

**Decision Notice  
and  
Finding of No Significant Impact**

**Livestock Grazing Management  
for the  
Deer Creek Allotment**

**USDA Forest Service  
Carson National Forest, Questa Ranger District  
Taos County, New Mexico**

**Introduction**

The Deer Creek Allotment is located southeast of Questa, in northern New Mexico (see Map 1). It can be accessed from the Taos Ski Valley area by hiking Wheeler Peak Forest Trail #90 and Forest Trail #64 towards the Gold Hill area. The legal description is T28N, R13E Section 13, and all/or portions of T28N, R14E, Sections 2, 3, 4, 17, 18, 28, and 33. The allotment is made up of three pastures – Deer Creek, Main Fork, and Long Canyon. The environmental assessment (EA) for this allotment documents the analysis of three alternatives to address the specific ecological, social, and economic needs of the area. The EA is available for review at the Questa Ranger District, Questa, New Mexico. Please refer to Appendix A for the project record index.

**Decision**

I have reviewed the Carson National Forest Land and Resource Management Plan [5],<sup>1</sup> and the Deer Creek Allotment Environmental Assessment. [126] Based on my review and the examination of all alternatives, I have decided to implement Alternative C, the Proposed Action. My decision will:

- Permit 25 to 50 cow/calves with a maximum of 167 AUMs and manage the allotment under a rest rotation grazing system. Long Canyon pasture will be the first pasture rested in 2008.
- Authorize two and ½ months of grazing within a three month season. The range of entry dates will be from July 1 to July 15. September 15 to September 30 will be the range of exit dates.
- Protect high quality white-tailed ptarmigan nesting habitat by applying a 20% (light) utilization threshold in the Long Canyon pasture until July 23<sup>rd</sup>.
- Apply a conservative grazing management guideline of 20 to 40 percent forage utilization to maintain or improve rangeland vegetation condition and a minimum

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<sup>1</sup> Source documents from the project record are incorporated by reference in this decision by showing the document number in brackets [#]. An index to the project record is included with this decision.

of 4-inch stubble height of forage species in key riparian areas with the exception of Middle Fork Lake. A 6" stubble residual stubble height will apply to the area surrounding Middle Fork Lake.

- Authorize a 0.1 acre spring development at the Long Canyon/Gold Hill spring. Actions include: (1) Submitting a declaration of ownership of livestock water (or dam) to the State of New Mexico, (2) Relocating the existing livestock watering area to an area that will eliminate spring degradation, (3) Construct a (approximately) 80 ft x 135 ft native material buck and pole fence around the spring site to protect it from further soil compaction, (4) Re-set an existing collection pipe to hide it from view, (5) Install approximately 230 feet of small diameter water line within the 0.1 acre site in a location that is not visible and does not impact the spring site, (6) Install a trough, a float valve, and a wildlife escape ramp to FS standards, and, (7) Harden the area surrounding the trough to protect soils. All work associated with spring development will occur in the summer and fall of 2008 and the Long Canyon pasture will be rested during this time. The spring will be functional in 2009.
- Short-term monitoring will consist of ocular (visual) inspection, photographs, vegetation sampling, Rapid Assessment Methodology, and use of the established grazing intensity and utilization guidelines. Long-term monitoring would include the review of established (and permanent) Parker 3-Step transects, production/utilization studies (that are conducted on an average of 10 years). Additional monitoring methodology may be included as new technology becomes available.
- Implementation monitoring will include monitoring for the presence of musk thistle and Canada thistle within the allotment. Utilization and residual stubble height in key areas will be measured at the end of the growing season and will include: (1) Middle Fork Lake 6" residual stubble height for Sangre de Cristo peacam and White-tailed ptarmigan habitat, (2) Two 1/4 acre and three 1/10 acre riparian meadows in the Main Fork and Long Canyon pasture to assess the condition and presence of upland grass species, (3) The Long Canyon/Gold Hill spring and Bull of the Woods riparian area to gauge effectiveness of the structure in terms of reducing pressure on the riparian area, and, (4) Compliance with a 20% (light) utilization threshold until July 23rd later in Long Canyon pasture to protect White-tailed ptarmigan nesting habitat.

### **Best Management Practices and Mitigation**

In addition to requiring project implementation to follow forest plan standards and guidelines, the Southwestern Region's Soil and Water Conservation Practices Handbook of best management practices (BMP's) for rangeland and watershed management (see Appendix B), evaluation and opinions from the U.S. Fish and Wildlife Service, and any other Forest Service policies that apply, mitigation measures include:

(1) To protect heritage resources, if any unrecorded sites are discovered during the course of project implementation all project activities in the vicinity of the site(s) will cease and the District or Forest Archeologist would be notified.

(2) To establish noxious weed preventative practices: (a) communication and coordination with the permittees on the allotment will occur to encourage preventative practices, especially if any noxious weeds become established on their private pastures. This will also keep them informed of any established populations on the allotment so they can avoid unintentionally transporting them back home; and, (b) New occurrences of musk thistle and Canada thistle (which is currently found on private property) will be monitored for the next 3 years (as suggested by Rangeland Analysis and Management Training Guide (6/97), Appendix A) and will be controlled by appropriate means as needed.

(3) To promote actions that are consistent with wilderness character: (a) non-motorized and non-mechanized methods will be the only means of transporting fence and/or spring materials within the Columbine-Hondo WSA, (b) Grazing permittees will be required to participate in trail maintenance on the trails used to drive livestock onto the allotment, (c) permittees and their wranglers will use weed-free feed or pellets when bring horse feed into the Columbine-Hondo WSA.

This decision is consistent with NFMA. I have considered the best available science in making this decision. [3, 8, 14, 24, 25, 28, 29, 33, 36, 41, 46, 47, 49, 61, 78, 94, 116-117, 120, 122-126] The project record demonstrates a thorough review of relevant scientific information including monitoring reports, consideration of responsible opposing views, and, where appropriate, the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

### **Rationale for the Decision**

Alternative C, the Proposed Action, was developed by comparing the existing conditions on the allotment with desired conditions and management direction provided in the Carson National Forest Land Management Plan (hereby, forest plan). [5] Alternative C best meets the purpose of and need for action because it provides additional management flexibility in terms of stocking rates (AUMs) and the grazing season. This is needed to maintain the allotment's good condition and move towards an upwards trend. Alternative C best addresses vegetation recovery in high elevation grasslands and riparian areas by having a rest rotation grazing system, a range of AUM's, and a range of entry and exit dates. The combination of these actions will improve species composition and diversity in upland meadows and riparian areas by transitioning the existing blue grass meadows towards a more native meadow species. It will improve livestock distribution in the Long Canyon and Main Fork pastures and reduce livestock concentration in the Bull of the Woods wetland. This will result in an increase of riparian vegetation over time. Compared to Alternative B, Alternative C best improves riparian vegetation ground cover and shading as a result of rest rotation and improved distribution (less concentrated utilization).

