



United States  
Department of  
Agriculture

Forest  
Service

September, 2007



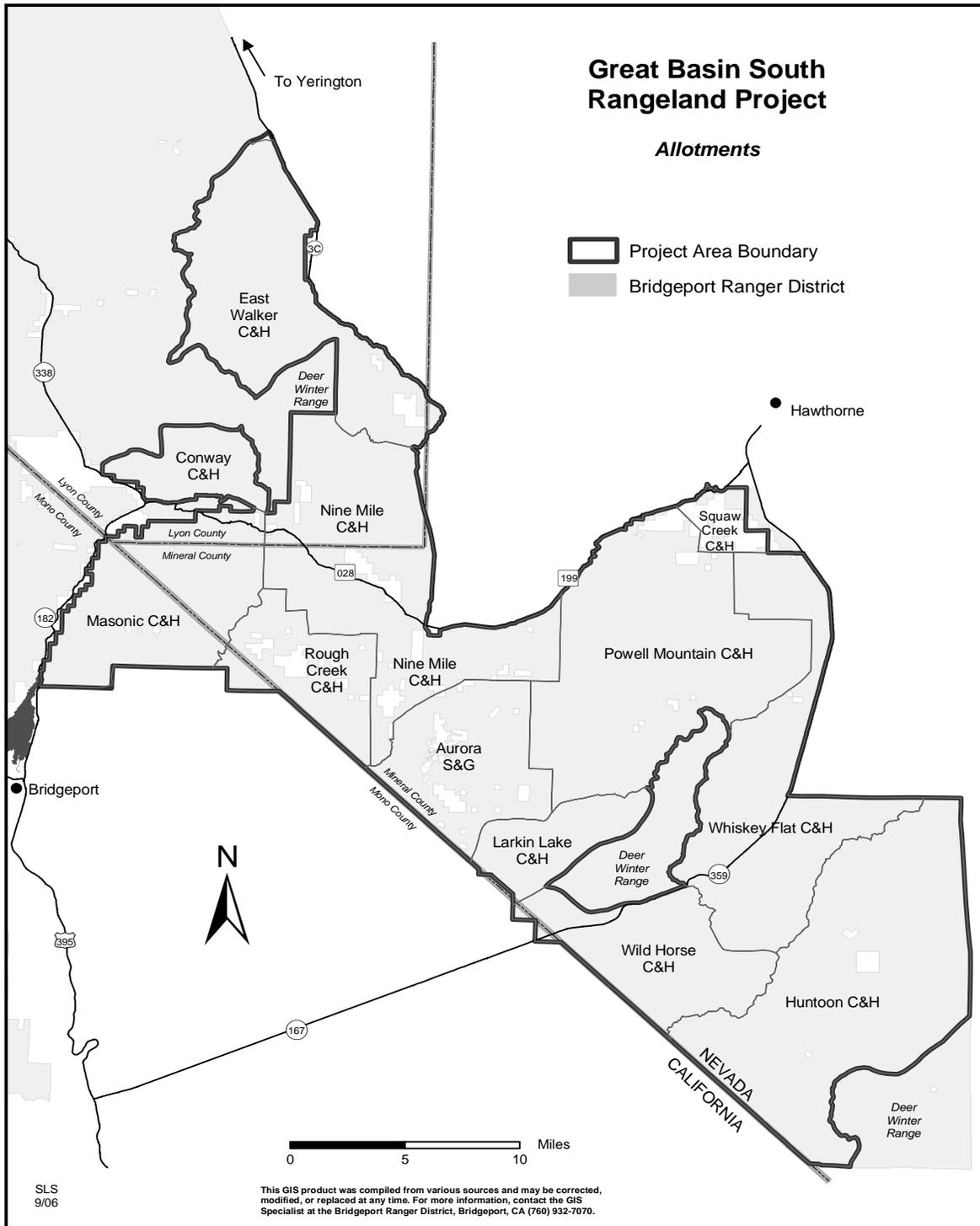
# Record of Decision

## Great Basin South Rangeland Project

**BRIDGEPORT RANGER DISTRICT  
HUMBOLDT-TOIYABE NATIONAL FOREST**

Lyon and Mineral Counties, Nevada  
and  
Mono County, California





## Introduction

### BACKGROUND

The Great Basin South Rangeland Project area is located within the Bridgeport Ranger District of the Humboldt-Toiyabe National Forest, east of Bridgeport, California. The project area is located in Mineral and Lyon Counties in Nevada and Mono County, California. Physical features include the East Walker River, the Excelsior Mountains, Bodie Hills, Wassuk Range, Whiskey Flat, and Huntoon, Alkalai, and Aurora Valleys. The project area is in one of the driest areas of the nation. Minimal precipitation and surface water is caused by the rain shadow effect of the Sierra Nevada mountain range.

