limited basis. The Forest Service will coordinate with other USDA agencies, the Sheyenne Valley Grazing Association and others to explore other opportunities, such as using Conservation Reserve Program (CRP) lands or other private lands as forage reserves, to maintain permitted Animal Unit Months (AUMs) while restoration efforts are underway. Aerial spraying of noxious weeds have been considered on the Sheyenne National Grasslands in the DPG Noxious Weed EIS. Such strategies will be amended to the DPG LRMP livestock grazing portion of the plan as they are completed.
- 7) The working groups' or Forest Service and the grazing associations and their members' proposals would be carried forward in the National Environmental

- Policy Act (NEPA) process as the Forest Service's proposed action for the AMP and any related LRMP amendments, provided they are consistent with existing law.
- 8) The range of alternatives might include, but are not limited to: 1) The proposed action, which would be the approach agreed to by the grazing associations and the Forest Service; 2) A "permitted" and/or "preference" livestock alternative, 3) An alternative that maximizes other resource values based on Plan goals, objectives and guidelines; 4) The "no action" alternative which will be the "no grazing" alternative; and 5) An alternative considering current management as it is being implemented on the allotment, if it meets the purpose and need for the project and LRMP goals and objectives.
  - 9) The DPG will prioritize funding for monitoring. Project-level livestock grazing monitoring will be used to measure progress towards meeting the resource goals and objectives as stated in the LRMP, using the LRMP Monitoring and Evaluation direction (Chapter 4) and the Memorandum of Understanding (MOU) between the Public Lands Council (PLC) and the Forest Service. In accordance with the MOU, the records for monitoring results will be retained and available for public review. As stated in the 2002 ROD and SRT response, monitoring is vital to public land management. Monitoring will be needed to establish whether or not desired conditions have already been achieved before consideration of livestock number or AUM adjustments. There will be no cuts in permitted AUMs without monitoring showing that livestock are principally responsible for not meeting the desired condition, and that the cuts are the only ecologically practicable and economically feasible means available for meeting the desired condition. In these circumstances, the Forest Service will work with the grazing associations to minimize livestock grazing reductions.
  - 10) Lessons learned from this Demonstration Project will be used to undertake plan amendments throughout the life of the project. The monitoring data will also provide the foundation for future DPG LRMPs.
  - 11) The existing grazing agreements will stay in effect though their term at which point they may be modified cooperatively to reflect the accomplishments of this project, to be consistent with Forest Service policy and the LRMP, and to update changes to the Rules of Management. Expiration of a grazing agreement will not be the basis for reducing livestock numbers. The AMP process, including monitoring, will be used to implement the Grasslands Plan and will be the basis for any adjustments to livestock numbers. Current grazing agreements will also be extended if mutually agreeable.
  - 12) The Forest Service will comply with all applicable federal laws and executive orders. This includes the Bankhead-Jones Farm Tenant Act.

## Summary

Due to the continuing uncertainty and controversy over the livestock grazing portion of the Dakota Prairie Grasslands Land and Resource Management Plan, the Demonstration Project was instituted. The proposal essentially extends the initial "test drive" to the field. This Demonstration Project proposal was incorporated into the Record of Decision (ROD) for the livestock grazing portion of the Plan. Prior to issuing the ROD, the Forest Service's final draft response to the Scientific Review Team's Final Report was made available for public review and comment.

The ROD finalized the authorization of livestock grazing consistent with 36 CFR 219. This authorization will meet Rescission Act requirements.

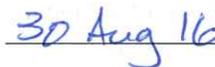
The Demonstration Project was initially to be for ten years, and now is extended for an additional ten years. After this time, it will be considered for extension. Goals include: maintaining or improving current on-the-ground conditions and supporting sustainable grazing operations and practices.

A key provision in the proposal is the changing of the current Plan's livestock grazing standards to guidelines, except for those required by law or regulation. A comprehensive list of current applicable livestock grazing standards has been identified and will be used as part of the Demonstration Project (see attachment). For those standards not changed to guidelines, the supporting law or regulation has been identified. The livestock grazing standards changed to guidelines have been included in the ROD.



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# Appendix B

## STANDARD TO GUIDELINES CONSIDERED AND RATIONALE

PAGE #	STANDARD	WHY NOT SUITABLE FOR CONVERSION TO GUIDELINE
1-13	1. Modify livestock grazing practices as needed to reduce adverse impacts of drought to food and cover for prairie grouse and other wildlife.	
1-13	2. When installing new livestock water tanks, install durable and effective escape ramps for birds and small mammals. During maintenance of existing tanks, replace ramps that are ineffective or missing.	
1-14	18. Manage for late seral condition sagebrush in selected sagebrush stands to provide quality wintering habitat for sage grouse (see Appendix H).	
1-14	19. Manage wet and sub-irrigated meadows, seeps, riparian habitats, and other wetland areas that occur in or adjacent to sage grouse habitat as key foraging areas during the spring, summer, and fall.	
1-15	32. Design timing, intensity, and frequency of mowing, burning and livestock grazing to maintain or increase sensitive plant species populations and the health of rare plant communities.	
1-15	33. Do not authorize vegetation management and construction projects that would further isolate or prevent re-colonization of sensitive plant and animal populations from adjacent populations.	Not suitable if species viability (a requirement under NFMA) is at risk.
1-15	35. Manage for natural disturbance processes when necessary to maintain early seral habitat for species such as smooth goosefoot, sandgrass, and beach heather. Do not initiate stabilization measures for habitats occupied by these species.	
1-16	43. Do not authorize uses that would deplete instream flows below levels needed to protect the aquatic habitats of sturgeon chub and other sensitive native fish species.	Not suitable if species viability (a requirement under NFMA) is at risk.
1-16	49. Use livestock grazing and prescribed fire to enhance habitat suitability for prairie dogs where prairie dog expansion is desired. These areas are identified at the project level.	

