

Decision Notice & Finding of No Significant Impact Grazing Authorizations

Noonan, Halfmoon, Fourr, Slavin, Granite Springs, Reppy and Walnut Springs Allotments

**USDA Forest Service
Coronado National Forest
Douglas Ranger District,
Cochise County, Arizona**

Background

In November 2008, the Coronado National Forest completed a National Environmental Policy Act (NEPA) review of a proposed action to authorize managed grazing, implement selected management practices and construct range improvements on the Noonan, Halfmoon, Fourr, Slavin, Granite Springs, Reppy and Walnut Springs Allotments on the Douglas Ranger District, Cochise County, Arizona. The allotments (collectively the Dragoon Allotments) are located adjacent to one another in the Dragoon Mountains (see attached map). The Coronado National Forest Land and Resource Management Plan (Forest Plan) identifies much of the analysis area as suitable for livestock grazing [lands designated as Management Areas 4 and 7 in the Forest Plan (EA Figure 4)]. Additional lands designated as not suitable in Management Area 1 are also found in the analysis area.

The Dragoon Allotments are currently authorized for livestock grazing and have been so authorized for many years. The environmental impacts analysis of the grazing authorizations has been completed in compliance with the requirements of NEPA and Section 504 of the *Rescission Act of 1995 (P.L. 104, 1995)*. In addition to the regulatory need to conduct the environmental analysis, the purpose and need for the proposed action arose for the following reasons:

- There is a need to incorporate additional management flexibility through an adaptive management strategy consistent with Forest Service policy (*FSH 2209.13, Chapter 90*).
- Changes in management are necessary to improve soil condition and vegetation ecological condition in some areas.

The proposed authorization of grazing and the proposed management practices on the allotments were described and analyzed in the Noonan, Halfmoon, Fourr, Slavin, Granite Springs, Reppy and Walnut Springs Allotments Environmental Assessment (EA). The EA analyzes and discloses the anticipated effects of the proposed action and one alternative (No Action/No Grazing). It also describes specific mitigation and monitoring requirements that will be implemented as part of the proposed action. The EA is available for review at the Douglas Ranger District office and the Coronado National Forest Supervisor's Office. The project administrative record is available for public inspection at

the Coronado National Forest Supervisor's Office. Throughout this Decision Notice, references to documents contained in the project record supporting the analysis in the EA are referenced by project record (PR) number.

Decision and Rationale

Based upon my consideration of the alternatives and the impacts analysis disclosed in the EA, I have decided to approve the proposed action described under *Alternative 2* of the EA. The selected alternative will authorize managed livestock grazing on the Noonan, Halfmoon, Fourr, Slavin, Granite Springs, Reppy and Walnut Springs allotments and certain management practices that will occur to implement the grazing authorizations.

The action consists of four components - authorization, improvements, management practices and monitoring – and the action will be implemented using an adaptive management strategy. The four components are described below.

1. Authorization

Grazing would be authorized on the allotments under the following terms and conditions.

- **Duration and timing of grazing.** Grazing would be authorized on each allotment using rotational or seasonal grazing in order to incorporate growing season rest or deferment to allow for grazed plant recovery. Pastures grazed during the summer growing season (July-September) will not be grazed during the growing season the following year. On all allotments, the sequence and timing of pasture moves and entry and exit from the allotments would be based on monitoring of range readiness, ecological condition, water availability and utilization.
- **Intensity of grazing.** Forage utilization would be managed at a level corresponding to light to moderate intensity (30-45%) in order to provide for grazed plant recovery, increased plant vigor, and retention of herbaceous litter to protect soils and provide forage and herbaceous cover for wildlife. Consistent patterns of utilization in excess of 45 percent of key species in key areas would be used as a basis to modify management practices or take administrative actions necessary to reduce utilization in subsequent grazing seasons.

The following administrative actions would be necessary to implement the decision to authorize grazing.