Because Alternative C maximizes flexibility in terms of stocking rates and entry and exit dates, it best maintains quality wildlife habitat by implementing a conservative 40% grazing utilization and a 4" residual stubble height (6" residual stubble height at Middle Fork Lake) guideline that both reduces the chance of over-utilization and provides for maintaining residual native food and cover for wildlife species (that are dependent on a grass/forbs habitat). Alternative C will best protect quality White-tailed ptarmigan nesting and foraging habitat in Long Canyon and Middle Fork by implementing utilization and timing guidelines. In addition, this EA and decision responds to the recommendations provided by the Appeal Deciding Officer on May 6, 2005 in response to an appeal received in 2004. [76]

### **Alternatives Considered**

Besides Alternative C, two alternatives were considered. They included the no action alternative (Alternative A), and an action alternative (Alternative B) that addressed current management.

#### **Alternative A - No Action**

Under the no action alternative, domestic livestock grazing would no longer be authorized on the Deer Creek Allotment. The grazing permittee would be required to remove all cattle from the allotment and their permit would be cancelled. All maintenance of range facilities would revert to the Forest Service, where they would be evaluated for wildlife, watershed, and soil protection needs. Structures associated with the spring in the Long Canyon/Gold Hill area would be removed. Allotment fences would not be removed, as they would be needed to prevent use by livestock from adjacent active allotments (Columbine and Arroyo Hondo). Under the no action alternative, the forest plan would continue to guide management of the area.

#### **Alternative B – Current Management**

This alternative represents a continuation of current grazing management on the Deer Creek Allotment. Fifty cow/calves, which equates to 167 AUMs would be permitted and three pastures would be managed under a deferred-rotation grazing system. The grazing season would be a two and ½ month grazing season with July 1 as the entry date and September 15 as the exit date. Range readiness guidelines would have to be met prior to allowing livestock to enter the allotment. A conservative grazing management guideline of 20 to 40 percent forage utilization (includes use from livestock and wildlife) would be applied to maintain or improve rangeland vegetation condition. Utilization would be monitored throughout the grazing period. In key riparian areas, a minimum of 4-inch stubble height of forage species would apply. Residual stubble height would be monitored at the end of the growing season. The Long Canyon/Gold Hill spring would not be developed and mitigation (reduced livestock numbers) would be required in the Long Canyon pasture for a period up to 5 years. Short-term monitoring would consist of ocular inspection, photographs, vegetation sampling, Rapid Assessment Methodology, and use of the established grazing intensity and utilization guidelines. Long-term monitoring would include reviews of established (and permanent) Parker 3-Step

transects, production/utilization studies (that are conducted on an average of 10 years). Additional monitoring methodology may be included as new technology becomes available.

## **Public Involvement**

Because there have been several attempts to complete the environmental analysis, the proposal has been listed in the Carson National Forest Schedule of Proposed Actions since July of 1994. Previous public involvement and analysis efforts are located in the project record. [13, 32, 35, 42, 43, 45, 51-54, 56, 65, 69, 76, 80-82, 84, 98, 111-113, 122]

Public involvement efforts resumed in September of 2005, when the proposed action was mailed to 20 interested and affected people and to 16 Tribes who regularly consult with the forest. A total of five letters were received in response to the 2005 solicitation for comments.

In 2007, the proposed action was mailed to 25 interested and affected people or groups on December 11, 2007. The most recent legal notice of availability was published in *The Taos News* on December 13, 2007, announcing the availability of the proposed action for the Deer Creek Allotment for public comment, in accordance with 36 CFR 215.5(b). [112] A 30-day comment period followed the date of the legal notice, ending on January 15, 2008. In addition, a letter soliciting comments was sent to 16 Tribes who regularly consult with the Carson National Forest on December 17, 2007. [113] Two letters were received in response to the December, 2007, solicitation for comments and no issues were raised. [115, 117] Permittees participated in the planning process via meetings with the district.

## **Finding of No Significant Impact**

Based on the interdisciplinary environmental analysis, review of the National Environmental Policy Act (NEPA) criteria for significant effects, and my knowledge of the expected impacts, I have determined that this action does not pose a substantial question of significant effect upon the quality of the human environment. Therefore, an environmental impact statement is not needed. This determination is based on the following factors:

- (a) **Context** – The physical and biological effects of the proposed actions and alternatives described in the environmental assessment are site-specific actions limited to this analysis area. The significance of the proposed action is evaluated within the context of the Questa Ranger District and Taos County.
- (b) **Intensity** – The severity of the environmental effects of the proposed projects, considered alone or cumulatively with others, was tested against ten criteria listed in 40 CFR 1508.27.

### **1. Impacts that may be both beneficial and adverse**

Both beneficial and adverse effects and their significance were discussed for the alternatives considered in detail. Effects were lessened or eliminated through

alternative design and mitigation measures. [EA, pp. 9-18] None of the adverse effects were determined to be significant, singularly or in combination. The beneficial effects of the action do not bias my finding of no significant environmental effects. The anticipated environmental effects and their intensity have been disclosed for each alternative in Chapter 3 of the EA. [EA, pp. 24-58] Beneficial impacts were not used to minimize the severity of any adverse impacts. The proposed uses of National Forest System lands will not result in any known significant irreversible resource commitments or a significant irreversible loss of soil productivity [EA, pp. 31,3, #123], water quality [EA pp.33-34, #123], wildlife habitats [EA pp. 36-50, #125], heritage resources [EA pp. 51-52, #120], or recreational opportunities [EA pp. 56-58, #117].