This project addresses 12 livestock grazing allotments, totaling 410,500 acres. Cattle are currently authorized to graze 10 of the 12 allotments; two are vacant. The project area lies within Management Area #6, Bridgeport Pinyon-Juniper, of the 1986 Toiyabe Land and Resource Management Plan (Toiyabe Forest Plan). Management area direction emphasizes the key values of wildlife, dispersed recreation, grazing, and wild horse management. Approximately 35 percent of the project area includes lands transferred from the Bureau of Land Management (BLM) to the National Forest System in the Nevada Enhancement Act of 1989 (P.L. 100-550). These lands are to be managed under the existing BLM Resource Management Plan until the Toiyabe LRMP is amended or revised. The 1986 Walker Resource Area RMP emphasizes improving rangeland and watershed conditions, maintaining wildlife habitat, and protecting and maintaining existing and potential fisheries and riparian habitats (BLM 1986).

Livestock grazing, as well as the people and communities associated with ranching operations, have been an integral part of the area for more than a hundred years. This project considers the importance of this industry's contributions, as well as the needs of the other resources and users. The alternatives considered in this analysis provide different options for managing livestock grazing in order to address the issues identified in the analysis.

This project's goal is to manage livestock grazing in order to achieve healthy, sustainable rangelands that provide forage for livestock and wildlife, clean water, and adequate habitat for wildlife and fish. Sustainability requires the physical and biological components of the environment, including the vegetation and soil resources, to efficiently and effectively cycle water and nutrients. When ecological processes function properly, the resulting healthy rangelands provide goods and services for the public. The Final Environmental Impact Statement (FEIS) discloses the impacts of three alternatives: Current Management/No Action, Proposed Action, and No Grazing. The conclusions I have reached in my decision are based on the FEIS and the project record containing supporting documents.

## PURPOSE AND NEED

The purpose of the proposed action is to provide an economic return for use of the forage resource in an environmentally sustainable manner. Livestock grazing practices will be altered, where needed, to meet or move toward desired conditions of the resources, as described in the 1986 Toiyabe LRMP and meet the goals and objectives of the 1986 Walker Resource Area RMP.

The need for the project is to re-authorize grazing with updated management practices where needed to move towards desired conditions. Since the Forest Plan and BLM RMP goals were identified in 1986, wildlife, range, and natural resource science have continued to evolve. More is now known about the relationship between species and the environments in which they live; as a result, management direction for specific species has changed over the last decade. In addition, the Humboldt-Toiyabe ecology personnel have developed vegetation community specific desired conditions (see Appendix 1 of FEIS). Changes are needed in livestock management practices on some allotments to move towards those desired condition parameters. Range scientists have also conducted research on the influences of livestock grazing on the environment. This research has been applied in many areas across the West in effective adaptive management strategies and should be applied in the project area.

This analysis is being conducted at this time because the *Rescission Act* of 1995 (Public Law 504) required the development of a schedule to complete the *National Environmental Policy Act* (NEPA) analysis to re-authorize grazing. The allotments in the Great Basin South project area are scheduled for analysis and disclosure at this time.

## Decision

I have reviewed the environmental analysis; the public comments from scoping and on the Draft EIS; and specialists' reports in the project record. I have decided that *Alternative Two: Proposed Action* best meets the purpose and need and addresses public comments. The details of this decision are listed below and in Chapter Two of the FEIS. This decision incorporates project design features and mitigation measures identified in the FEIS and Biological Evaluations for wildlife and rare plants.

## ALLOTMENT MANAGEMENT DIRECTION

I have decided to re-authorize grazing on 11 allotments on the Bridgeport Ranger District. One allotment, **Squaw Creek**, has not been authorized for grazing since 1989 and will be closed in this decision.

The direction described herein will be incorporated into the Term Grazing Permits, Annual Operating Instructions and Allotment Management Plans as appropriate and in accordance with the Forest Service Range and Permit Administration Handbooks.

In general, the season of use for the allotments where grazing is re-authorized will be as shown in the following table. Exact dates will vary depending on range readiness and when endpoint indicators are met.