- **Permit issuance.** New 10-year term grazing permits would be issued for each allotment for the numbers and under the terms described below. The term grazing permit will identify the number, kind and class of livestock authorized and the season of use as required by Forest Service policy (FSM 2231.11). Permits will also identify the total animal unit months (AUMs) authorized for each permit. The number and class of livestock would be allowed to vary within limits set by this decision depending on resource conditions and management objectives. Resource conditions that would affect management decisions include but are not limited to precipitation, forage production, water availability and previous annual or seasonal utilization levels. Annual use will not exceed the total AUMs authorized or the season of use identified in the permit. Annual adjustments would be documented and authorized in annual operating instructions. Depending on prevailing climate, resource conditions, management needs and permittee preference, actual use may be significantly less than

authorized use in some years. Grazing permits would be issued within 90 days of final agency action following the NEPA decision to authorize grazing [FSH 2209.13(94) and R3 Supplement 2209.13-2007-1].

- **Noonan:** 215 cow/calf pairs or equivalent, October 15 to April 15 (up to 1703 AUMs).
- **Halfmoon:** 63 cow/calf pairs or equivalent yearlong (up to 1000 AUMs). Initial stocking will not exceed 75% of permitted use (47 cow/calf pairs or equivalent) until additional water sources can be provided to improve distribution.
- **Fourr:** 88 cow/calf pairs or equivalent yearlong (up to 700 AUMs) Grazing may occur in any month, but use and occupancy on the Forest will not exceed 6 months per year.
- **Slavin:** 130 cow/calf pairs or equivalent yearlong (up to 1030 AUMs). Grazing may occur in any month, but use and occupancy on the Forest will not exceed 6 months per year.
- **Granite Springs:** 117 cow/calf pairs or equivalent yearlong (up to 1853 AUMs). Three horses yearlong (43 AUMs) would also be authorized.
- **Reppy:** 40 cow/calf pairs or equivalent, yearlong (up to 634 AUMs).
- **Walnut Springs:** 76 cow/calf pairs or equivalent yearlong (up to 1003 AUMs). Grazing would be authorized yearlong and may occur in any month, but use and occupancy of the Forest would not exceed 10 months per year.
- **Allotment Management Plans.** New allotment management plans (AMPs) for each allotment would be developed (or modified where existing AMPs are in place) concurrent with new permits. These would be included as part of the grazing permits. The AMPs will specify the goals and objectives of management, management strategies, range improvements and monitoring requirements and will incorporate an adaptive management strategy described below. The use of multi-jurisdictional coordinated resource management plans (CRMPs) will continue where in place and such management will be encouraged where the presence of intermingled ownership is conducive to more flexible and efficient resource management.
- **Annual Operating Plans.** On an annual basis, the Forest and permittees would jointly prepare annual plans, referred to as Annual Operating Instructions (AOI), prior to each grazing year. The AOI will set forth:
 - The maximum permissible grazing use authorized on the allotment for the current grazing season and the numbers, class, type of livestock, and timing and duration of use.
 - The planned sequence of grazing in pastures on the allotment, or the management prescriptions and monitoring that will be used to make changes.
 - Structural and non-structural improvements to be constructed, reconstructed, or maintained and who is responsible for these activities.
 - Allowable use or other guidelines to be applied and followed by the permittee to properly manage livestock.

- Monitoring for the current season that may include, among other things, documentation demonstrating compliance with the terms and conditions in the grazing permit, AMP and AOI.

2. Improvements

Several structural improvements are proposed in order to improve livestock distribution and pasture reliability and are authorized by this decision. These improvements have been identified as possible practices to assist in the achievement of desired conditions if management alone is not sufficient. Future monitoring may indicate that the projects are not necessary, in which case they will not be constructed. Monitoring may also indicate the need for additional improvements. In this case, the need for, and site-specific effects of, each additional improvement will be evaluated as described under *Adaptive Management*, below. Additionally, current levels of Forest Service funding are likely insufficient to fund all projects identified. Permittees have been notified that it may be necessary to pursue alternative sources of funding in order to accomplish identified projects.