**2. The degree to which the proposed action affects public health or safety**

Grazing activities do not constitute a threat to public health or safety. This decision does not involve national defense or security. Livestock grazing has occurred on this allotment or in the same types of vegetation throughout the Carson National Forest for many years and there is a high degree of site-specific knowledge on the implementation and effects of livestock grazing. [EA pp.24-58, #116]

**3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas**

There are no unique characteristics of the geographical area that will be significantly affected by my decision. There are no effects to prime farmlands. There are no FEMA designated floodplains within the allotment since this portion of the Carson National Forest is an unstudied area (FEMA FIRM maps, 1989, Taos County, NM, Map Index 350078-0275-C, & Panels 275 of 650). However, base floodplains occur along stream channel of the allotment. There are benefits to riparian vegetation in terms of improved vegetation cover and shading which will provide more filtering of sediments from runoff, greater bank stability, and cooler water temperatures. [EA, pp. 32, 34, #123] There are beneficial effects to the pea clam (Forest Plan Management Area 20) zoological area because improved habitat conditions would come from maintaining a 6 inch residual stubble height in the Main Fork pasture around Middle Fork Lake and by the construction of the permanent fence around the spring (water source for livestock) in Long Canyon pasture. [EA, p. 41, #125] Approximately 10% is within Wheeler Peak Wilderness, and approximately 70% is within the Columbine-Hondo Wilderness Study Area (WSA). There may be the potential for reduced opportunities for solitude and inspiration by grazing (presence of livestock) but there would be no effect on the opportunity for challenge or a primitive experience. With mitigation, there are no significant effects and the decision is consistent with forest plan direction. Several waters are eligible for wild and scenic designation. Because there would not be an adverse effect to values contributing to the eligibility of free-flowing streams within the allotment, there is no effect to wild and scenic eligibility status.[EA p. 56, #117] See significance factor #8 for discussion related to historic or cultural resources.

**4. The degree to which the effects on the quality of the human environment are likely to be highly controversial**

Because the decision maintains the allotment in good condition and moves the trend upward, the activities associated with this decision will not significantly affect the quality of the human environment, and the effects are unlikely to be highly controversial in a scientific sense. [EA, pp. 24-58] No evidence has been presented that raises substantial questions as to the correctness of the environmental consequences that have been estimated. As required by 36 CFR 219.35, I have considered the best available science in making this decision. The project record demonstrates a thorough review of relevant scientific information, consideration of responsible opposing views, and, where appropriate, the acknowledgment of incomplete or unavailable information such as monitoring reports, scientific uncertainty, and risk. [3, 8, 14, 24, 25, 28, 29, 33, 36, 41, 46, 47, 49, 61, 78, 94, 116-117, 120, 122-126]

The effects on the human environment are not likely to be highly controversial based on the involvement of forest resource specialists, other agencies, and the public. The public scoping for project initiation which also incorporated the 30-day comment period in 2005 received 5 responses. [EA p. 6, #87] In December of 2007, the proposed action was mailed to interested and affected people or groups and a 30-day comment period followed. Two responses were received and no issues were raised. [EA, p. 6, #115, #121] After reviewing the project record and EA, I am confident the interdisciplinary team reviewed the comments/concerns and incorporated them into alternatives or addressed them in the appropriate resource section. [#122] It is my judgment that there is no unusual or high degree of controversy related to this project.

**5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks**

This decision has no known effects on the human environment that are highly uncertain or involve unique or unknown risks. All of the effects of the selected alternative are similar to those taken into consideration and disclosed in the Carson Forest Plan's final environmental impact statement Chapter 2 and Chapter 4. [#4, pp. II-86-122 & IV-1-85] Livestock grazing is an historic use and has been practiced on this allotment since 1957 [#1] and on the Carson National Forest for many years. [#4, EA. pp.52-55, #116]

**6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration**

This decision does not represent a precedent for future actions with significant effects or represent a decision in principle about a future consideration. The environmental assessment is site-specific and its actions incorporate those practices envisioned in the forest plan and are within forest plan standards and guidelines. [4]

**7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts**

For all resources there are no significant cumulative effects of this decision along with other past, present, or reasonably foreseeable actions implemented or planned in the area. However, grazing combined with public use on recreation trails and roads would continue to have some impact on heritage sites over time. The EA describes the anticipated cumulative effects for each of the affected resources sections. [EA, pp. 26, 34, 42, 49-50, 54-55] After reviewing the EA, I am satisfied that none of the cumulative effects of my decision are significant. Regarding heritage resources, an archaeological clearance signed March 6, 2001 documents that NMSHPO concurred that continuing the current grazing practices and making the range improvements would have “no effect” on heritage resources.

**8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the national Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources**

The archaeological clearance and IS&A for the allotment was signed March 6, 2001, and the archaeological clearance and IS&A for Long Canyon Spring Development and Taos Ski Valley pipe corral was signed September 8, 2005, all in compliance with Section 106 of the National Historic Preservation Act. The NMSHPO concurred that continuing the current grazing practices and implementing the range improvements would have “no effect” on heritage resources. Additional survey, site recordings, historical background, and information on site conditions in the allotment are found in Carson Forest Report #2000-02-133-B and the accompanying site forms. A review of the current preferred action and alternatives, as well as the archaeological clearance signed March 6, 2001, shows that the documents meet the standards of the 2006 Forest Service, Region 3, Grazing Protocol signed with the New Mexico State Historic Preservation Office (SHPO).[#120]

**9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973**

None of the four Federal “Listed” species (Mexican spotted owl (*Strix occidentalis lucida*), bald eagle (*Haliaeetus leucocephalus*), southwestern willow flycatcher (*Empidonax traillii extimus*), and black-footed ferret (*Mustela nigripes*) warranted further analysis due to no habitat in the proposed project area. The proposed project is also outside all “Critical Habitat” for Mexican spotted owl (MSO) and for the southwestern willow flycatcher both of which also did not warrant further analysis. [EA, p.35]

**10. Whether the action threatens a violation of Federal, State or local law or requirements imposed for the protection of the environment**

Implementation of the selected alternative or any of the action alternatives considered in detail will not violate any Federal, State, or local law or requirements imposed for the protection of the environment including:

- **Clean Water Act** is met because there are no current impairments found on this allotment, and with this decision, riparian areas in each pasture would be rested, for a complete year, one out of every three years which would allow for recovery in aquatic habitat and would cause no change or a slight improvement in water quality. [EA, p. 33, #123]
- **Clean Air Act**, as Amended in 1977 is met because grazing would not have direct or indirect effects on the air resources in this airshed. [EA p.34, #123]
- **Endangered Species Act of 1973**, as Amended is met – see Factor #9[EA, p. 35, #125]
- **Executive Order 11990 of May, 1977** [Wetlands] is met because the wetland in Bull of the Woods remains stable and possibly increases in the volume of riparian shrubs, which in turn would increase late season base flows considerably. The development of the Long Canyon/Gold Hill Spring should benefit riparian resources in the Main Fork and Long Canyon pasture by decreasing utilization. Decreasing utilization in the riparian areas should decrease streambank trampling and increase riparian vegetation over time. [EA, p. 33, #123]
- **Executive Order 11988 of May, 1977** [Floodplains] is met because riparian vegetation ground cover and shading would improve with lower utilization (with proper herding). Increased floodplain storage would support stronger floodplain and riparian vegetation cover, while providing improved late season channel base flows to support aquatic habitat and flush fine sediments from the channel bottom. [EA, pp. 32-33, #123]
- **Executive Order 12898 of February, 1994** [Environmental Justice] is met because the continuation of livestock grazing on the allotment would assist in maintaining the (subsistence) lifestyle of term grazing permittees who rely on these lands as part of their ranching operations [EA, p. 55, #124]
- **Executive Order 13186** of January, 2001 is met because decision has no significant effects (effects include no effect, minimal effect, and beneficial effect) to migratory birds. [EA, pp.46-48, #125]
- **Executive Order 13443** of August 16, 2007 because the decision will not affect the population trends or habitat trends for elk or bighorn sheep on the Carson National Forest. [EA, pp. 41-43, #125]
- **Executive Order 13175** of November 9, 2000, and American Indian Religious Freedom Act because consultation with 16 tribes occurred throughout the planning process. [113, 115]

### **Finding of Consistency with Other Laws – (see significance factor 10)**

This decision is consistent with the National Forest Management Act (NFMA) and the Carson Forest Plan. [5] This decision meets the requirements of the NFMA implementing regulations adopted in November 2000 and subsequently interpreted in an Interpretative Rule at 69 FR 58055 (September 29, 2004), which stipulate that during the transition period the best available science must be considered in implementing the current forest

plan (36 CFR 219.35(a)). [3, 8, 14, 24, 25, 28, 29, 33, 36, 41, 46, 47, 49, 61, 78, 94, 116-117, 120, 122-126]

No significant adverse impacts are expected on wilderness, designated critical habitat, or farmlands. This action does not pose any unusual risks to public health and safety and there are no known significant effects on civil rights, women, or minorities. I believe this decision will enhance the natural and social environments in and surrounding the Carson National Forest and is fully consistent with the Carson Forest Plan. This decision will not have a significant adverse effect upon subsistence resources and opportunities.

## **Forest Service Administrative Review or Appeal Opportunities**

### **Opportunities under CFR 215**

Responses received (two total) to the 30-day notice and comment period were supportive. Therefore, this decision is not subject to appeal pursuant to 36 CFR 215.12.

### **Opportunities under CFR 251**

Decisions related to the issuance, denial or administration of written instruments to occupy and use National Forest System lands may be appealed by permit holders under 36 CFR 251. A Notice of Appeal must be consistent with 36 CFR 251.90 and **filed simultaneously** with the Carson National Forest Supervisor, Appeal Reviewing Officer and Questa District Ranger, Deciding Officer within 45 days from the date of this decision. 36 CFR 251 appeals should be sent to:

Forest Supervisor, Carson National Forest  
Appeal Deciding Officer  
208 Cruz Alta Road  
Taos, NM 87571  
FAX: (575) 758-6213  
Email: [appeals-southwestern-carson@fs.fed.us](mailto:appeals-southwestern-carson@fs.fed.us)

and

Questa District Ranger  
Deciding Officer for Deer Creek Allotment  
PO Box 110  
Questa, NM 87556  
FAX: (575) 586-0521

Appeals may be filed electronically, as described above under the 36 CFR 251 process.

The deciding officer is willing to meet with permit applicants or holders to hear and discuss any concerns or issues related to this decision.

**Implementation Date**

This decision may be implemented during an appeal, unless the Reviewing Officer grants a stay under 251.91.

**Information**

For additional information, contact Michael Casados at the Questa Ranger District, at the address listed above, or by phone at (575) 586-0520.

