

March 2009

Decision Notice & Finding of No Significant Impact

Grazing Authorization and Allotment Management Plans

**Benson, Coal Mine, Knear, Mescal, Middle Canyon and Wakefield
Allotments**

**USDA Forest Service
Coronado National Forest
Sierra Vista Ranger District,
Pima and Cochise Counties, Arizona**

Background

This decision covers the authorization of grazing and selected improvements for the Benson, Coal Mine, Knear, Mescal and Middle Canyon Allotments on the Sierra Vista Ranger District in Cochise and Pima Counties, Arizona. A previous decision to authorize these activities dated August 28, 2008 was reversed on appeal with instructions to conduct additional analysis for sensitive species and roadless areas. The additional analysis has been completed and has been considered prior to issuing this new decision.

The allotments covered by this decision include lands designated as suitable for livestock grazing in the Coronado National Forest Land and Resource Management Plan (Forest Plan). Lands within the project are located in the Whetstone Mountains and fall within Forest Plan Management Areas 1, 4 and 7.

The purpose and need for the proposed action arose for the following reasons:

- The allotments currently lack sufficient environmental analysis to comply with the *National Environmental Policy Act* (NEPA) and the *Rescission Act* (P.L. 104, 1995).
- There is a need to formally incorporate additional flexibility into the management of the allotments in order to allow the Forest Service and individual grazing permit holders to be able to adapt management to changing resource conditions or management objectives, and to comply with Forest Service Policy (FSH 2209.13 Chapter 90).
- Rangeland vegetation condition is less than desirable in many areas as a result of poor distribution. There is a need for management to be more responsive to decrease the duration and intensity of use in areas with less than satisfactory vegetation condition.
- Additional waters and fences are needed to improve distribution and increase the reliability of some pastures. These facilities will aid in providing additional rest periods and will allow management to decrease use in areas with less than satisfactory vegetation condition.
- Permitted use on some allotments exceeds what is considered sustainable. Forest Plan direction to balance permitted use with capacity is not being met.

The authorization of grazing and the proposed management practices on the allotments are described and analyzed in the Benson, Coal Mine, Knear, Mescal, Middle Canyon and Wakefield 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 Sierra Vista Ranger District Office and 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

Based upon my review of the alternatives and the analysis in the EA, I have decided to approve the grazing management strategy described under *Alternative 2* of the EA. The selected alternative will authorize managed livestock grazing on the Benson, Coal Mine, Knear, Mescal and Middle Canyon allotments. No grazing will be authorized on the Wakefield allotment at this time. On the Benson, Coal Mine, Knear, Mescal and Middle Canyon allotments, 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

No livestock use would be authorized on the **Wakefield** allotment. If livestock use is contemplated in the future, any authorization would be subject to additional prior analysis under NEPA.

On the Benson, Knear, Middle Canyon, Mescal and Coal Mine allotments grazing would be authorized under the following terms and conditions.

Duration, timing and frequency of grazing. Use on the **Benson, Knear and Middle Canyon** allotments will be authorized year-round using rotational grazing (Table 1). Grazing management would be designed to insure that pastures receive periodic growing season rest or deferment in order to provide for grazed plant recovery. The sequence and timing of pasture moves will be based on monitoring of range readiness, ecological condition, water availability and utilization.

Use on the **Coal Mine and Mescal** allotments would be winter seasonal. These allotments will receive summer growing season rest each year. The timing of entry and exit from the allotments and the sequence and timing of pasture moves will be based on monitoring of range readiness, ecological condition, water availability and utilization.

Intensity of grazing. Forage utilization will 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% 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.

Following the NEPA-based decision to authorize grazing under the terms and conditions identified above, the following administrative actions will be used to implement the decision.

