United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Butte Field Office
106 North Parkmont
Butte, Montana 59701-9701
www.blm.gov/mt

In Reply Refer To:
4160 (MTB070)
Allotment: # 20233

October 7, 2015

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

NOTICE OF FIELD MANAGER'S PROPOSED GRAZING DECISION

Dear Interested Public:

The proposed decision is to establish the grazing terms and conditions, management prescriptions, and construct the necessary range improvement projects, to manage grazing on the Indian Creek Forage Reserve Allotment designated in 2009. This proposed decision does not include vegetation and riparian treatments, those decisions were issued on July 1, 2015.

INTRODUCTION

In the 2009, Butte Resource Management Plan (RMP), the Bureau of Land Management (BLM) combined the 2007 Iron Mask acquisition (5,566 acres) with the unleased Indian Creek Allotment (# 20233), and designated the area as the Indian Creek Forage Reserve Allotment.

The intent of the designation was to manage the area as a Forage Reserve Allotment, which could be utilized by permittees of other allotments within the Elkhorns Cooperative Management Area (ECMA) on a temporary basis when their own allotment is unavailable or unusable due to drought, fire, vegetation treatments, or agency project work but with no net increase in authorized AUM's within the ECMA.

The Butte RMP states on page 24 of the Approved Plan:

The existing Indian Creek allotment will be expanded up to 5,566 additional acres and 700 AUMS by the Iron Mask acquisition. This allotment located in the Elkhorns Cooperative Management Area will be managed as a forage reserve allotment. The allotment will be managed to meet, or move toward meeting, Land Health Standards. Use will be authorized on a temporary, nonrenewable basis. The amount of use will be determined by the BFO. Applicants will be required to meet qualifications per the BLM grazing regulations, and show the ability and commitment to repair and maintain improvements and infrastructure. The BFO will rank qualified applicants for the Indian Creek allotment according to the following criteria in priority order:

1. *Be a state or federal permittee or lessee, or private landowner within the boundaries of the Elkhorns Cooperative Management Area (ECMA).*

2. *Implementing projects or vegetation management on ECMA lands.*

3. *Facilitating a change in management to improve resource conditions on ECMA lands.*
4. *Accommodating permittees or lessees displaced by natural causes (i.e. wildland fire, drought, insect infestations, etc.)*
5. *The criteria found at 43 CFR §4130.1-2 (USDI-BLM 2006) when conflicting applications are submitted.*

The Record of Decision for the approved Butte RMP was signed on April 20, 2009; no protests had been filed on the proposed RMP nor were any appeals received on the approved plan regarding the designation of the forage reserve allotment.

The public was involved throughout the development of the Iron Mask Planning Area EA. Public participation started in December 2012 with a public scoping notice mailed to 28 individuals, organizations, and tribes. Additionally, a press release was put out that requested public input during the scoping period. Ten responses to the scoping letter were received that included comments on: travel and access; public involvement; recreation; wildlife, habitat and vegetation restoration; noxious weeds; livestock and forage reserve allotment; cultural resources; and the local economy. These scoping comments were then used to help BLM identify issues and alternatives for accomplishing management goals and objectives when preparing the June 2014 EA for public comment.

Informational public presentations were given for the Rocky Mountain Elk Foundation, the Elkhorns Restoration Committee, and the Townsend Rod and Gun Club.

On June 6, 2014, the BLM released the June 2014 Iron Mask Planning Area EA for public comment, along with an unsigned Finding of No Significant Impact (FONSI). The Draft EA and unsigned FONSI were available for public comment until August 6, 2014.

Following release of the Draft EA and unsigned FONSI, an open house was held in Townsend to collect public comments and answer questions about the EA.

The BLM received 12 comment letters on the Draft EA/unsigned FONSI. The BLM considered the comments received on the draft when completing the EA. In response to public comment, the EA was revised and the proposed action, alternatives, and environmental impacts were adjusted accordingly. Responses to substantive comments are included in Appendix A of the EA. This proposed decision is a grazing decision outlined under 43 CFR (Code of Federal Regulations) § 4160 and will identify the selected alternative and states the terms and conditions, which will be incorporated into grazing authorizations for the forage reserve allotment.

The Final Iron Mask Planning Area EA and FONSI were completed on July 1, 2015.