*/s/ Genevieve Masters*

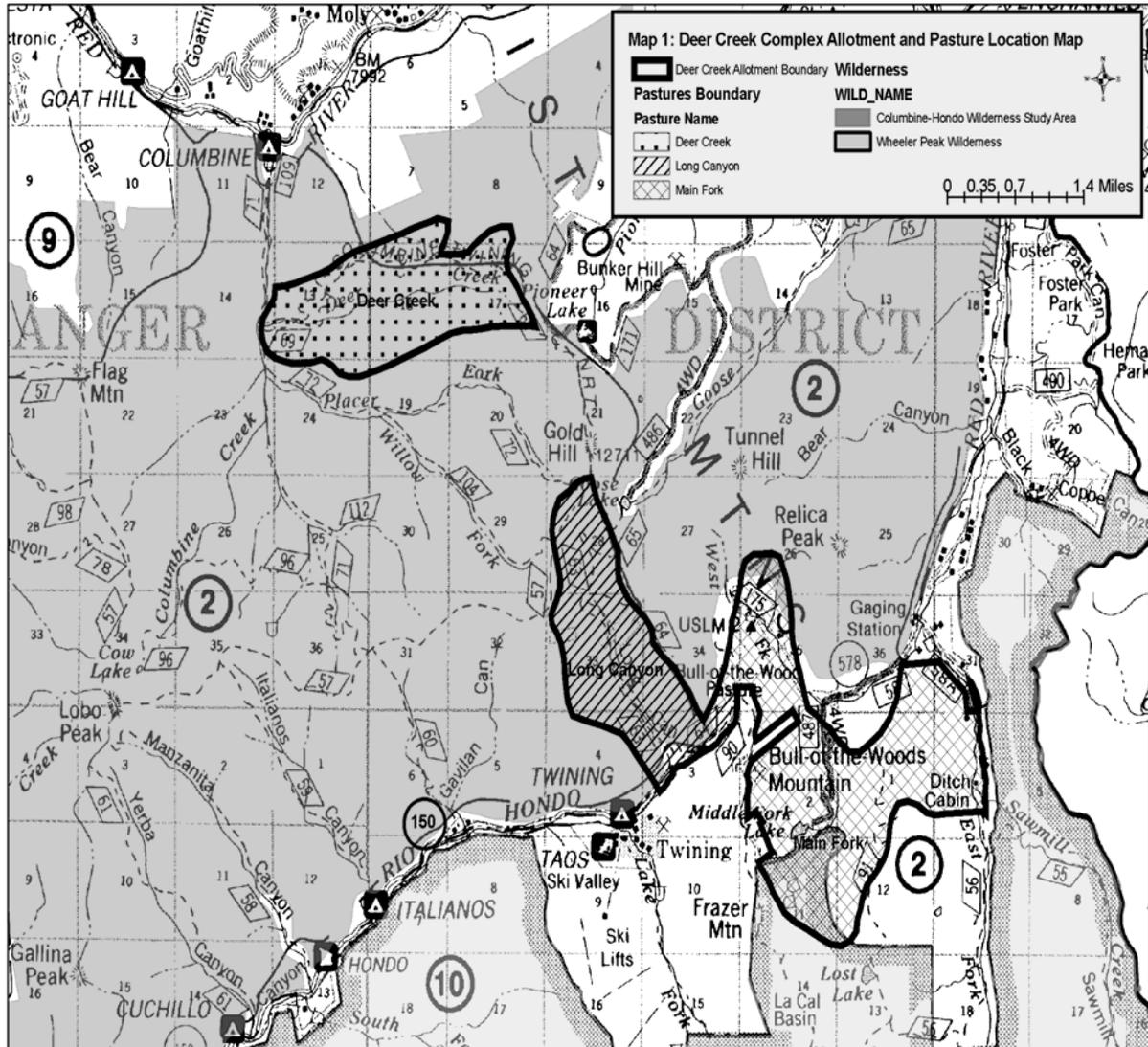
*May 15, 2008*

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GENEVIEVE MASTERS  
Questa District Ranger

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Date



**Map 1. Deer Creek Allotment**

## Appendix A. Deer Creek Allotment Project Record Index

**Table 1**

<b>Doc #</b>	<b>Date</b>	<b>Document</b>	<b>Author</b>	<b>Recipient and/or Location</b>
1	1957 to Present	Deer Creek Complex Allotment Range Files (2230 & 2210)	Questa Ranger District	Project Record
2	03.06.72	Region 3 Policy on Managing National Forest Land in Northern New Mexico	USDA Forest Service, Southwestern Region, Regional Forester	Project Record
3	1975 to 1996	Deer Creek Complex Allotment Range Inspections and Range Readiness Reports	Questa Ranger District	Project Record
4	09.00.86	Environmental Impact Statement, Carson National Forest Plan (Note: 1 Copy of EIS in a separate binder)	Carson National Forest	Project Record
5	09.00.86	Carson National Forest Land and Resource Management Plan	Carson National Forest	Project Record
6	10.31.86	Record of Decision, Environmental Impact Statement, Carson National Forest Land and Resource Management Plan	Carson National Forest	Project Record
7	08.00.87	Terrestrial Ecosystems Survey of the Carson National Forest	Carson National Forest	Project Record
8	05.00.89	Managing Grazing of Riparian Areas in the Intermountain Region	USDA Forest Service, Intermountain Research Station	Project Record
9	1990 to 1992	Annual Operating Plans for Deer Creek Allotment	Questa Ranger District	Project Record
10	1990 to 2007	Summary of Permitted Use	Questa RD, Rangeland Staff, Michael Casados	Project Record
11	12.03.90	FSH 2509.22 Soil and Water Conservation Practices Handbook	USDA Forest Service, Southwestern Region	Project Record
12	1993	What is an A.U. M?	George Ruyle & Phil Ogden, Rangeland Management	Project Record

<b>Doc #</b>	<b>Date</b>	<b>Document</b>	<b>Author</b>	<b>Recipient and/or Location</b>
13	07.001.94 to 02.01.08	Schedule of Proposed Action (SOPA)	Carson National Forest	Project Record
14	1994	Riparian and Watershed Systems: Degradation and Restoration	Wayne Elmore and Boone Kauffman	Project Record
15	1994	Rangeland Reform 1994: Final Environmental Impact Statement	USDI Department of Interior, Bureau of Land Management	Project Record
16	12.12.94 to 03.31.95	Correspondence letters regarding T & E Species	USDI Department of Interior, Fish and Wildlife Service	USDA Forest Service, Regional Office, Regional Forester
17	05.19.95	Letter of concurrence with Region 3, Biological Assessment Evaluation (BAE)	USDA Forest Service, Southwestern Regional Office, Regional Forester	USDI Department of Interior, Fish and Wildlife Service, Regional Director
18	06.13.95	Letter regarding SHPO Compliance	USDA Forest Service, Southwestern Regional Office, Regional Forester	New Mexico State Historic Preservation Officer
19	06.23.95	USDA Forest Service Manual Title 2600 – Wildlife, Fish, and Sensitive Plant Habitat Management	USDA Forest Service, Washington Office	Project Record
20	07.27.95	Rescission Act	US Congress	Project Record
21	09.15.95	IS & A Document & Concurrence	Carson National Forest Archaeologist	Project Record
22	06.00.98	Field Guide to Intermountain Sedges	Hurd, E., Shaw, N., Mastrogiuseppe, J., Smithman, Lynda, Goodrich, S.	Project Record
23	06.16.98	Delay entry Letter to Permittee	Questa District Ranger	Michael A. Archuleta, permittee/Project Record
24	1999	Sampling Vegetation Attributes	USDI Department of Interior, Bureau of Land Management	Project Record
25	1999	Utilization Studies and Residual Measurements	USDI Department of Interior, Bureau of Land	Project Record