- **Permit issuance.** New ten-year term grazing permits will be issued for each allotment in accordance with Forest Service policy (FSM 2231.03) for the numbers and terms displayed below. The term grazing permits 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 and the season of use will be allowed to vary in response to resource conditions and management objectives. Resource conditions that affect management decisions would include but not be 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. Changes will be documented and authorized annually in the annual operating plans. Grazing permits will 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].
 - **Benson:** 100 cow/calf pairs or equivalent, yearlong (up to 1,584 AUMs).
 - **Coal Mine:** 50 cow/calf pairs or equivalent between October 1 and March 31 (up to 396 AUMs).
 - **Knear:** 100 cow/calf pairs or equivalent, yearlong (up to 1,584 AUMs).
 - **Mescal:** 800 cow/calf pairs or equivalent between November 1 and April 30 (up to 6,336 AUMs).
 - **Middle Canyon:** 100 cow/calf pairs or equivalent, yearlong. (up to 1,584 AUMs).
 - **Wakefield:** No permit issued.
- **Allotment Management Plans.** New allotment management plans (AMPs) for each allotment will be developed (or modified where existing AMPs are in place) concurrent with new permits. The AMPs will specify the goals and objectives of management, management strategies, range improvements and monitoring activities. The objectives in the AMPs are derived from the desired condition statements identified in the EA on pages 5 and 6. The AMPs will be included as part of the grazing permits in Part 3. The AMPs will incorporate an adaptive management strategy described below. The use of coordinated resource management plans (CRMPs) will continue where in place and will be encouraged where the presence of intermingled ownership is conducive to more flexible and efficient ranch management.
- **Annual Operating Plans.** On an annual basis, the Forest and permittees will jointly prepare annual operating plans, referred to as Annual Operating Instructions (AOI) prior to each grazing year that set forth:
 - The 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 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 standards to be applied and followed by the permittee to properly manage livestock and forage resources.
- 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.

Permitted use (Table 1) is based on production and utilization data collected in 2004 and 2005 (PR 17) and monitoring of actual use and resource conditions on the allotment over the past 10-15 years (PRs 11-16). Allotment capacities fluctuate from year to year in response to annual forage production, management objectives and management intensity. Annual stocking rates on the allotments are expected to fluctuate in response to these factors.

Table 1. Proposed grazing management and use compared to current use: Whetstone Mountain allotments.

Allotment	Grazing System	Animal Unit Months	Cow/calf equivalent	Change from Current Authorized Use
Benson	5-pasture rest-rotation	1584	100	Change from 120 CYL
Coal Mine	Single pasture, winter seasonal (10/1-3/31)	396	50	Change from 65-75 CYL
Knear	6-pasture rest rotation	1584	100	Change from 120 CYL
Mescal	2-pasture winter seasonal (11/1-4/30)	6336	800	No change
Middle Canyon	8-pasture deferred rotation	1584	100	Change from 107 CYL.
Wakefield	Leave vacant	N/A	N/A	

Improvements

The lack of reliable water has been the limiting factor on all of the allotments and several improvements are proposed to rectify this condition and help to achieve desired conditions (EA, Figure 9). These improvements have been proposed in the context of adaptive management, meaning that they 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 would not be constructed. Current levels of Forest Service funding are unlikely to be sufficient to fund all projects identified. This decision assumes that the permittees may need to pursue outside sources of funding or bear a larger portion of the costs in order to complete all projects.

Maintenance of existing improvements will continue as needed. 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). On an annual basis, responsibilities for repair and maintenance of existing improvements will be identified in the AOIs.

Benson Allotment

1. Trask Well #2 (Alternate locations Dolphin Well or Sabin Well): Drill a well Lower Trask Pasture (Middle Canyon Allotment) that will service Middle Canyon, Benson and possibly Knear Allotments.
2. Rebuild and bentonite SE Tank. Clean out South Tank. (Canary Pasture)
3. Fence North Tank (0.25 mile fence)(Trask Pasture)
4. Cottonwood Spring Storage and Pipeline: Install Storage at Cottonwood. This storage will also serve a pipeline and trough on the Middle Canyon Allotment.
5. Trask Well Pipeline: Construct Pipeline from Trask Well (Pvt or #2) to Dolphin and Canary Storage Tanks. Install troughs in Dolphin, Canary and Trask Pastures
6. Dolphin East Pipeline: Construct pipeline from Dolphin well to east side of Dolphin Pasture and install trough. This will tie in with Sabin Pipeline.
7. Sabin Pipeline: Construct pipeline from Sabin Well to Dolphin Pasture to tie in with Dolphin Well Pipeline.
8. Canary Pasture division Fence: Construct 1.5 miles of fence to split the Canary Pasture.
9. Trask Pasture Division Fence: Construct 1.5 miles of fence to split the Trask Pasture.