BACKGROUND

The Indian Creek Forage Reserve Allotment consists of approximately 7,932 acres of federal land, 1,513 acres of private, 643 acres of state land, and 481 acres of local government. In 2007, the BLM acquired 5,566 acres in the Iron Mask acquisition that are included in this forage reserve allotment as required by the 2009 Butte RMP.

I have completed a review of livestock grazing on the allotment and have completed a determination on whether or not the allotment is meeting the Montana/Dakotas Standards for Rangeland Health. The Rangeland Health Assessment determined that the Upland, Riparian, Water Quality, and Diversity standards were not being met. The Land Health Assessment

determined that current livestock grazing was not a causal factor in not meeting Montana Standards for Rangeland Health on this allotment. Causal factors were determined to be conifer and juniper encroachment; historic soil loss; noxious weeds; shifts in plant dominance; bank and channel instability; sedimentation; and high metal content in streams, resulting from historic mining (see enclosed Determination Document for the Indian Creek Forage Reserve Allotment). In addition, an Environmental Assessment (EA) that analyzes grazing management within the Allotment was completed on July 1, 2015 (see Iron Mask Planning Area EA: DOI-BLM-MT-B070-2013-0019-EA at http://www.blm.gov/mt/st/en/fo/butte_field_office.html).

The Rangeland Health Assessment was conducted in 2010, and the interdisciplinary team (IDT) found that the Upland, Riparian, Water Quality, and Diversity standards were not being met. The higher elevation uplands were in good condition, however, the majority of the uplands located on the lower elevation portion were not as expected due to shifts in functional structure groups. The amount of litter and annual production were not as expected because bluebunch wheatgrass was not present at the levels expected compared to the ecological site guide. Cheatgrass was noted in several areas on the site, and as a result of the cheatgrass and lack of bluebunch wheatgrass, the functional structural plant groups have shifted away from a dominance of deep-rooted perennials towards more shallow rooted species. The lower elevation portion of the allotment had similar characteristics throughout. Dalmatian toadflax was prevalent throughout most drainages and scattered throughout the uplands, which was a contributing factor of the Diversity Standard not being met. Douglas-fir and juniper expansion into upland sites was also identified as contributing factor to not meeting standards.

The forested portions of the allotment are located on a hillslope that divides the allotment into higher and lower elevation areas. Dominant species included Douglas-fir, Rocky Mountain juniper, ponderosa pine, and some patches of mountain mahogany. Ponderosa pine is very decadent and there is also some decadence in the Douglas-fir stands. Both Rocky Mountain juniper and Douglas-fir have expanded into upland sites, and in some areas have formed very dense patches (See enclosed Determination Document).

PROPOSED DECISION

My proposed decision is to implement Alternative B as analyzed in the July 1, 2015, EA# DOI-BLM-MT-B070-2013-0019-EA to utilize the Indian Creek Forage Reserve Allotment as approved in the 2009 Butte RMP. This allotment can be utilized by permittees of other allotments within the Elkhorns Cooperative Management Area (ECMA). This Allotment will be used on a temporary basis when their own allotment is unavailable or unusable due to drought, fire, vegetation treatments, or agency project work. Grazing authorizations will be on a short term nonrenewable permit basis. These permits will be issued in compliance with 43 CFR 4110.1 (b)(1), which requires a satisfactory record of performance, and includes terms and conditions pursuant to 43 CFR 4130.3, 4130.3-1, and 4130.3-2.

To implement the 2009 Butte RMP decision to use this area as a Forage Reserve Allotment, additional fencing and water developments will need to be constructed (EA Map 3) as well as establishing terms and conditions for use. Applications for use of the forage reserve allotment on a temporary, nonrenewable basis will be accepted after the pasture division fences and proposed water developments are implemented. Current regulations under 43 CFR 4100 and the following criteria would be used to assess applications:

1. Be a state or federal permittee or lessee, or private landowner within the boundaries of the Elkhorns Cooperative Management Area (ECMA).

2. Implementing projects or vegetation management on ECMA lands.
3. Facilitating a change in management to improve resource conditions on ECMA lands.
4. Accommodating permittees or lessees displaced by natural causes (i.e. wildland fire, drought, insect infestations, etc.)
5. The criteria found at 43 CFR §4130.1-2 (USDI-BLM 2006) when conflicting applications are submitted.