Noonan

- Drill a well in the north end of Middle pasture and install pipelines to the Prude and Shield pastures, and to the middle of the Middle pasture. Storage and troughs will be installed at the terminus of each pipeline. All pipelines will be buried. (T17S, R24E, Sec. 30).

Halfmoon

- No new improvements are proposed.

Fourr

- No new improvements are proposed.

Slavin

- New water storage and drinkers will be placed on private land adjacent to the Forest to water lower portions of the Slavin and Packard pastures. Access will be provided to cattle grazing on the Forest. (This will be a privately funded activity, but is included in the analysis because it is expected to change livestock distribution and use on the Forest.)
- Extend an above-ground pipeline from the new Slavin pasture water, described above, approximately ½ mile east into the Slavin pasture interior. (T18S, R23E, Sec. 7)
- Drill a new well in West Stronghold Canyon and install a pipeline approximately ½ mile from the well to the interior of the Stronghold pasture. (T17S, R23E, Sec. 29)

Granite Springs

- Reroute short sections of the Horse Pasture pipeline to service troughs in Horse pasture and Windmill pasture to the west. (T18S, R23E, Sec. 21, NE ¼)
- Cross fence Dirt Tank pasture and Windmill pasture. This would increase pasture rotation flexibility and provide additional opportunities for pasture deferment by increasing the number of pastures in the rotation. (T18S, R23E, Sec. 19, 20, 21)

Reppy

- Install a pipeline from Bennet Dam downstream to a storage tank and drinker. (T18S, R23E, Sec. 36, NE ¼)
- Convert the existing well and storage at Henry well to a rainwater catchment (trick tank). (T18S, R23E, Sec. 25, NE ¼)

Walnut Spring

- Drill a well in the northeastern portion of the Upper Forest pasture and install storage and a drinker (T18S, R24E, Section 28, SE 1/4). A pipeline would run from the well east into the northwest corner of Lower Forest pasture to supply a drinker.

The responsibility for maintenance of range improvements is assigned to the permittee(s) in the terms and conditions of each grazing permit (FSM 2244.03). Maintenance activities include the repair of fences and water facilities, cleaning of stock ponds and other actions necessary to maintain the improvement in serviceable condition necessary to serve the purpose intended. On an annual basis, responsibilities for repair and maintenance of existing improvements will be identified in the AOI(s).

3. Management Practices.

To mitigate resource impacts, the following measures will be implemented. These practices have been demonstrated to be successful when used on similar projects and are considered effective at reducing environmental impacts. They are consistent with applicable Forest Plan standards and guidelines, Best Management Practices and the terms and conditions and conservation measures of applicable U.S. Fish and Wildlife Service Biological Opinions. Implementation of the mitigation measures and design criteria is intended to preclude the occurrence of potentially significant environmental impacts.

Soil, Water and Vegetation – the objective is to mitigate effects of livestock grazing and facility construction through the use of Best Management Practices (FSH 2509.22, PR 61) and adaptive management. Practices include, but are not limited to the following.

- Utilization of key upland herbaceous forage species in key areas will be managed to achieve the goal of light to moderate grazing as a pasture average. The objective is to protect plant vigor, increase herbaceous residue needed for soil protection and to increase herbage producing ability of forage plants. A utilization guideline of 30-45% use of key species in key areas will be used to achieve this objective.
- Management practices will be used to achieve proper distribution or lessen the impact on sensitive areas. Practices include herding, salting and controlling access to waters. Salt will be placed on good feed, one quarter to one half mile from waters and salting locations will be moved annually. Placement of liquid or bulk supplements will require prior approval of the District Ranger.
- No hay will be placed on Forest lands in order to minimize the introduction of weed seeds.

Wildlife – the objective is to mitigate impacts to wildlife from livestock grazing and from disturbance associated with maintenance and construction of range facilities.