Coal Mine Allotment

1. Willow Spring: Extend pipeline from Willow Spring (Wakefield Allotment) to Boice Pasture (Coal Mine Allotment) and install trough.
2. Bear Spring: Fence Spring (0.25 mile). Install spring box pipeline (0.1 mile) and trough.
3. Trick Tanks: Install two trick tanks in upland areas. NW ¼ Section 6, SW ¼ Section 12.

Knear Allotment

1. Mountain Drill Hole Well and Pipeline: An existing well (old test hole). Equipped with solar pump and trough for test purposes. Install pipeline to tie this in with Four Corners Well and Pipeline.
2. Bathtub Well (test drill hole): In Mountain Pasture. Case well (depth currently unknown). Permittee will supply pump and install trough.
3. South Hole Well (test drill hole): Mountain Pasture. Case well (depth currently unknown). Permittee will supply pump and install trough.
4. Four Corners/Haystack Pipeline: install pipeline from Four Corners Well into Haystack Pasture and North Pasture.

5. North Pasture Boundary Fence: Construct 1.5 miles forest boundary fence along the north and west sides of the north Pasture. This pasture is currently contiguous with private lands outside of forest.
6. Middle Wakefield Spring: Locate and develop.

Middle Canyon Allotment

1. Trask Well #2: Drill new well in Lower Trask Pasture that will the Middle Canyon, Benson and if necessary the Knear Allotments.
2. Star Well Redevelopment: Drill a new well in the Star Pasture to service the southern portion of the Middle Canyon Allotment. Install storage and troughs in Middle, Star, Guindani and Glenn Pastures. Completion of this project would be coordinated with Arizona State Parks to insure protection of Kartchner Caverns water resources (see Mitigation Measures, below).
3. Trask Water system. Storage in SE corner of Lower Trask Pasture and install pipeline to Forest Well. Install trough in middle of Pasture. Also run a pipeline to Artesian Well trough.
4. Cottonwood Spring Storage and Pipeline: Install Storage at Cottonwood Spring and install pipeline to northwest 0.75 miles. This storage will also serve an existing pipeline and trough on the Benson Allotment.
5. Ricketts Pipeline: Install pipeline and trough from Ricketts Well to north 0.25 miles.
6. Guindani Drift Fence: Construct 0.3 miles of fence across the mouth of Guindani Canyon in Middle Pasture.

Mescal Allotment

1. Pump water from a mine in upper Mine Canyon to provide upland water to the ridges between Mine Canyon and Christmas Tank Canyon.
2. Pump water from an existing storage at Cottonwood Spring to supplement the existing Cottonwood trick tank and Christmas dirt tank.
3. Re-drill the Dry Canyon Well, and pump water to Upper Dry Canyon trick tank.

Management Practices and Mitigation

To mitigate resource impacts, the following measures will be implemented on allotments where grazing is authorized. These measures 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 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) 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, provide herbaceous residue 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 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 surveyed for 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.
- Within areas meeting the definition of high quality Montezuma quail habitat, herbaceous vegetation will be managed to maintain a minimum of 6 inches of herbaceous stubble height, which is generally interpreted as less than 45% utilization of key herbaceous species (PR 36). The objective is to provide herbaceous vegetation as cover for quail and other wildlife.
- Stockpond maintenance and cleaning will be conducted in accordance with 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 proposed 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 sites. The following specific measures have been identified for sites that have been surveyed:
 - The Trask pasture division fence (Benson) will be realigned to avoid impacts to site AR03-05-03-406.
 - The Trask Well #2 (Middle Canyon) will be resurveyed prior to ground disturbance to avoid impacts to heritage resources.
 - The Dry Canyon Well to Upper Dry Canyon trick tank pipeline (Mescal) will be located to avoid disturbance to site AR03-05-03-408.
- 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.

