DEcision Memo

Proposal:

Issue a 10 year Special Use Permit to the Great Falls Snowmobile Club for continued use of a Snow-groomer Storage Shed located in NESW1/4, Sec 34 T13N, R8E.. The building is utilized to store, service and repair equipment used to groom public snowmobile trails on the Lewis and Clark National Forest in accordance with agreement 09-CS-11011500-001. The building has been authorized since 2000 since its original construction the same year. The permit area covers approximately ½ acre consisting of a 40X30 foot shop, 2 propane tanks and an outhouse.

[Signature]
WILLIAM AVEY
Forest Supervisor

[Signature]
DATE
2/12/13
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PROPOSED ACTION

The Lewis and Clark National Forest is proposing to re-issue a 10 year term special use permit to Great Falls Snowmobile Club authorizing the continued use of a snow groomer storage shed on the Belt Creek Ranger District.

DECISION

This Decision Memo documents my decision, the rationale used to make my decision, and special requirements that will be made part of the permit.

After conducting scoping for public comments; and considering the merits and effects of the proposal in relation to laws and regulations allowing its location on National Forest land, and all relevant information about the potentially affected resources, I have decided to approve the continued use of the Snowmobile Groomer Storage Shed and authorize a 10 year term special use permit of the existing facility on the Belt Creek Ranger District as described in this Decision Memo and in supporting documentation contained in the forest files. A special use permit will be issued to the Great Falls Snowmobile Club for use of National Forest System lands for the purposes described above. The permit will be issued for a term of ten (10) years.

The use of National Forest System lands for these purposes is subject to terms and conditions specified in the special use permit, which will be included in the forest and district files.

PUBLIC INVOLVEMENT

Scoping was conducted to help determine potential concerns and whether the proposal might involve any extraordinary circumstances that could result in significant environmental effects.

The project was also listed in the Great Falls Tribune on December 26, 2012 along with other proposals the Forest was seeking comment on. No comments were received.

The renewal is supported by 2 Great Falls and Little Belt Snowmobile Clubs who form the Kings Hill Grooming association and provide volunteer services to assist in maintaining the Kings Hill Area snowmobile trail system grooming shed permit area.

REASONS FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION

Pursuant to 36 CFR part 220.6, proposed actions may be categorically excluded from further analysis and documentation in an environmental impact statement (EIS) or environmental assessment (EA), if there are no extraordinary circumstances related to the proposed action and if the proposed action:

- "Is within one of the categories established by the Secretary at 7 CFR part 1b.3; or
- "Is within one of the categories in 36 CFR part 220.6 (d) and (e)."

The project meets the criteria of the category of actions referenced above and listed in 36 CFR part 220.6e, Category 15:

(15) Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, there are not changes to the authorized facilities or increases in the scope of intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorization."

The following list of resource conditions that should be considered in determining whether extraordinary circumstances related to the proposed action warrant further analysis and documentation in an EA or EIS.
The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist.

The action to be implemented with this decision is routine in nature, the environmental setting is not unique, and the expected environmental effects are not significant. The action will not have a significant impact on the quality of the human environment and there are no extraordinary circumstances related to the action. There are no expected effects to threatened, endangered or sensitive species. Therefore, I have determined that this action is not a major Federal action that would significantly affect the quality of the human environment and is one that may be categorically excluded from the need for documentation in an Environmental Assessment or Environmental Impact Statement. In making this decision I considered:

1/ Federally Listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species:
Sensitive species are managed under Forest Service policy (Forest Service Manual [FSM] 2670). Policy directives (FSM 2672.4) state that all planned activities should be reviewed for possible effects on sensitive species. Sensitive species are to receive special management emphasis to ensure their viability and to preclude trends that could threaten the species with extinction resulting in federal listing under the Endangered Species Act (FSM 2672.1).

Biological Evaluations (BEs) for impacts on sensitive plants, fish, and wildlife species listed by the R1 Forester were conducted by the project wildlife biologist. Those evaluations (copies of which are located in the Project File) found that this project may impact individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population for Wolverine, Bald Eagle, Flummulated Owland Gray Wolf, and that the project would have No Impact on any of the remaining plants, fish or wildlife species listed as sensitive by the R1 Regional Forester. Additionally No Impact or No habitat will be altered for any management indicator species (MIS). The BE also determined that this project will not alter habitat for lynx and that all standards and guidelines from the Northern Rockies Lynx Amendment are followed with this project. (Biological Evaluation and Wildlife Report, Conway, 10/2012)

The Forest Silviculturist documented that no populations of sensitive plants exit within the project area with the exception of Whitebark pine (Pinus Albicaulis) but because no vegetation would be removed or disturbed through reissuance of this permit, there will be no impact to Whitebark pine. Mitigation Measures: If any sensitive plant species is located throughout the term of the permit the Forest Silviculturist will be consulted and, the population will be evaluated, delineated, and avoided. Re-evaluate the effects of this permit to white bark pine if any ground or vegetation disturbing activities are proposed under the permit. (Sensitive Plants Biological Evaluation, Murphy, 5/2011)

2/ Flood plains, wetlands, or municipal watersheds;
The project is not within a flood plain, wetland or municipal watershed.