PAGE #	STANDARD	WHY NOT SUITABLE FOR CONVERSION TO GUIDELINE
1-16	50. Manage for low vegetative structure in areas where prairie dog expansion is desired. Emphasize areas adjacent to existing prairie dog colonies as well as at abandoned colony sites.	
1-16	51. Manage for high vegetative structure around prairie dog towns where prairie dog expansion is not desired. Emphasize maintaining high structure between existing prairie dog colonies and private land.	
1-19	2. Cooperate with states in ensuring healthy livestock (including bison), such as testing for diseases (e.g., Brucellosis) and vaccinating for other diseases prior to placement on public lands.	
1-20	11. Design and implement range management strategies for meeting desired vegetation objectives using existing monitoring information and stocking rate guidelines for livestock grazing (see Appendix I).	
3-4	1. Allow livestock facilities that do not detract from the character of the area.	
3-5	NEW (under Infrastructure) Allow construction of livestock grazing related facilities and structures that are subordinate to the landscape or in keeping with the semi-primitive/primitive character of the area.	
3-7	NEW (under Infrastructure) Allow construction of livestock grazing related facilities and structures that are subordinate to the landscape or in keeping with the semi-primitive/primitive character of the area.	
3-10	Prohibit livestock grazing in various Special Interest areas.	
3-30	3. Maintain disturbance processes (fire, grazing) if required for habitat enhancement, restoration or species viability.	Not suitable if species viability (a requirement under NFMA) is at risk.
3-30	5. Conflicts that cannot be mitigated are resolved in favor of specific plant and wildlife species and communities.	
3-37	1. Use livestock grazing strategies that maintain or improve the vegetative composition and structure associated with the scenic qualities of the area.	

PAGE #	STANDARD	WHY NOT SUITABLE FOR CONVERSION TO GUIDELINE
1-9	1. Manage land treatments to conserve site moisture and to protect long-term stream, wetland, and riparian area health from damage by increased runoff.	No. The Bankhead-Jones Farm Tenant Act of 1937 (as amended) directs the Secretary of Agriculture to conserve surface and subsurface moisture.
1-9	2. Allow only those actions next to perennial and intermittent streams, seeps, springs, lakes, and wetlands that maintain or improve long-term proper functioning of riparian ecosystem conditions.	No. The Forest and Rangeland Renewable Resources Planning Act of 1974 (as amended) and National Forest Management Act of 1976 both contain provisions requiring such actions.
1-9	3. Design activities to protect and manage the riparian ecosystem. Maintain the integrity of the ecosystem, including quantity and quality of surface and ground water.	No. The Forest and Rangeland Renewable Resources Planning Act of 1974 (as amended), Federal water Pollution Control Act Amendments of 1972, and National Forest Management Act of 1976 contain provisions requiring such actions.
1-10	8. Maintain long-term ground cover, soil structure, water budgets, and flow patterns of wetlands to sustain their ecological function and meet regulations found in Section 404(b)(1) of the Clean Water Act. The 404 regulations were established by the Environmental Protection Agency and constitute the substantive environmental criteria used in evaluating activities.	No. The Clean Water Act requires such actions.
1-15	36. Ensure that management actions do not contribute to loss of population viability for Forest Service sensitive plant species.	No. Maintaining population viability is a requirement under the National Forest Management Act.
2-31	7. Implement the most current Recovery Strategy for the Western Prairie Fringed Orchid covering land management activities and uses for core, satellite, and other allotments containing orchids ( <i>See Appendix N.</i> ).	No. The intent of this standard is to comply with the Endangered Species Act and was not part of the “phased” grazing decision. The decision to proceed with these orchid conservation measures was made in the 2002 LRMP ROD (see ROD, p. 5.)
3-35	2. Prohibit development of new flow (artesian) wells.	No. The Forest and Rangeland Renewable Resources Planning Act of 1974 (as amended) and National Forest Management Act of 1976 both contain provisions requiring such actions.

PAGE #	STANDARD	WHY NOT SUITABLE FOR CONVERSION TO GUIDELINE
3-23, 3-26	1. Do not convert existing livestock allotments to domestic sheep or goat allotments in or adjoining this management area.	No. Based on past disease outbreaks on the Little Missouri National Grassland, this would very likely result in a loss of bighorn sheep viability in the planning area (and so violate the National Forest Management Act).
3-30	2. Protect wetlands habitat to maintain their hydrologic regimes.	No. The Forest and Rangeland Renewable Resources Planning Act of 1974 (as amended) and National Forest Management Act of 1976 both contain provisions requiring such actions.