Groundwater Resources – The objective is to protect hydrological resources that sustain the moisture budget and dependant resources in Kartchner Caverns. The Arizona State Parks Department (ASP) indicated concern with the possible effects to groundwater resources in Middle Canyon that contribute to the maintenance of the moisture budget within Kartchner Caverns (PRs 26, 49, 51, 60).

- No new water withdrawals or diversion would occur in Guindani Canyon.
- In order to determine whether effects are occurring, ASP will install groundwater monitoring equipment in the Star Well. Should monitoring indicate that withdrawals from this well are affecting cave resources, the agencies will jointly determine appropriate actions, including restrictions on use or non-use of the well.

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.

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 reference¹ and the Region 3 Rangeland

¹ Sampling Vegetation Attributes, Interagency Technical Reference. 1996. Cooperative Extension Service, USDA Forest Service and Natural Resources Conservation Service, and USDI Bureau of Land Management.

Analysis and Training Guide.² 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 on an ongoing basis and will include but not be limited to such things as inspection reports, forage utilization measurements, livestock counts, Grazing Response Index (PR 78) and facilities inspections. In the Middle Canyon allotment, groundwater monitoring will also occur as described above under Mitigation Measures.

Utilization measurements are made following procedures found in the Interagency Technical Reference³ and with consideration of the Principles of Obtaining and Interpreting Utilization Data on Southwest Rangelands (Smith et al 2007, PR 32). 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 may be monitored both during the grazing season (seasonal use) and at the end of the growing season (annual utilization). The Sierra Vista 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 permittee(s).

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

This decision will be implemented using an adaptive management strategy. Adaptive management uses the documented results of management actions (monitoring) to continually modify management in order to achieve specific objectives identified in the AMPs. The objectives in the AMPs are derived from the desired condition statements identified in the EA on pages 5 and 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

² Rangeland Analysis and Management Training Guide. 1997. USDA Forest Service, Southwestern Region.

³ Utilization Studies and Residual Measurements. Interagency Technical Reference. 1996. Cooperative Extension Service, USDA Forest Service and Natural Resources Conservation Service, and USDI Bureau of Land Management. Revised 1999.

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 this decision. Administrative changes will be documented and implemented in the AOI, AMP and/or the term grazing permit.

In the case that changing circumstances require physical improvements not disclosed or analyzed previously, 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 and in accordance with Forest Service Handbook (FSH) 1909.15(18) and FSH 2209.13(96.1), the Ranger will determine whether correction, supplementation or revision of the EA is necessary,

Reasons for the Selection

The selected alternative 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 while still meeting the natural resource objectives identified for the project area.
3. The alternative will provide for summer growing season rest or deferment and light to moderate utilization that will maintain or promote 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 an adaptive framework that allows for timely adjustments in authorized use in response to changes in grazing capacity or resource condition.
5. The alternative provides for the construction and repair of infrastructure to improve livestock distribution, which will increase vegetative cover, promote litter accumulation and protect soils and riparian vegetation. Proposed improvements will control livestock distribution and will provide a mechanism to increase pasture deferment and management flexibility.
6. The alternative provides a basis for sharing responsibility for successful implementation of this decision with the permittees.

Public Involvement.

The proposal has been listed since January 2006 on the Forest's Schedule of Proposed Actions. In January 2006, a Forest interdisciplinary team met to develop proposed actions and to identify preliminary issues, concerns and measures to carry forward into the

analysis. The proposal was provided to the public and other agencies for comment during scoping in June 2006 (PR 25). Four comments were received during scoping. Using comments received during scoping (PR 26-29) the Forest refined the list of issues and concerns to address.

In May 2008, a draft of the EA (PR 54, 55) 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 *Sierra Vista Herald* on May 9, 2008 (PR 56). Five comment letters were received in response to this solicitation (PRs 57-61, 63). In January 2009, a revised draft of the EA was provided to parties who had expressed interest in the project and the public was notified of the opportunity to comment through a legal notice published in the *Sierra Vista Herald* on January 8, 2009 (PR 80). One additional comment was received in response (PR 81).

I reviewed and considered these comments prior to making this decision. As a result of public review, portions of the EA have been revised for clarity and additional monitoring features have been identified to address groundwater concerns identified by the Arizona State Parks Department.

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.

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 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.