- All water developments will include wildlife access and escape ramps. Waters will be kept available to wildlife year round.
- All new and reconstructed fencing will be built to Forest Plan standards (Forest Plan, p. 35) to provide for wildlife passage through the fence. At a minimum, this will be a 4-strand fence with smooth bottom wire 16 inches off of the ground and a total height of 42 inches or less.
- Range construction projects will be designed to avoid the destruction of agaves. If impacts to agaves are unavoidable, the Forest will insure that no more than 1% of agaves within 800 meters of a project are impacted. The objective is to avoid impacts to lesser long-nosed bat food resources.
- All proposed range facilities will be evaluated by a qualified wildlife biologist for effects to threatened, endangered or sensitive species prior to any ground-disturbing activities. Facilities will be designed and constructed to have no adverse effect on listed species.
- The Forest will implement the Forest's Stockpond and Aquatic Habitat Management and Maintenance Guidelines for the Chiricahua leopard frog (*Rana chiricahuensis*) (PR 41). The objectives are 1) to minimize short-term impacts to frogs while allowing maintenance activities that maintain occupied habitats, and 2) to protect shoreline and emergent vegetation and to improve water quality.

Heritage Resources – The objective is to protect heritage resources (historic and prehistoric sites) from direct or indirect impacts caused by ground-disturbing activities associated with the construction of range facilities and to monitor the effects of cattle grazing on sites to ensure that adverse effects are not occurring. In general, these measures include the following:

- All structural range facilities will be surveyed by qualified personnel for heritage resources prior to any ground-disturbing activities. Facilities will be built or modified to avoid impacts to heritage sites. If unrecorded sites are discovered during the course of project implementation, activities will cease and the Forest or District Archeologist will be notified.
- Range facilities, if needed, will be located so as to avoid concentrations of livestock on identified heritage resource sites.
- No salting will occur within or adjacent to identified heritage sites.
- If impacts from grazing (e.g. excessive trampling, cattle rubbing against and knocking down standing features) are occurring to heritage sites, measures will be taken (e.g. fencing) to protect them.

4. Monitoring

The objective of monitoring is to determine whether management is being properly implemented and whether the actions are effective at achieving or moving toward desired

conditions. Monitoring is necessary under the adaptive management strategy proposed in order to implement timely and effective management changes.

Effectiveness monitoring includes measurements to track condition and trend of upland and riparian vegetation, soil, and watersheds. Monitoring will be done following procedures described in the Interagency Technical Reference (1996, citation in EA), the Region 3 Rangeland Analysis and Training Guide (USDA Forest Service, 1997, citation in EA), and the Riparian Area Survey and Evaluation System (USDA Forest Service, 1989, citation in EA). These data are interpreted to determine whether management is achieving desired resource conditions, whether changes in resource condition are related to management, and to determine whether modifications in management are necessary. Effectiveness monitoring will occur at five to ten year intervals, or more frequently if deemed necessary. Examples of effectiveness monitoring include, but are not limited to dry weight rank, pace transects, pace quadrat frequency, Parker 3-step, riparian evaluations (RASES or proper functioning condition), soil and watershed condition assessments and repeat photography. Monitoring will occur at established permanent monitoring points.

Implementation monitoring will occur yearly and will include but not be limited to inspection reports, forage utilization measurements, livestock counts, Grazing Response Index and facilities inspections. Utilization measurements are made following procedures found in the Interagency Technical Reference on utilization studies (1996b, citation in EA) and with consideration of the Principles of Obtaining and Interpreting Utilization Data on Southwest Rangelands (Smith et al, 2007, PR 38).

Utilization will be monitored on key forage species, which are perennial grasses that are palatable to livestock. At a minimum monitoring will include use in key areas, but may include monitoring outside of key areas. Utilization on non-grass species (forbs, shrubs and trees) may also be measured if appropriate for the site. Utilization may be monitored both during the grazing season (seasonal use) and at the end of the growing season (annual utilization). The Douglas District Range Staff Officer and the permittees will be responsible for monitoring livestock grazing utilization. Over time, changes in resource conditions or management may result in changes in livestock use patterns. As livestock use patterns change, new key areas may be established and existing key areas may be modified or abandoned in cooperation with the permittees.