<b>Season of Use Table</b>	
<b>Allotment Name</b>	<b>Season of Use</b>
Aurora	April-May or Oct-Nov
Conway	Nov-Feb
East Walker	Dec-March
Huntoon	Nov-Apr
Larkin Lake	Nov-Feb
Masonic	July-Oct
Nine Mile	April-May or Oct-Nov
Powell Mountain	April-Oct
Rough Creek	Jun-Oct
Wild Horse	Dec-May
Whiskey Flat	Nov-Apr

This decision reduces the allowable utilization on allotments by up to 25 percent. The literature on grazing in desert ecosystems indicates that with 40 percent utilization, the herbaceous vegetation can be sustained. Beyond that, vegetation becomes more susceptible to drought and other factors (Holechek et al. 1999). Thus, 40 percent utilization will be the maximum allowable use on upland herbaceous species in all allotments.

Endpoint indicators for **all allotments except Rough Creek and the southern part of Masonic** will be as shown below. Livestock will be moved to the next pasture or removed from an allotment once any of the endpoint indicators are reached.

- 40 percent utilization on upland herbaceous species
- 20 percent on upland shrub species
- 40 percent for riparian herbaceous species (including in aspen stands)
- 20 percent on riparian shrubs (willows and aspen)

The following allotment-by-allotment direction will also be incorporated into the Term Grazing Permits when this decision is implemented. The direction will also be used to develop the Allotment Management Plans (AMPs) in accordance with Forest Service Range and Permit Administration Handbooks.

On the **Conway** Allotment, grazing will be re-authorized primarily for winter use. Allowable utilization will be reduced to 40 percent.

The **Nine Mile, Wildhorse, Larkin Lake, Powell Mountain** and the northern part of **Masonic** Allotments will be re-authorized for grazing with rest for one year out of three. This will be accomplished through more intensive livestock management rather than extensive fencing.

- On **Wildhorse** and **Larkin Lake** Allotments, the rest will be for the entire allotment at once.
- On **Nine Mile, Powell Mountain**, and the northern portion of the **Masonic** Allotments, the rest will be on portions of the allotments in any given year so that all acres will be rested one of three years.
- The aspen stands located in the **Powell Mountain** Allotment will have periods of rest written into the management as well as the limits on browsing and herbaceous utilization described above.

The **Whiskey Flat** and **East Walker** Allotments will be re-authorized for grazing on a four year rotation with two years dormant-season use and two years early-season use.

The **Aurora** Allotment will be authorized for grazing by cattle. This will be a change from its current authorization for sheep. This allotment will be incorporated into the Nine Mile Allotment and grazed as described above. This addition will facilitate incorporating rest into the Nine Mile allotment. No additional numbers or season of use will be authorized. The aspen stands located in the **Aurora** Allotment will have periods of rest written into the management as well as the limits on browsing and herbaceous utilization described above.

The **Huntoon** Allotment will be re-authorized for grazing on the foothills and upper elevations only. No grazing will be authorized in Huntoon Valley (See Huntoon Closure Map). Rest will be incorporated into the areas that are grazed. The rest will be on portions of the allotment in any given year so that all acres will be rested one of three years.

The southern part of **Masonic** and all of **Rough Creek** Allotments will be re-authorized for grazing primarily during the summer. The areas described here are higher elevations areas and snow covers the ground during the winter months; this make these allotments not available for grazing domestic livestock during the late fall/winter/early spring season. Due to the different season of use and topographic features of these two allotments, utilization standards for both herbaceous and browse plant species will be different than the other allotments. On these two allotments, the available information indicates that the aspen, dry meadow and wet meadow communities are mostly “at risk” and the majority of the sagebrush community types are “functioning as desired”. The grazing

permits for these two allotments will be modified to include these endpoint indicators:

- 10% use on riparian browse in aspen and wet and dry meadows
- 30% use on riparian herbaceous species in aspen and wet and dry meadows
- 20% streambank disturbance in aspen and wet and dry meadows
- 40% use on upland herbaceous species in sagebrush communities
- 20% use on upland browse in sagebrush communities

Livestock will be moved to the next pasture or removed from these two allotments once any of the endpoint indicators are reached. Periodic rest will be continued in the Masonic Riparian Pasture as needed to move towards desired conditions.

In the future, additional condition assessments will be done on these two allotments to determine conditions at a smaller scale. Again, functioning condition will be evaluated using the Humboldt-Toiyabe condition matrices<sup>1</sup> in Appendix 1 of the FEIS and the utilization limits set based on the condition as shown in the Matrices Recommended Utilization Standards Table in Appendix 1.