<b>Doc #</b>	<b>Date</b>	<b>Document</b>	<b>Author</b>	<b>Recipient and/or Location</b>
			Management	
26	06.20.99	Range Readiness Report	Questa Ranger District	Project Record
27	04.18.00	Project Initiation Letter	Questa District Ranger	Project Record
28	06.00.00	Grazing Intensity Guidelines	Holecheck, J., Galt, D.	Project Record
29	10.00.00	Carrying Capacity Estimate for Deer Creek Complex Allotment (Production Study of 10/2000)	Questa Ranger District	Project Record
30	10.05.00	Range Inspection Report	Questa Ranger District	Project Record
31	10.17.00	Approval of Issues and Alternatives for Deer Creek Complex Allotment	Questa District Ranger	Project Record
32	10.31.00	Scoping Letter Mailing List	Questa Ranger District	Project Record
33	11.00.00	Stubble Height as a Tool for Management of Riparian Areas	Clary, Warren and Leininger, Wayne	Project Record
34	11.03.00 & 12.04.00	Letters regarding comments on scoping letter	Carson Forest Watch & Center for Biological Diversity	USDA Forest Service, Carson National Forest , Questa Ranger District
35	2001	Response to comments (with individual comment letters)	IDT	USDA Forest Service, Carson National Forest , Questa Ranger District
36	2001	Allotment Inspections 2001 to 2004	Questa Ranger District	Project Record
37	02.13.01	Deer Creek Allotment Range Improvement Responsibility	Questa District Ranger and Archuleta/permittee	Project Record
38	02.13.01	Deer Creek Allotment Range Improvement Responsibility	Questa District Ranger and Valencia/permittee	Project Record
39	02.13.01	Term Grazing Permits #S7712, S7711, S7701 (refer to the 2230 Range Files for more specific information)	Questa Ranger District	Available at the Questa Ranger District
40	03.02.01	Inventory Standards and Accounting (R3-FS-2300-4)	Questa Ranger District	Project Record
41	07.10.01 to 06.23.04	Grazing Monitoring Detail for Deer Creek Pasture	Questa Ranger District	Project Record

<b>Doc #</b>	<b>Date</b>	<b>Document</b>	<b>Author</b>	<b>Recipient and/or Location</b>
42	08.06.01	Cover Letter/Deer Creek Complex EA, Requesting Public Comments on EA	Questa District Ranger	Project Record
43	08.09.01	30 day Legal Notice	Questa Ranger District	Project Record

<b>Doc #</b>	<b>Date</b>	<b>Document</b>	<b>Author</b>	<b>Recipient and/or Location</b>
44	08.14.01 to 09.07.01	General Comments ( from Forest Guardians, Carson Forest Watch, and Center for Biological Diversity) regarding Environmental Assessment for the Deer Creek Complex Allotment	Questa District Ranger	Project Record
45	08.23.01	DN/FONSI Legal Notice	Questa Ranger District	Project Record
46	08.23-29.01	Article on Grazing Public Comments being taken on six grazing permit proposals	The Taos News	Project Record
47	10.01.01 to 09.21.05	Utilization data on Long Canyon Pasture	Questa Ranger District	Project Record
48	07.15.02	Biological Assessment BA #02-D7-FY2002	George Long, Questa Wildlife Biologist	Project Record
49	10.17.02 to 09.21.05	Utilization data on Main Fork Pasture	Questa Ranger District	Project Record
50	10.01.03	Project Initiation Letter	Questa District Ranger	Project Record
51	06.18.04	Notice for Comment	Questa District Ranger	Project Record
52	06.21.04	Proposed Action Letter	Questa District Ranger	Project Record
53	06.21.04	Proposed Action Letter to Tribes	Questa District Ranger	Project Record
54	06.21.04	Proposed Action Letter Mailing Lists	Questa Ranger District	Project Record
55	06.21.04	Sangre De Cristo Pea Clam Statement	George Long, Questa Wildlife Biologist	Project Record
56	06.24-30.04	Legal Notice No. 8271	The Taos News	Project Record

<b>Doc #</b>	<b>Date</b>	<b>Document</b>	<b>Author</b>	<b>Recipient and/or Location</b>
57	07.06.04	Interested Party dropped from NEPA Mailing List	Forest Conservation Council, Southeastern Regional Office, Boca Raton, FL	Project Record
58	07.07.04	Carson National Forest Website comments-Southwestern-Carson@FS.FED.US	Audrey Kuykendall NEPA/Appeals Coordinator, Carson National Forest	Project Record
59	07.14.04	Comments from Forest Guardians via E-mail	Forest Guardians	Project Record
60	07.14.04	Letter in regards to error in the legal notice	Southern Ute Indian Tribe	Project Record
61	07.28.04	Using the Range Improvement Task Force Rapid Assessment Methodology (RAM) to make Adaptive Management Decisions	Christopher Allison, Extension Range Management Specialist	Project Record
62	08.04.04	Documentation of phone conversation with Forest Guardians	USDA Forest Service, Carson National Forest, Questa RD, District Range Conservationist	Project Record
63	08.10.04	Comments received from 30-day comment period	Forest Guardians	Project Record
64	08.15.04	Significant issues and alternatives letter	Questa District Ranger	Project Record
65	08.16.04	Legal Notice of Proposed Action for 30-day Comment & Affidavit of Publication	The Taos News	Project Record
66	09.23.04	Deer Creek Allotment Biological Assessment BA #03-D7-FY2004	George Long, Questa Wildlife Biologist	Project Record
67	09.30.04	DN/FONSI Deer Creek Complex Allotment	Questa District Ranger	Project Record
68	02.07.05	Electronic version of Deer Creek legal notice to the Taos News	IDT	The Taos News
69	02.10-16.2005	Legal Notice for the Deer Creek Allotment printed in the Taos News	The Taos News	Project Record
70	02.10.05	Letter to Forest Guardians with EA, Decision Notice, & FONSI	Questa District Ranger	Project Record
		END OF DEER CREEK ALLOTMENT PROJECT RECORD VOLUME 1 (Binder #1)		

<b>Doc #</b>	<b>Date</b>	<b>Document</b>	<b>Author</b>	<b>Recipient and/or Location</b>
71	02.10.05	Letter to Deer Creek permittee with DN/FONSI	Questa District Ranger	Project Record
72	02.10.05	Letter to Deer Creek permittee with DN/FONSI	Questa District Ranger	Project Record
73	02.10.05	Letter to Deer Creek Permittee with DN/FONSI	Questa District Ranger	Project Record
74	02.22.05	E-mail Appeal Letter from Forest Guardians	Forest Guardians	Project Record
75	02.22.05	Notice of Appeal	Forest Guardians	Project Record
76	03.14.05	Informal Disposition for Deer Creek Allotment regarding Forest Guardians Appeal and Appeal Deciding Officer Recommendation (5.6.05)	Questa District Ranger to Regional Office	Project Record
77	07.20.05	Project Initiation Letter	Questa District Ranger	Project Record
78	09.09.05	FSH 2209.13- Grazing Permit Administration Handbook/Chapter 90 –Rangeland Management Decisionmaking	USDA Forest Service, Southwestern Region	Project Record
79	09.13.05	IDT Meeting Notes – P/N and Proposed Action	IDT	Project Record
80	09.22.05	Proposed Action Letter with Mailing Lists	Questa District Range	Project Record
81	09.22.05	Notice for Comment	Questa Ranger District	Project Record
82	09.22-28.05	Legal Notice: Notice for Comment	The Taos News	Project Record
83	09.22.05	Supplemental Information to accompany the Proposed Action	IDT	Project Record
84	09.23.05	Proposed Action Letter to Tribes with Mailing Lists	Questa District Ranger	Project Record
85	09.28.05	E-mail regarding Proposed Action Letter to Tribes with Mailing Lists and Cover Letter	Carrie Leven, Archeologist, Questa RD	Lucy Aragon, Natural Resource Coordinator, Carson National Forest, Supervisor's Office
86	09.30.05	Response to scoping	Comanche Tribe (NAGPRA Coordinator)	USDA Forest Service, Carson National Forest, Questa RD, District Ranger
87	10.00.05	Comment Analysis	IDT	Project Record
88	10.04.05	Response to scoping	Forest Guardians	Project Record