3/ Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas;
The project is not within designated wilderness, wilderness study or national recreation area.

4/ Inventoried roadless areas and potential wilderness areas;
The project is not within a roadless area or in proximity to a potential wilderness area.

5/ Research natural areas;
The project is not located within a Research Natural Area.
6, 7/ American Indians and Alaska Native religions or cultural sites and Archaeological sites, or historic properties or areas;
Federal agencies must consider American Indian traditional use, belief systems, religious practices and life-way values as directed by the Archaeological Resources Protection Act of 1979 (ARPA), the National Historic Preservation Act (NHPA), the Native American Graves Protection and Repatriation Act (NAGPRA), the American Indian Religious Freedom Act (AIRFA) and the Religious Freedom Restoration Act (RFRA) Additionally, the rights reserved under treaties may possess an inherent measure of resource protection.

The Forest's Ethnographic Overview was consulted; no know areas of traditional cultural use are identified for the project area. No site-types that are identified as 'sensitive' to Tribes are known to exist in the area.

There are no existing reserved rights (e.g. treaty rights) in the Little Belt Mountains

The project area and possible impacts were considered by the forest heritage staff. Since the permit reissuance does not approve any changes to the existing building or ground disturbing activity, there is no potential for disturbing historic properties.

Heritage requirement/mitigations: If heritage resources are identified as a result of project activities, all work in the vicinity of the find must cease and the Forest Archaeologist must be notified and work cannot continue until cleared by the Forest Archaeologist.

**Lewis and Clark Forest Plan** – The project is in compliance with requirements for cultural resources outlined in the Forest Plan.

**The National Historic Preservation Act** – Pursuant to 36 CFR, 800, cultural resource review is to be finalized in advance of ground disturbing or historic character-altering work, (no ground disturbing activity is associated with this project). Compliance with 36 CFR 800 is ensured through the Region One Programmatic Agreement for Cultural Resources (USDA Forest Service et. Al. 1995); results are integrated into the NEPA analysis according to National and R1 NEPA/NHPA policy.

**FINDINGS REQUIRED BY OTHER LAWS**

My decision will comply with all applicable laws and regulations. I have summarized some pertinent ones below.

**Forest Plan Consistency (National Forest Management Act)**
The Lewis and Clark National Forest Plan established management direction for the Lewis and Clark National Forest. This management direction is achieved through the establishment of Forest goals and objectives, standards, and guidelines; and Management Area goals and accompanying standards and guidelines. Project implementation consistent with this direction is the process in which desired conditions described by the Forest Plan are achieved. The National Forest Management Act requires that all resource plans are to be consistent with the Forest Plan (16 USC 1604(i)).

I have conducted a review of Forest Plan direction and I find that my decision is consistent with its goals, standards, and objectives.

**National Environmental Policy Act**
This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation of this decision supports compliance with this Act.

**Endangered Species Act (ESA)**
According to Section 7 of ESA, each Federal agency must insure that actions it authorizes, funds, or carries out are not likely to jeopardize the continued existence of any threatened or endangered species.
Biological assessments were completed for the threatened or endangered species found within or near the project area (refer to project record). Based on the findings in these analyses as reported by wildlife biologists, a fisheries biologist, and a silviculturist, my decision is in compliance with the ESA.

**National Historic Preservation Act, American Indian Religious Freedom Act, and Native American Graves Protection and Repatriation Act**
There will be no effects on those resources/people that are protected under these acts.

**Environmental Justice (Executive Order 12898)**
This order requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this Act. Public involvement did not identify any adversely impacted local minority or low-income populations. I believe my decision is not expected to adversely impact minority or low-income populations.

**Wild and Scenic Rivers Act**
This project does not affect any Wild and Scenic Rivers.

**Clean Water/Air Acts**
This project will not affect water quality or air.

**ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES**
No comments expressing concern or only supportive comments were received; therefore, this decision is not subject to appeal pursuant to 36 CFR 215.12. Implementation may begin immediately.

**IMPLEMENTATION**
Implementation of this project may begin immediately; (issuance of a 10 year special use permit).

**CONTACT**
For additional information contact John Metrione at the Belt Creek Ranger District, 4234 US HWY 89, Neihart, MT 59465 or 406-236-5102.
Great Falls Snowmobile Club Grooming Shed
Kings Hill Pass
Special Use Permit Reissue