

108TH CONGRESS
1ST SESSION

S. 1111

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 SENATE OF THE UNITED STATES

MAY 22, 2003

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural 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,*

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

5 (a) **EFFORTS TO PROVIDE ALTERNATIVE GRAZING**
6 **ARRANGEMENTS.**—The Secretary of Agriculture shall un-

1 dertake best efforts to provide suitable alternative grazing
2 arrangements on other National Forest System land to a
3 person that holds a permit to graze on National Forest
4 System land if the Secretary determines that the permit-
5 tee's grazing privileges will be limited by implementation
6 of the standards and guidelines pertaining to the willow
7 flycatcher and the Yosemite Toad that are contained in
8 the Record of Decision of the Sierra Nevada Forest Plan
9 Amendment (referred to in this section as the "guide-
10 lines").

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

19 (c) DELAYED APPLICABILITY.—Notwithstanding the
20 Forest and Rangeland Renewable Resources Planning Act
21 of 1974 (16 U.S.C. 1600 et seq.), the guidelines shall not
22 apply during calendar year 2003 to grazing activities on
23 any of the following severely affected allotments for which
24 the Secretary is unable to provide alternative arrange-
25 ments:

1 (1) The Feather River, Soda Creek/North Butte
2 and Robbers Creek allotments on the Lassen Na-
3 tional Forest.

4 (2) The Doyle allotment on the Plumas Na-
5 tional Forest.

6 (3) The Parazzo and Gold Valley allotments on
7 the Tahoe National Forest.

8 (4) The Long Valley/Eagle Meadow, Highland
9 Lakes, Cooper and Herring allotments on the
10 Stanislaus National Forest.

11 (5) The Blasingame, Kaiser, South Jackass,
12 Iron Creek and Markwood allotments on the Sierra
13 National Forest.

14 (d) ISSUANCE OF DIRECTION.—Without regard to
15 any other proceeding otherwise required by law, the Sec-
16 retary shall issue direction as soon as practicable for cal-
17 endar year 2003 to minimize harm to the Willow
18 Flycatcher and the Yosemite Toad from the grazing activi-
19 ties permitted under this section. The Secretary shall hold
20 a public meeting in the Stanislaus National Forest and
21 in the Sierra National Forest before issuing such direc-
22 tion. The Secretary shall not be required to amend or re-
23 vise any land and resource management plan to issue such
24 direction, and shall not be required to comply with any

4

- 1 other procedures otherwise required by law before issuing
- 2 such direction.

○