<b>Doc #</b>	<b>Date</b>	<b>Document</b>	<b>Author</b>	<b>Recipient and/or Location</b>
89	10.06.05	E-mail regarding comments	Lucy Aragon, Natural Resource Coordinator, Carson National Forest, Supervisor's Office	Forest Guardians
90	10.06.05	E-mail regarding comments	Forest Guardians	Project Record
91	10.20.05	Response to scoping	State of New Mexico Department of Game & Fish	Project Record
92	11.01.05	Response to scoping	State of New Mexico, Environment Department, Santa Fe, NM	Project Record
93	11.11.05	IDT Meeting Notes for Deer Creek Allotment	IDT	Project Record
94	01.00.06	2006 – 2008 State of New Mexico Integrated List for Soil PR	State of NM Integrated List	Project Record
95	01.01.06	E-mail regarding permittee conversations	Lucy Aragon, Natural Resource Coordinator, Carson National Forest, Supervisor's Office	Project Record
96	01.01.06	E-mail regarding EA update/check-up	Lucy Aragon, Natural Resource Coordinator, Carson National Forest, Supervisor's Office	IDT/Project Record
97	01.10.06	Discussion of Alternatives	Questa District Ranger	Project Record
98	01.12.06	Comments received from 30-day comment period	Questa District Ranger	Project Record
99	02.07.06	Calculation of A.U.M.'s	Michael Casados, Questa Rangeland Management Staff	Project Record
100	06.00.07	Management Indicator Species Assessment	USDA Forest Service, Carson National Forest	Project Record
101	07.19.07	Social/Economics Report with Literature Cited	Lucy Aragon, Natural Resource Coordinator, Carson National Forest, Supervisor's Office	Project Record
102	07.22.07	Comment Letter regarding SOPA's on Carson National Forest	Center for Biological Diversity	Project Record

<b>Doc #</b>	<b>Date</b>	<b>Document</b>	<b>Author</b>	<b>Recipient and/or Location</b>
103	07.23.07	ID Team Meeting Notes	IDT	Project Record
104	08.03.07	E-mail regarding mitigation	Paula Cote, Forest Planner, Carson National Forest	Project Record
105	10.01.07	Comment Letter regarding SOPA's on Carson National Forest	Erik B. Ryberg, Attorney at Law	Project Record
106	10.04.07	Deer Creek Complex IDT Meeting-Final Alternatives and Mitigation	IDT	Project Record
107	11.16.07	Letter to permittee	Questa District Ranger	Project Record
108	12.06.07	Fax regarding additions to Deer Creek mailing lists	Paula Cote, Forest Planner, Carson National Forest	Questa RD, Rangeland Staff
109	12.06.07	E-mail regarding HM's versus AUM's for Deer Creek Allotment	Michael Casados, Questa Rangeland Management Staff	IDT Leader/Project Record
110	12.06.07	E-mail regarding updating mailing list for Deer Creek	Michael Casados, Questa Rangeland Management Staff	IDT Leader/Project Record
111	12.11.07	Proposed Action – 30 day Notice and Comment Letter and Mailing List and original map	Questa District Ranger	Project Record
112	12.13.07	30 day notice and comment Legal Notice: in the <i>Taos News</i>	The <i>Taos News</i>	Project Record
113	12.17.07	Tribal 30 day Notice and Comment Letter and Mailing List	Questa District Ranger	Project Record
114	12.21.07	Returned to Sender: 30 day Notice & Comment Period Package	Sierra Club/Santa Fe Group and New Mexico Cattle Grower's Association	Project Record
115	01.08.08	Response to 30-day notice and comment letter	State of New Mexico Department of Game & Fish	Project Record
116	01.14.08	Rangeland Vegetation Report	Michael Casados, District Rangeland Staff And Alyssa Radcliff, District Range Technician	Project Record
117	01.17.08	Recreation and Wilderness Specialist Report	MaryAnn Elder, East Zone Recreation Staff	Project Record

<b>Doc #</b>	<b>Date</b>	<b>Document</b>	<b>Author</b>	<b>Recipient and/or Location</b>
		END OF DEER CREEK ALLOTMENT PROJECT RECORD VOLUME 2 (Binder #2)		
118	01.31.08	Updated Mailing List for Deer Creek Grazing Allotment	IDT	Project Record
119	01.31.08	Note to Project Record – clarification on Proposed Action grazing season	IDT	Project Record
120	02.27.08	Heritage Resources Specialist Report	Carrie Leven, District Archeologist	Project Record
121	03.01.08	Response to 30 day notice and comment	The Navajo Nation	Project Record
122	03.18.08	Updated Content Analysis (December 07, 2007 30 day notice and comment period)	Deer Creek IDT	Project Record
123	03.21.08	Soil, Water, Air Specialist Report and Noxious Weed Assessment	Alyssa Radcliff, District Range Technician	Project Record
124	03.21.08	Social and Economics Specialist Report	Lucy Aragon, Natural Resource Coordinator	Project Record
125	05.15.08 .08	Terrestrial and Aquatic Wildlife Report	George Long, East Zone Wildlife Biologist	Project Record
125	05.15.08	Environmental Assessment	Questa Ranger District	Project Record
126	05.15.08	EA and DN/FONSI to permittees	Questa District Ranger	Permittees
127	05.16.08	EA and DN/FONSI to interested parties	Questa District Ranger	Interested Parties
128				