Permittees will be encouraged to participate in monitoring activities. Records of livestock numbers, movement dates and shipping records will be kept by the permittees and will be provided to the District Range Staff annually.

Adaptive Management

Adaptive management uses the documented results of management actions (monitoring) to continually modify management in order to achieve specific objectives, which are identified under *Desired Condition* in the EA (p. 6). Adaptive management provides the flexibility to adjust livestock numbers and the timing of grazing so that use is consistent with current productivity and is meeting management objectives. Under the adaptive management strategy proposed, the specific number of livestock authorized, specific dates for grazing, class of animal and modifications in pasture rotations may be administratively modified as determined to be necessary and appropriate, based on

implementation and effectiveness monitoring. However, such changes will not exceed the limits for timing, intensity, duration and frequency authorized in the NEPA-based analysis and this decision. Administrative changes will be documented and implemented in the AOI, AMP and/or the term grazing permit.

Adaptive management also includes monitoring and analysis to determine whether identified structural improvements are necessary or need to be modified. In the case that changing circumstances require physical improvements or management actions not disclosed or analyzed herein, further interdisciplinary review would occur. The review will consider the changed circumstances and site-specific environmental effects of the improvements in the context of the overall project. Based on the results of the interdisciplinary review, the Ranger will determine whether correction, supplementation or revision of the EA is necessary in accordance with Forest Service Handbook direction at FSH 1909.15(18) and FSH 2209.13(96.1), or whether further analysis under NEPA is required.

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative - No Action - summarized below. A comparison of the effects of these alternatives is found in Chapter 3 of the EA. A third alternative - continue current management – was not carried forward because it was determined that this alternative would not meet the purpose and need of the proposal (EA p. 9).

Alternative 1: No Action (No Grazing). Under this alternative, grazing would not be authorized and use of the allotments by domestic livestock would be discontinued. The permittees would be given one year from the date of the decision to remove livestock from the allotments. Existing structural improvements would remain in place but would not be maintained. Improvements contributing to resource protection or enhancement, such as water developments important for wildlife, would be maintained where feasible using other program funds. Periodic inspection of structural improvements would be used to determine whether maintenance or removal is needed. Removal or maintenance of improvements would be authorized by a separate decision. Where possible, maintenance of allotment boundary fences would be reassigned to adjacent permittees with the understanding that livestock are to be kept off of the allotment.

While this alternative would meet the natural resource objectives defined for the allotments, it would not be fully consistent with Forest Service Policy (FSM 2202.1) and the Forest Plan Mission (Forest Plan p. 9) to manage for multiple use and sustained yield and to contribute to a viable rural economy.

Reasons for the Selection

I have decided that the proposed action best meets the purpose and need and achieves desired conditions (EA pp. 5-6) in the following ways.

1. The alternative is consistent with the management emphasis, direction and standards and guidelines for Management Areas 1, 4 and 7 identified in the Coronado Forest Plan (PR 1).

2. The alternative best achieves Forest Service Policy (FSM 2202) and the mission of the Coronado National Forest Plan (Forest Plan p. 9) to manage for multiple use and sustained yield and to contribute to a viable rural economy.
3. The alternative will provide for annual summer growing season rest or deferment and light to moderate utilization that will promote maintenance or improvement in upland vegetation and soil condition and will provide residual herbaceous vegetation to provide year-round habitat for wildlife species requiring herbaceous cover.
4. The permitted numbers reflect the range of variability that affects capacity on the allotments and the proposal provides a framework that allows for timely adjustments in authorized use in response to changes in grazing capacity.
5. The alternative provides a basis for sharing responsibility for successful implementation of this decision with the permittees.
6. The alternative will provide an adaptive management framework that will allow the Forest and grazing permittees to adapt management to changing resource conditions over time.

Public Involvement.

This proposal was listed in the Forest's Schedule of Proposed Actions in October 2007 and an interdisciplinary team met in November 2007 to review proposed actions and identify issues to include in the analysis (PRs 30-37). The proposal was provided to the public and other agencies for comment during scoping on January 22, 2008 (PR 43). In addition, the Forest and District Staff have met several times with the permittees on the allotments to identify management objectives and strategies. Using the comments from the public and other agencies, the interdisciplinary team developed a list of issues to address.

