

108TH CONGRESS
1ST SESSION

H. R. 2395

To provide suitable alternative grazing arrangements on National Forest System land to persons that hold a grazing permit adversely affected by the standards and guidelines contained in the Record of Decision of the Sierra Nevada Forest Plan Amendment and pertaining to the Willow Flycatcher and the Yosemite Toad.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2003

Mr. RADANOVICH (for himself, Mr. DOOLITTLE, Mr. HERGER, Mr. NUNES, and Mr. OSE) introduced the following bill; which was referred to the Committee on Resources

A BILL

To provide suitable alternative grazing arrangements on National Forest System land to persons that hold a grazing permit adversely affected by the standards and guidelines contained in the Record of Decision of the Sierra Nevada Forest Plan Amendment and pertaining to the Willow Flycatcher and the Yosemite Toad.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SUITABLE ALTERNATIVE GRAZING ARRANGE-**
2 **MENTS FOR SIERRA NEVADA RANCHERS.**

3 (a) **EFFORTS TO PROVIDE ALTERNATIVE GRAZING**
4 **ARRANGEMENTS.**—The Secretary of Agriculture shall un-
5 dertake best efforts to provide suitable alternative grazing
6 arrangements on other National Forest System land to a
7 person that holds a permit to graze on National Forest
8 System land if the Secretary determines that the permit-
9 tee’s grazing privileges will be limited by implementation
10 of the standards and guidelines pertaining to the willow
11 flycatcher and the Yosemite Toad that are contained in
12 the Record of Decision of the Sierra Nevada Forest Plan
13 Amendment (referred to in this section as the “guide-
14 lines”).

15 (b) **CATEGORICAL EXCLUSION.**—The Secretary may
16 provide, consistent with section 102 of the National Envi-
17 ronmental Policy Act of 1969 (42 U.S.C. 4332), a categor-
18 ical exclusion from that Act for alternative grazing ar-
19 rangements provided under subsection (a) without first
20 administratively establishing an applicable category of ex-
21 cluded actions. No scoping shall be required for any such
22 categorical exclusion.

23 (c) **DELAYED APPLICABILITY.**—Notwithstanding the
24 Forest and Rangeland Renewable Resources Planning Act
25 of 1974 (16 U.S.C. 1600 et seq.), the guidelines shall not
26 apply during calendar year 2003 to grazing activities on

1 any of the following severely affected allotments for which
2 the Secretary is unable to provide alternative arrange-
3 ments:

4 (1) The Sardine allotment on the Humboldt-
5 Toiyabe National Forest.

6 (2) The Feather River, Soda Creek/North
7 Butte, and Robbers Creek allotments on the Lassen
8 National Forest.

9 (3) The Doyle allotment on the Plumas Na-
10 tional Forest.

11 (4) The Blasingame, Dinkey, Iron Creek, Kai-
12 ser, Markwood, Mount Tom, Patterson Mountain,
13 and South Jackass allotments on the Sierra Na-
14 tional Forest.

15 (5) The Long Valley/Eagle Meadow, Highland
16 Lakes, Cooper, and Herring allotments on the
17 Stanislaus National Forest.

18 (6) The Parazzo and Gold Valley allotments on
19 the Tahoe National Forest.

20 (d) ISSUANCE OF DIRECTION.—Without regard to
21 any other proceeding otherwise required by law, the Sec-
22 retary shall issue direction as soon as practicable for cal-
23 endar year 2003 to minimize harm to the Willow
24 Flycatcher and the Yosemite Toad from the grazing activi-
25 ties permitted under this section. The Secretary shall hold

1 a public meeting in the Stanislaus National Forest and
2 in the Sierra National Forest before issuing such direc-
3 tion. The Secretary shall not be required to amend or re-
4 vise any land and resource management plan to issue such
5 direction, and shall not be required to comply with any
6 other procedures otherwise required by law before issuing
7 such direction.

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