Applicants selected to graze the Indian Creek Forage Reserve allotment will be required to sign a cooperative agreement and assume maintenance responsibility of all range improvement projects for the duration of their temporary nonrenewable permit (43 CFR 4120.3-2 and 4120.3-5). Range improvement projects would be maintained to BLM specifications and standards (43 CFR 4120.3-4).

Applicants selected to graze the Indian Creek Forage Reserve allotment will also be responsible for obtaining a grazing permit from the Montana Department of Natural Resources (DNRC) for the state section included within the allotment. Permittees would be responsible for any additional coordination with private landowners of inholdings within the forage reserve allotment.

The season of use for the Indian Creek Forage Reserve allotment will be from 5/15-10/15, or within the dates of the permittees' normal allotment, whichever is more restrictive. The RMP allows for up to 1,076 AUMs to be authorized. A two-pasture system would be implemented using new and existing fences, and water developments, which would result in a West pasture consisting of approximately 3,605 acres, an East pasture consisting of approximately 3,330 acres, and approximately 775 acres of isolated tracts that would remain unleased for grazing (EA Map 3). Based on the historic stocking rates and current data, the West pasture could support a maximum of 489 AUMs and the East pasture 448 AUMs. Approximately 139 AUMs would become unavailable for grazing.

Indian Creek Forage Reserve

Mandatory Terms and Conditions:

Allotment	Livestock #	Kind	Begin	End	% P. L.	Type Use	AUMS
Indian Creek	185	Cattle	5/15	10/15	100	Temp	937

Other Terms and Conditions:

Allowable use by livestock would not exceed 40% relative use in both pastures.

An average riparian stubble height of 6 inches would be maintained in key areas. (These key areas would be identified once infrastructure is in place and livestock patterns and high use areas are determined.)

Livestock numbers may vary as long as 937 AUMs are not exceeded and use occurs within the identified season of use.

The permittee is required to perform normal maintenance on the range improvements associated with the Indian Creek forage reserve allotment during the authorized period of use.

No salt and/or mineral blocks shall be placed within ¼ mile of livestock water, springs, meadows or streams. In the event that topography and/or available water sources do not allow for the ¼ mile requirement, coordination would be done with BLM personnel prior to placement of salt each year.

The Terms and Conditions of the permit/lease may be modified if additional information indicates that revision is necessary to conform to the Standards and Guidelines for Rangeland Health (43 CFR 4180).

No livestock grazing will be allowed within any fenced spring or riparian area, or vegetative study exclosure.

Motorized wheeled cross-country travel is limited to the administration of the lease or permit.

After consultation with the BLM, and written approval, permittees/lessees may be required to adjust the pre-planned pasture grazing sequence identified in an Allotment Management Plan (AMP) or other management plan due to drought or other unforeseen natural events.

With prior BLM approval, more livestock may be grazed for a shorter period within the authorized season of use. However, the maximum authorized AUMs, or season of use, as specified in the term grazing permits/leases cannot be exceeded by allowing this flexibility.

Livestock may need to be removed from a specific pasture prior to the maximum number of days specified in the grazing schedule. If this occurs, the time allocated in subsequent pastures will be adjusted proportionally.

Allotment Summary	Active AUMs
Indian Creek Forage Reserve	937

My proposed decision also includes construction of range improvements necessary to utilize the Indian Creek Forage Reserve Allotment. Jackleg and rail riparian exclosures will be constructed around spring sources used for stock water developments. A let-down exclosure will be constructed around the wet meadow in the west pasture that will be let down when livestock are not using the allotment. A pipeline and tank will be constructed adjacent to the exclosure using the wet meadow as a source.

Removal of approximately six miles of obsolete fence will occur along with construction of approximately five miles of new fence. All new fence construction will meet BLM fencing standards for wildlife movement, and let-down fence would be utilized where possible. Existing boundary fences will be repaired or rebuilt as needed. Three headboxes/spring developments will be constructed and feed up to seven tanks. The tanks will be either of fiberglass or rubber tire construction.