In August and September 2008, a draft of the EA (PR 64) was provided to parties who had expressed interest in the project. The public was also notified of the opportunity to comment through a legal notice published in the *Douglas Daily Dispatch* on August 19, 2008 (PR 65). One comment letter was received in response to this solicitation (PR 66). I reviewed and considered this comment prior to making this decision (PR 68).

Future Review of the Decision

In accordance with Forest Service Handbook direction [FSH 1909.15(18) and 2209.13(96)], an interdisciplinary review of the decision will occur within 10 years, or sooner if conditions warrant. If this review indicates that management is meeting standards and achieving desired condition, the initial management activities will be allowed to continue. If monitoring demonstrates that objectives are not being met and management options beyond the scope of the analysis are warranted, or if new information demonstrates significant effects not previously considered, a new proposed action will be developed and further analysis under NEPA will occur.

Finding of No Significant Impact

After considering the context and intensity of the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment as defined in the Council on Environmental Quality implementing regulations at 40 CFR 1508.27. Thus, an environmental impact statement will not be prepared. I base my finding on the following:

Context: The action is a site-specific action that by itself does not have international, national, region wide or statewide importance. Effects are limited to the locale of the project area.

Intensity: The following discussion is organized around the ten significance criteria described in the National Environmental Policy Act (NEPA) regulations at 40 CFR 1508.27.

1. Both *beneficial and adverse impacts* were considered in the analysis (EA, Chapter 3, pp. 18-39). Grazing as proposed will result in removal of herbaceous and some woody vegetation, but will be limited to moderate levels (EA p. 10) in order to allow for the retention of litter and plant stubble to provide soil cover and wildlife habitat. Adverse effects have been reduced or eliminated through project design and mitigation measures (EA pp. 14-15). Annual growing season rest and regular pasture deferrals and light to moderate utilization are predicted to result in long-term improvement in soils and vegetation (EA pp. 29-34).
2. No significant *effects on public health and safety* were identified. The scope of the grazing authorization is limited to the implementation of managed livestock grazing and installation of range facilities using hand tools and light equipment. These actions are not expected to present significant hazards to workers or the public.
3. Known *unique characteristics* associated with the allotments include inventoried roadless areas in portions of all of the allotments. No road construction is proposed that would affect the status or characteristics of inventoried roadless areas (EA p. 36). There are no wilderness areas, wild and scenic rivers, research natural areas, zoological botanical areas, prime farmlands or wetlands in the project area.
4. The effects on the quality of the human environment are not likely to be *highly controversial*. The environmental analysis process has documented expected environmental effects of implementing the proposed action. These effects have been disclosed in Chapter 3 of the EA (pp. 18-40) and the proposed action has been designed and mitigated to address the various issues raised (EA pp. 10-16). The analysis represents the judgement and expertise of resource management professionals who have applied their knowledge to similar projects and resources in the past. The management practices proposed are commonly-used resource management practices described in agency directives, prescribed in the Forest Plan and used by other land management agencies. The intensity of grazing and management practices proposed are consistent with the best scientific and

commercial information currently available and with current Forest Service direction (PR 1, 38, 39, 40). While some members of the public are opposed to public lands livestock grazing and others view the Forest Service as too restrictive in its management, this action is not highly controversial within the context of the National Environmental Policy Act.