## **Appendix B. Deer Creek Allotment Range Management Best Management Practices**

Range management BMP's are published in the Forest Service Manual, FSM 2509.22.20.22 (USDA Forest Service, Southwestern Region, 1990). BMP's pertinent to the Deer Creek Allotment include:

### **22 - RANGE MANAGEMENT.**

#### **22.1 - Range Analysis, Allotment Management Plan, Grazing Permit System, and Permittee Operating Plan.**

1. Objective. To manage rangelands through IRM and ensure they are meeting Forest Land Management Plan objectives.

2. Explanation. An analysis of a potential and/or existing grazing area is conducted by an interdisciplinary team to evaluate its productive capabilities, inherent hazards, resource values, and uses for the purpose of meeting Forest Land Management Plan objectives. Following this analysis the Forest Service, in cooperation with the permittee, prepares a written allotment management plan and authorizes livestock grazing as per stipulations in the management plan. These documents include measures to protect other resource values, such as water quality, riparian area resource management, and to coordinate livestock grazing with other resource uses. Specific methods for controlling when, where, amount of utilization, and numbers of livestock to be grazed are covered in the plan. Also included are needed rangeland improvements, monitoring methods, and an implementation schedule. A permittee operating plan is prepared, reviewed, and revised annually to reflect direction in the allotment management plan. The amount of livestock use is determined primarily through measurement of vegetative utilization. Allowable use is set to meet the objectives of the Forest Land Management Plan. The maintenance of soil productivity and stability is considered in determining allowable use.

3. Implementation. The District Ranger is responsible for analysis of range allotments, completion of environmental assessment reports, preparation of management plans, and processing of grazing applications. The Forest Supervisor or District Ranger approves management plans and issues grazing permits with stipulations and conditions. Most permits are issued for 10 year terms. Revise allotment management plans as needed to meet the Forest Land Management Plan objectives. Annually prepare an operating plan with the permittee to allow for current allotment conditions. The permittee carries out the plans under the immediate direction and review of the District Ranger. Take corrective action if a permittee does not comply with grazing permit conditions designed to protect soil and water resources.

#### **22.11 - Controlling Livestock Numbers and Season of Use.**

1. Objective. Safeguard water and soil resources under sustained forage production. Managed forage utilization by livestock to maintain healthy ecosystems for all resource objectives.

2. Explanation. In addition to proper stocking rate and season of use specified in the grazing permit, periodic field checks are made to identify needed adjustments in season and livestock numbers. Checks include:

- a. Range readiness evaluations to assure that the soil is not too wet and that sufficient forage growth has occurred.
- b. Stock counts to assure that only permitted livestock enter the allotment.
- c. Forage utilization measurements to provide data, for grazing use pattern, improved livestock distribution, and stocking.

- d. Assessment of rangeland to verify soil and vegetative condition and trend.
- e. Assessment of streambanks to assure banks are not being degraded and contributing sediment to water courses.

When standards for allowable utilization are established they are incorporated into the allotment management plan.

3. Implementation. Allotments are administered by the District Ranger. Provisions are carried out by the grazing permittee as permit requirements. Field check and measurements are made periodically by the Forest Service. Livestock numbers and seasons of use may be changed annually to reflect current years climatic condition.

#### **22.12 - Controlling Livestock Distribution.**

1. Objective. To manage sustained forage production and forage utilization by livestock while protecting soil and water resources. Maintaining healthy ecosystems for wildlife and other resources.

2. Explanation. Livestock use within allotments is typically not uniform due to variations in topography, water availability, vegetation type and condition. Several techniques are used to achieve proper distribution, or lessen the impact on areas which are sensitive or which would naturally be overused. These techniques include:

- a. Construction of fences, and implementation of seasonal or pasture systems of management.
- b. Water development in areas that receive little use and closing off water developments when proper use has been achieved.
- c. Riding and herding to shift livestock locations.
- d. Using salt or supplement feed as tools to gain proper distribution of livestock.
- e. Range improvements, prescribed burning, trail construction, or seeding.
- f. Prevention of intensive livestock grazing or concentrated livestock use on soils that have low bearing strength and are wet.

Open herding, limiting trailing, and use of new bed grounds are additional techniques used for sheep. Developing sufficient watering places is one way to limit the amount of trailing. Livestock distribution needs are determined through evaluations of range conditions and trends, including watershed condition assessments and utilization studies.

3. Implementation. Livestock distribution practices are carried out by the permittee under the direction and review of the District Ranger. Direction is incorporated in the allotment management plan and the annual operating plan, which are integral parts of the grazing permit and provides current Forest Service instructions. The instructions reflect current allotment conditions and vegetative trends.

#### **22.13 - Rangeland Improvements.**

1. Objective. To improve, maintain or restore range resources, including soil and water through the use of rangeland improvements.

2. Explanation. Rangeland improvements are intended to enhance forage quality, quantity, and/or availability, and to provide protection to the other resources. Building fences to

control the movement of livestock, improve watershed condition, and develop watering sites are just a few of the types of rangeland improvements implemented by the permittee or Forest Service as identified in the allotment plan. If a structure is causing soil erosion or water quality degradation the allotment plan will identify it and state corrective measures. Other measures may include stream channel stabilization efforts such as riprapping, gully plugging, and planting; or mechanical treatments such as pitting, chiseling, or furrowing. Reseeding and/or fertilization may be done alone or in conjunction with any of these measures.

3. Implementation. The permittee is involved as a cooperator in rangeland improvements and may actually complete the work under Forest Service direction. Implementation may also be done by Forest Service crews or contractors. Range improvement needs are recognized in the range allotment planning process and are scheduled for implementation in the allotment plan and the 10-Year Forest Plan Implementation Schedule.

#### **22.14 - Determining Grazing Capability of Lands.**

1. Objective. To maintain or improve soil stability, soil productivity and water quality by grazing the land within its capability.

2. Explanation. This practice is an administrative and preventative control. Soil condition classes, based on the relationship of current and natural soil loss tolerances, are used to determine grazing capability. Only lands with soils in stable condition are considered as "full capability" range. Grazing capability ratings are then used in conjunction with other grazing considerations to determine the actual grazing capacity of an area.

3. Implementation. Soil condition class is determined by qualified soil scientists using Terrestrial Ecosystem Survey (TES). A range conservationist will use the soil condition class in determining the grazing capacity.