Up to 6 ½ miles of pipelines will be installed to supply the tanks. Pipelines will be buried where possible. Pipelines will be placed on the surface where rock or topography prevents burial. A total of less than four acres of disturbance will occur from pipeline burial. Cultural resource surveys will be conducted prior to any ground disturbing activity. Historic properties will either be avoided or the impacts mitigated.

The following design features apply to all water developments:

- All applicable State and Federal Permits will be obtained and the Terms and Conditions applied.
- Spring sources and associated riparian wetland habitat will be fenced to exclude livestock use on developed springs.
- Flow measurements will be gathered at springs proposed for new development. Springs that have inadequate flows to provide a reliable water source for authorized livestock, while maintaining existing wetland/riparian habitat would not be developed. Adequate water would be left at the spring source to maintain wetland hydrology, hydric soils, and hydric vegetation.
- Routes leading to previously authorized water developments may be maintained. Maintenance routes could be constructed with minimal (less than 1/2 acre total per maintenance route) ground disturbance exposing bare mineral soil. These new routes will be "Limited to administrative and authorized users." Permit/lease holders may be authorized to travel along pipeline routes to perform maintenance as defined in the term grazing permit/lease.
- All old materials (pipeline, troughs, head boxes, etc.) would be cleaned up and removed when springs are redeveloped, maintained, or abandoned. Permittees are responsible for cleanup on projects they maintain or construct; BLM is responsible for cleanup on projects that BLM maintains and/or constructs.
- Soil disturbance resulting from pipeline installation would be seeded with a BLM approved native seed mix following construction.

RATIONALE

Montana Standards for Rangeland Health were assessed on the Indian Creek Forage Reserve Allotment. The Upland, Riparian, Water Quality, and Diversity standards were not being met. The Air Quality standard was met. The Land Health Assessment determined that current livestock grazing was not a causal factor in not meeting Montana Standards for Rangeland Health on this allotment. Causal factors were determined to be conifer and juniper encroachment; historic soil loss; noxious weeds; shifts in plant dominance; bank and channel instability; sedimentation; and high metal content in streams, resulting from historic mining.

This proposed decision will allow for temporary authorization of livestock grazing on the Indian Creek Forage Reserve Allotment in a sustainable manner that meets or allows significant progress to be made towards meeting Montana Dakotas Standards for Rangeland Health. This proposed decision meets the purpose and need from the EA (DOI-BLM-MT-B070-2013-0019-EA), to restore and maintain riparian, wetland, aquatic and upland habitats through existing and revised grazing management and structural projects in accordance with applicable laws and regulations, in a manner that will achieve or make significant progress toward achieving Western Montana Standards for Rangeland Health and Guidelines for Livestock Grazing Management within the Indian Creek Forage Reserve Allotment.

The Indian Creek Forage Reserve Allotment will be managed to meet, or move toward meeting Land Health Standards. This allotment would only be used when necessary, due to natural or human causes making a permittee's own allotment unusable. Examples of natural causes include wildland fire or drought. Human causes would primarily be vegetation treatments occurring on the permittee's regular allotment. Use of the forage reserve allotment would facilitate completion of vegetation treatment projects, which in turn contribute an overall improvement in

vegetation health in the ECMA. Because the forage reserve allotment is for use by displaced livestock from elsewhere in the ECMA, there would be no net increase in livestock use within the ECMA.

The season of use for the Indian Creek Forage Reserve allotment would be from 5/15-10/15, or within the dates of the permittees' normal allotment, whichever is more restrictive. Generally it is expected that most years the East pasture would be used first. Livestock would be moved to the West pasture when 40% use is achieved in the East pasture. In dry or warm years the West pasture could be used first. Each pasture would only be utilized once per grazing season although trailing may occur up to twice per year.

On an annual basis, the West pasture would not be used until either 40% relative use (USDI-BLM 1999a) on the East pasture is met, or when soil moisture and plant phenology thresholds are achieved which would enable the West pasture to be used first. Due to microclimate differences from elevation and topography, the soil moisture and plant phenology thresholds would not typically be met until mid-June in the West pasture in most years.

Grazing would end in the West pasture after a 6" stubble height is achieved on key riparian species that are outside of proposed riparian exclosures. Livestock would then be moved to the East pasture if the West pasture had been used first, or taken off of the allotment. Implementing the proposed minimum stubble height of 6" (approx. 15 cm) on key riparian species within the West pasture would provide an easily communicated management benchmark and help move the riparian areas toward meeting the Riparian Standard.