5. The effects analysis (EA pp. 18-40) indicates the effects are not uncertain, and do not involve *unique or unknown risk*. The Forest Service has considerable experience with the types of activities to be implemented. The effects described in the EA are based on the judgement of experienced resource management professionals using the best available information.
6. The decision to reissue grazing permits for the allotments does not establish a *precedent for future actions* with significant effects. Future actions will be evaluated through the NEPA process and will stand on their own as to environmental effects and project feasibility (EA pp. 16-17).
7. The *cumulative impacts* of the action on soils, vegetation, water and terrestrial and aquatic wildlife resources were considered and disclosed by resource in the EA in Chapter 3, and in a variety of specialist reports (PRs 50, 51, 52, 53, 54, 55, 56, 57, 58, 60). The direct and indirect effects of the proposal are expected to be minor in the short term and beneficial or neutral over the long term. None of the effects are considered significant for reasons described herein. No past, present or future actions have been identified that will combine with the effects of the proposed action to cause cumulatively significant effects.
8. The action will have no significant *adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places*. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources (EA p. 39, PR 60). Mitigation included as part of the selected alternative is designed to preclude effects to these resources (EA p. 15). The proposed action includes provisions to survey for and avoid sensitive heritage sites prior to any ground-disturbing activities (EA p. 15 and Management Practices, above) and is in compliance with with Section 2(c) of the Standard Consultation Protocol for Rangeland Management, Appendix H of the Forest Service Region 3 First Amended Programmatic Agreement Regarding Historic Property Protection (PR 61). A Heritage Resources Investigation was prepared and submitted to the State Historic Preservation Office (SHPO) with a determination of no adverse effect to cultural resources. Concurrence from SHPO was received on June 27, 2008 (PR 60). Representatives of 12 Native American Tribes with traditional ties to southeastern Arizona were also notified of the results of this investigation 2008. No concerns were identified.
9. Consultation with the U.S. Fish and Wildlife Service (USFWS) was completed both as part of the Forest-wide reinitiation of consultation on ongoing and long-term grazing on the Coronado National Forest in 2002 (PR 40) and at the project

level (PRs 55, 56) for all of the allotments. The conclusions of this consultation document that the effects of the proposed action are not likely to adversely affect the Chiricahua leopard frog and the lesser long-nosed bat. The findings are summarized in the EA on pages 19-22. Management practices have been incorporated into the proposed action that are sufficient to avoid effects to listed species (EA p. 14, PR 55). USFWS concurrence on these determinations was received on May 8, 2008 (PR 56).

10. This selected alternative is in full compliance with all federal, state and local law requirements imposed for environmental protection. The Arizona Department of Environmental Quality reviewed and commented on the proposal (PR 47, 66). Best Management Practices to protect water quality are included in the selected alternative (EA p. 15, PR 63).

My conclusions regarding the effects of the proposed action are based on a review of the record that demonstrates a thorough review of the relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty and risk. Proposed grazing management was developed using data obtained and interpreted according to accepted monitoring practices for identifying rangeland condition and capacity (PRs 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 54).

The proposal incorporates adaptive management actions necessary to adjust stocking to remain within capacity (EA pp. 10-17 and Selected Alternative, above). Grazing intensity levels are consistent with existing scientific literature regarding proper utilization levels (PRs 38, 39) and technical guidance provided by the Arizona Game and Fish Department for Montezuma quail (PR 69).

The effects analysis for listed, sensitive and management indicator species is based on the most recent survey and distribution information (PR 41, 42, 49, 55, 56, 57, 58, 59, 69). Effects determinations for listed species were reviewed and concurred with by U.S. Fish and Wildlife Service Biologists (PR 55, 56). Soil and riparian monitoring and effects analyses were conducted in accordance with accepted Forest Service monitoring techniques (PR 53, 54) and are based on site-specific data collected within the project area. Based on the documentation in the record, I conclude the best available science was considered in developing and analyzing the proposal.