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

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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 allotments in the Whetstone Ecosystem Management Area.

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

1. Both *beneficial and adverse impacts* were considered in the analysis (EA, Chapter 3, pp. 20-41). Grazing as proposed will result in removal of herbaceous and some woody vegetation, but will be limited to moderate levels in order to allow for the retention of litter and plant stubble to provide soil cover and wildlife habitat. Possible improvements associated with the grazing authorizations involve the extension of pipelines from existing wells and storage facilities, the development of new water facilities and fences to control distribution. Construction of these improvements will result in minor, short term disturbance, but will benefit resources over the long term as a result of improved livestock distribution (EA p. 33). Adverse effects have been reduced or eliminated through project design and mitigation measures (EA pp. 14-16). Regular growing season rest, pasture deferrals and light to moderate utilization are predicted to maintain or improve long-term soil and watershed condition (EA pp. 30-35, PRs 42, 45).
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 the possible installation and maintenance of structural range improvements using hand techniques or light equipment. These actions are not expected to present significant hazards to workers or the public.
3. The project will not adversely affect parks, prime farm lands, wetlands, wild and scenic rivers, or other resources considered to have *unique characteristics*. There are no farm lands, wetlands, wild and scenic rivers or similar resources in the project area. The proposed action has been coordinated with Arizona State Parks Department and designed and mitigated to assure protection of resources associated with Kartchner Caverns State Park (EA p. 16, PRs 26, 49, 50, 51, 60). No road construction or maintenance is proposed. The analysis in the EA determined that the proposal will not affect the roadless status or characteristics of inventoried roadless areas within the Whetstone Mountains (EA pp. 44-45, PR 76).
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 from my decision. These effects have been disclosed in Chapter 3 of the EA and the selected action has been designed and mitigated to address the various issues raised. 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 available science and current direction (PRs 18, 32, 35). 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. 20-41) 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 (PRs 12, 13, 14, 15, 16, 17, 34, 35, 37, 38, 42, 43, 44, 45, 52, 62).
6. The decision to reissue grazing permits for the allotment 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 p. 18).
7. The *cumulative impacts* of the action on soils, vegetation and terrestrial and aquatic wildlife resources were considered and disclosed in the EA in Chapter 3, pp. 40-41 and in a variety of specialist reports (PRs 37, 38, 40, 45). 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 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 pp. 37-38, PR 43). Mitigation included as part of the selected alternative is designed to preclude effects to these resources (EA pp. 15-16). The proposed action includes provisions to realign fences and pipelines to avoid identified sites and provisions to survey for and avoid sensitive heritage sites elsewhere prior to any ground-disturbing activities (EA pp. 15-16 and Management Practices, above). 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 October 12, 2007 (PR 43). Representatives of 12 Native American Tribes with traditional ties to southeastern Arizona were also notified of the results of this investigation in February 2008 (PR 43).

9. Formal consultation with the U.S. Fish and Wildlife Service (USFWS) was completed both as part of the Forest-wide consultation on ongoing and long-term grazing on the Coronado National Forest in 2002 (PR 3) and at the project level (PRs 37, 52, 64) for all of the allotments. The conclusions of these consultations document that the effects of the proposed action are not likely to adversely affect threatened, endangered or proposed species. The findings are summarized in the EA on pages 20-25. The USFWS concurred with these findings in a letter dated June 25, 2008 (PR 64). Management practices have been incorporated into the proposed action that are sufficient to avoid effects to listed species (EA p. 15, PR 37, 41, 64). The affected permittees were notified of their applicant status in the consultation process (PR 39).
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 61). Best Management Practices to protect water quality are included in the selected alternative (EA pp. 14-15, PR 45).

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 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 32, 42, 44). Alternative views regarding rangeland condition, capacity and environmental effects were considered (EA pp. 7-8, PRs 57, 58, 59).

The proposal incorporates adaptive management actions necessary to adjust stocking to remain within capacity (EA pp. 9-18 and Selected Alternative, above). Grazing intensity levels are consistent with existing scientific literature regarding proper utilization levels (PR 18, 32, 35) and technical guidance provided by the Arizona Game and Fish Department for Montezuma quail (PR 35).