When stubble heights are reduced to less than 10 cm (approx. 4"), the ability of cattle to forage becomes less effective and efficient. This can result in increased livestock trailing and increased browsing of woody species such as willows. Data indicates that when considering a number of riparian issues such as: maintaining forage vigor; entrapping and stabilizing sediment under inundated flow; trampling of stream banks; sustaining forage intake and cattle gain; and diversion of willow browsing; that a stubble height of 10 cm on streamside graminoids may be the best compromise in many situations.

To confirm the accuracy of the estimated carrying capacity, clipping and weighing of key forage species would be conducted on at least one low precipitation year, one average year, and one above average year (USDI-BLM 1999b). If results of monitoring show herbivory overuse, the allowable AUMs in this allotment would be reduced accordingly.

Jackleg and rail riparian exclosures would be constructed around spring sources for stock water developments. A let-down exclosure would be constructed around the wet meadow in the west pasture that would be let down when livestock are not using the allotment. A pipeline and tank would be constructed adjacent to the exclosure using the wet meadow as a source. The construction of exclosures around spring sources for stock water developments would help to reduce the amount of livestock trailing and trampling in and around the springs. Constructing exclosures around spring sources may also help to reduce the amount of browsing on desirable woody species such as willows and aspen where present. The use of a let-down fence around the wet meadow in the West pasture would help to reduce livestock trailing and trampling within the wet meadow.

Removal of approximately six miles of obsolete fence would occur along with construction of approximately five miles of new fence. All new fence construction would meet BLM fencing standards for wildlife movement, and let-down fence would be utilized where possible. Existing boundary fences would be repaired or rebuilt as needed. Fence modifications, meeting BLM

fencing standards, would reduce the chances of wildlife getting entangled. It would also increase the ability of wildlife, especially ungulates, to move freely on the landscape to access forage, water, and seasonal habitat areas.

Three headboxes/spring developments would be constructed and feed up to seven tanks to maximize livestock dispersal across the pastures. Three tanks would be fenceline tanks accessible from both pastures, and four tanks would be located in the East pasture. The headboxes would be fenced if necessary, based upon impacts from hoof or grazing damage in the immediate vicinity. The tanks would be either of fiberglass or rubber tire construction.

Up to 6 ½ miles of pipelines would need to be installed to supply the tanks. Pipelines would be buried where possible. Pipelines would be on the surface where rock or topography prevents burial. A total of less than four acres of disturbance may occur from pipeline burial. Pipeline trenches would be reseeded with native plant mix following pipeline burial. These pipelines and stocktanks would provide increased water availability to big game, as well as livestock. These water developments would help disperse use by cattle and big game across the allotment, and may partially compensate for lack of access to the Missouri River for big game that has been largely cut off by human development on private lands

Minimal (less than ½ acre per new water development) ground disturbance may occur while creating new maintenance routes and access to new spring development locations. Route work would be only to the extent necessary to allow access of necessary equipment, generally a rubber tire equipped backhoe. The routes created as a result of this initial access would be "Limited to administrative and authorized users." These routes would serve as maintenance routes for the spring development and subsequent pipelines. Erosion control measures (i.e. waterbars, rolling dips, waddles, etc.) would be installed where overland flow is observed or expected to occur. Cultural resource surveys will be conducted prior to any ground disturbing activity.

No lasting effects from installation of water pipelines are anticipated. A total of less than four acres would be disturbed; pipeline trenches would be reseeded with native seed mix after being backfilled. Pipeline routes and installation procedures would adhere to the *Montana Stockwater Pipeline Manual* (USDA-NRCS 1992, edited 2004).

If monitoring and/or consistent reports from local landowners indicate that wild ungulates are being displaced by cattle, the East and West pastures would be divided into four pastures to reduce the displacement.