Findings Required by Other Laws and Regulations

National Forest Management Act. The Coronado Land and Resource Management Plan (Forest Plan) was adopted on August 4, 1986 and has been amended several times. The 2008 Forest Service planning regulations state that projects must be consistent with the applicable plan (36 CFR 219.8 (e)). The Dragoon allotments fall within Management Areas 1, 4 and 7. Management Areas 4 and 7 are identified as suitable for livestock grazing (Forest Plan pp. 62-66, 67-74). Management Area 1 is identified as not suitable for grazing; however, areas with this designation are located in sites that are not accessible to grazing livestock. The term permit grazing authorization for the allotments is fully consistent with the long-term goals and objectives listed on pages 9-11 of the

Coronado Forest Plan, as well as the standards and guidelines for Management Areas 1, 4 and 7. Light to moderate utilization and growing season rest, in combination with the application of mitigation to avoid or minimize impacts, will meet the Forest Plan goals for range, wildlife, soil, water and riparian resources. There are no identified effects to Management Indicator Species or sensitive species that will affect their Forest-wide populations or long-term viability (EA, pp. 25-28, PR 57). Other NFMA consistency findings relate to the management of suitable timberlands. The project area does not contain any suitable timberlands; therefore, the other NFMA consistency requirements do not apply.

I find that all actions identified in the proposed action (*Alternative 2*) are consistent with direction in the Coronado National Forest Land and Resource Management Plan.

Multiple Use Sustained Yield Act. The selected alternative will not impair land productivity (EA pp. 18-41) and is therefore consistent with this law.

Endangered Species Act. Consultation with the U.S. Fish and Wildlife Service was completed both as part of the Forest-wide consultation on ongoing and long-term grazing on the Coronado National Forest and at the project level for all of the allotments considered in the analysis (PRs 40, 55, 56). The USFWS concurred with the Forest Service determinations that the effects of the proposed action are not likely to adversely affect the Chiricahua leopard frog and the lesser long-nosed bat. The proposed action implements the Forest's Chiricahua leopard frog management guidelines to minimize short term impacts while maintaining occupied and suitable habitats. The proposed action will have no effect on the jaguar and Mexican spotted owl (PR 55).

National Historic Preservation Act. A Heritage Resource Investigation was completed with a finding of no adverse effect on cultural resources. Concurrence from SHPO was received on June 27, 2008 (PR 60).

Executive Order 13186 (Migratory Birds). The effects to migratory birds, Birds of Conservation Concern and Important Bird Areas were considered in the analysis (EA, pp. 28-30 and PR 57). No effects to these resources have been identified.

Executive Order 12898 (Environmental Justice). This decision does not impose disproportionately high adverse human health or environmental effects on minority or low-income populations (EA pp. 39-41).

Administrative Review or Appeal Opportunities

The 30-day comment period prescribed at 36 CFR 215.5 ended on September 18, 2008 (legal notice at PR 65). Since no substantive comments expressing concern were received, and only one supportive comment (PR 66) was received during the comment period, this decision is not subject to appeal under regulations at 36 CFR 215.12.

Permit holders and applicants may appeal this decision under the regulations listed at 36 CFR 251, Subpart C. Appeals must be filed (regular mail, email, fax, hand-delivery, or express delivery) *simultaneously* with the Coronado National Forest Supervisor Jeanine Derby, 300 West Congress, Tucson, AZ 85701, fax: (520) 388-8305, email: appeals-southwestern-coronado@fs.fed.us and with Douglas District Ranger William A. Edwards, 1192 West Saddlevue Road, Douglas, AZ 85607.

December 2008

Appeals must be filed within 45 days of the date of the notice of this decision. The appeal must have an identifiable name attached or verification of identity will be required. A scanned signature may serve as verification on electronic appeals.

As the Deciding Officer I am willing to meet with permit applicants or holders to hear and discuss any concerns or issues related to this decision.

Implementation Date

Pursuant to regulations at 36 CFR 215.9, this project may be implemented immediately following the publication of a legal notice in the Douglas *Daily Dispatch*. Pursuant to regulations at 36 CFR 251.91, an appellant may request the Reviewing Officer to stay implementation while an appeal is pending.

Contact Information

For additional information concerning this decision or the Forest Service appeal process, contact William A. Edwards, Douglas District Ranger or Joseph Harris, Douglas District Range Staff Officer at (520) 364-6800, or contact Richard A. Gerhart, Analysis Team Leader, (520) 388-8374.

William A. Edwards
District Ranger
Douglas Ranger District

Date: _____