The effects analysis for listed, sensitive and management indicator species is based on the most recent survey and distribution information (PR 31, 33, 34, 37, 38, 62, 64, 73, 74, 75, 77). Effects determinations for listed species were reviewed and concurred with by U.S. Fish and Wildlife Service Biologists in 2008 (PR 64). Soil and riparian monitoring and effects analyses were conducted in accordance with accepted Forest Service monitoring techniques (PR 42, 44, 45) 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 plan [36 CFR 219.8 (e)]. The Benson, Coal Mine, Knear, Mescal, Middle Canyon and Wakefield allotments fall within Management Areas 1, 4 and 7 (EA p. 5). The Forest Plan identifies Management Areas 4 and 7 as suitable for grazing (Plan pp. 62-66, 67-74, 83-86). Management Area 1 is designated as not suitable for grazing. Upper elevations in the allotments contain areas designated Management Area 1. These areas are not assigned any grazing capacity and steep terrain limits or precludes nearly all grazing use in these areas. 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 prescribed mitigation features 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. 28-36, PRs 34, 38, 74, 75). 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.

Multiple Use Sustained Yield Act. The selected alternative will not impair land productivity (EA pp. 20-49) 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 3, 37, 64) and permittees were provided with the opportunity to participate in consultation activities (PR 39). These consultations (paragraph 9, above) concluded that the effects of the proposed action are not likely to adversely affect the lesser long-nosed bat, the Chiricahua leopard frog or the Mexican spotted owl and its designated critical habitat.

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 October 12, 2007 (PR 43).

Executive Order 13186 (Migratory Birds). There are no identified effects on migratory birds, Birds of Conservation Concern and Important Bird Areas (PR 34).

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 p. 40).

Implementation Date

This project will be implemented no sooner than five business days following the close of the appeal filing period established in the notice of decision published in the *Sierra Vista Herald*. If an appeal is filed, implementation will not occur sooner than 15 calendar days following a final decision on the appeal. Implementation means actually issuing the new

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permit or accomplishing any ground disturbing actions. Field preparation work needed to implement this decision may proceed immediately.

Administrative Review or Appeal Opportunities

This decision is subject to appeal in accordance with regulations at 36 CFR 215. Individuals or organizations that provided comments or otherwise expressed interest in the proposed action during the May-June 2008 comment period or the January 2009 comment period may appeal. A notice of appeal must be in writing and clearly state that it is a Notice of Appeal being filed in pursuant to 36 CFR 215. Appeals must be filed (regular mail, email, fax, hand-delivery, or express delivery) with the Appeals Deciding Officer and should be submitted to: Appeals Deciding Officer, Jeanine Derby, Forest Supervisor, Coronado National Forest, 300 West Congress, Tucson, AZ 85701, fax: (520) 388-8305, email: appeals-southwestern-coronado@fs.fed.us. If hand-delivered, the appeal must be received at the above address during business hours (Monday-Friday 8:00 am to 4:30 pm), excluding holidays.

Appeals, including attachments, must be filed in writing, consistent with 36 CFR 215.14 within 45 days of the date of legal notice of this decision in the *Sierra Vista Herald*. This publication date is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely on dates or timeframes provided by any other source.

Relative to issuance of the term grazing permits, permittees may choose to appeal under the regulations listed at 36 CFR 251, Subpart C. The permittee must select which administrative review regulation (36 CFR 215 or 251) they will opt to use, because they cannot use both for the same appealed decision. An appeal by the permittee under the 36 CFR 251 regulations must be filed simultaneously with the Coronado National Forest Supervisor Jeanine Derby (address above) and the Sierra Vista District Ranger, Annette Chavez, 5990 S. Highway 92, Hereford, AZ, 85615 within 45 days of the date on the written letter providing notification of the decision.

Contact Information

For additional information concerning this decision or the Forest Service appeal process, contact Tom Lorenz, Sierra Vista District Range Staff Officer at (520) 378-0311; or Richard A. Gerhart, Analysis Team Leader, (520) 388-8374.

/s/ Annette Chavez

Annette Chavez
District Ranger
Sierra Vista Ranger District

Date: 3/24/09