With the proposed Terms and Conditions, the livestock would be a source of controlled disturbance that could increase vigor and reproduction of native plants in the Indian Creek Forage Reserve. By removing no more than 40% of the plant's vegetative material prior to the seed head elevating, the plant would direct more energy to seed production. This would increase the amount of seeds available to germinate in the microsites produced by the hoof action of the livestock. This hoof action disturbance could create microsites for native vegetation by breaking up the club moss mat and prickly pear. Removal of decadent vegetative cover could increase plant productivity by allowing more resources; sunlight, water, and other nutrients, to be intercepted by actively photosynthesizing leaves. Removing cattle prior to plant senescence provides the opportunity for fall regrowth. Properly timed grazing could also reduce the amount of cheatgrass seeds viable to complete the annual lifecycle if plants are impacted prior to seed ripening. Seeds that are consumed at this stage have a reduced viability of 38-71%. The two-pasture rotation along with multiple water sources would help spread use more evenly across the pastures and with less concentration on the natural water sources in the area.

As a forage reserve allotment, Indian Creek would not be subject to sustained annual livestock use. It would receive periodic livestock use, generally allowing for several years of rest between temporary authorizations.

AUTHORITY

The following sections of the Code of Federal Regulations, Chapter 43, provide authority for the actions proposed in this grazing decision. The language of the cited sections can be found at a library designated as a federal depository. The regulations may also be accessed at: http://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2009/IM_2009-109.html

4100.0-8 - Land Use Plans
4110.1 - Mandatory Qualifications
4110.2-2 - Specifying permitted use
4110.2-4 - Allotments
4110.3 - Changes in permitted use
4120 - Grazing Management
4120.3 - Range Improvements
4130.2 - Grazing permits or leases
4130.3 - Terms and conditions
4130.3-1 - Mandatory terms and conditions
4130.3-2 - Other terms and conditions
4130.3-3 - Modification of permits or leases
4130.6 - Other Grazing Authorizations
4130.6-2 - Nonrenewable Grazing Permits and Leases
4160 - Administrative remedies
4180 - Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration

The proposed decision is consistent with federal law including the Federal Land Policy and Management Act (FLPMA) of 1976, the Public Rangelands Improvement act of 1978, the Taylor Grazing Act of 1934, the Endangered Species Act, the National Historic Preservation Act and the Clean Water Act, and applicable resource management plans for the Butte Field Office.

RIGHT OF PROTEST AND/OR APPEAL

Any applicant, permittee, lessee, or other interested publics may protest a proposed decision under Sec. 43 CFR 4160.1 and 4160.2, in person or in writing to Scott Haight, Field Manager, BLM Butte FO, 106 North Parkmont Street, Butte, MT 59701, within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) why the proposed decision is in error.

In accordance with 43 CFR 4160.3 (a), in the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.

In accordance with 43 CFR 4160.3 (b) upon a timely filing of a protest, after a review of protests received and other information pertinent to the case, the authorized officer shall issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.3 and 4160 .4. The appeal must be filed within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 and 4.479, pending final determination on appeal. The appeal, or the appeal and petition for stay, must be in writing and delivered in person, via the United Stated Postal Service mail system, or other common carrier, to the Butte Field Office as noted above. The BLM does not accept appeals by facsimile or email. The appellant must serve a copy of the appeal by certified mail on the Office of the Solicitor, Billings Field Office, Rocky Mountain Region, Department of the Interior, 2021 4th Avenue North, Suite 112, Billings, MT 59101 and person(s) named [43 CFR 4.421(h)] in the *Copies sent to:* section of this decision letter.

The appeal shall clearly and concisely state the reasons why the appellant thinks the final decision is in error, and otherwise complies with the provisions of 43 CFR 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay must show sufficient justification based on the following standards:

(1) The relative harm to the parties if the stay is granted or denied.
(2) The likelihood of the appellant's success on the merits.
(3) The likelihood of immediate and irreparable harm if the stay is not granted, and
(4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and served in accordance with 43 CFR 4.473.

If you have any questions, please call Roger Olsen or Don Despain at 406-533-7600.

Sincerely,

//SIGNED//

Scott Haight
Field Manager

Enclosure

MTB070:ddespain:lb:10062015:x7661:proposedgrazingdecisionindiancreekforagereserve

Copies Sent to:

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Sara Jane Johnson
Native Ecosystems Council
P.O. Box 125
Willow Creek, MT 59760

Elkhorn Restoration Committee
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Montana Department of Natural Resources and Conservation
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