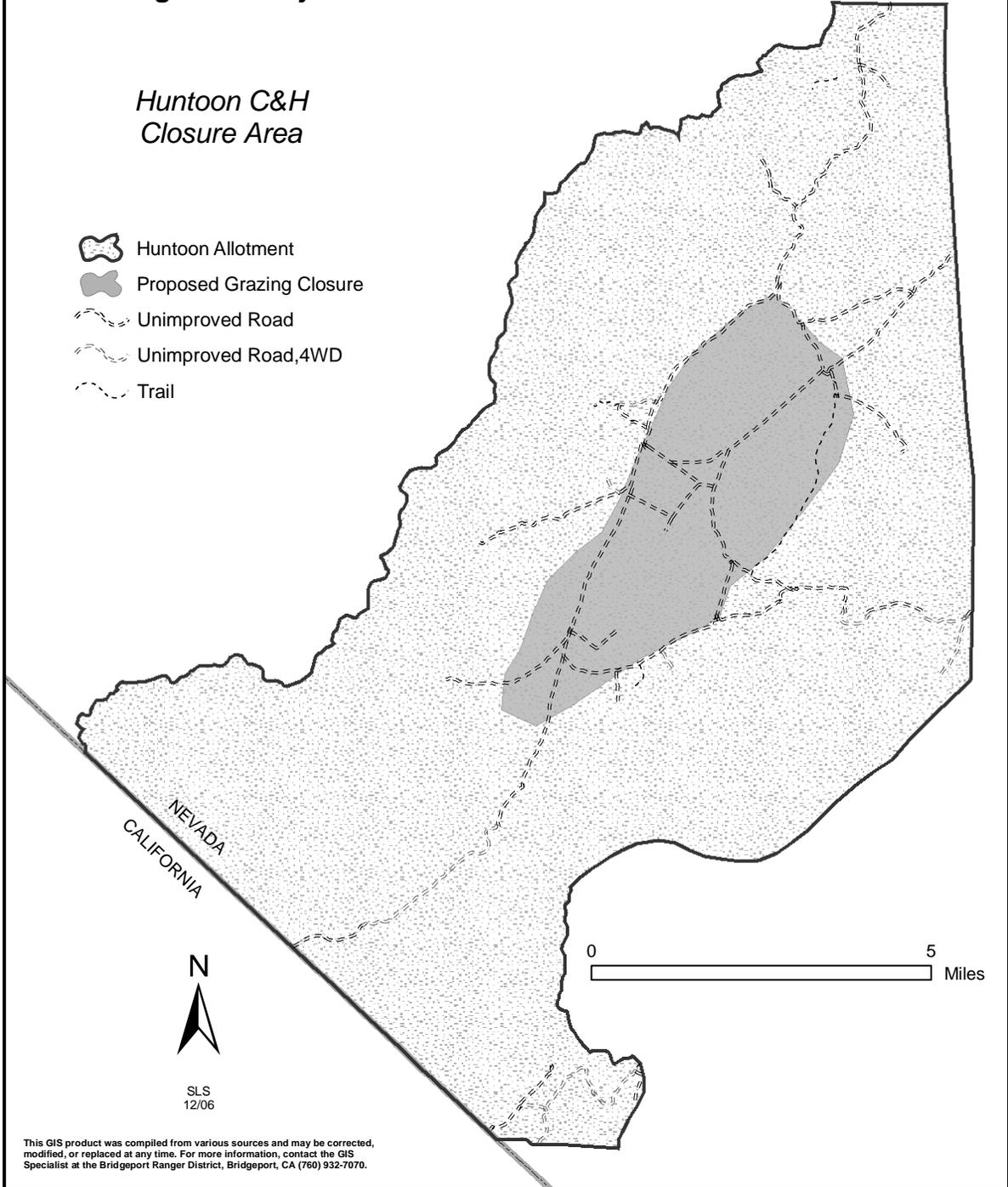
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<sup>1</sup> Each matrix contains several components and attributes that are be measured to determine a functioning level. Those physical attributes are guides and are used in conjunction with each other to determine the functioning level. The detailed descriptions of these matrices are shown in Appendix 1. The functioning condition will be used to adjust endpoint indicators on the Masonic and Rough Creek allotments, where needed.

# Great Basin South Rangeland Project

## Huntoon C&H Closure Area

-  Huntoon Allotment
-  Proposed Grazing Closure
-  Unimproved Road
-  Unimproved Road, 4WD
-  Trail



SLS  
12/06

This GIS product was compiled from various sources and may be corrected, modified, or replaced at any time. For more information, contact the GIS Specialist at the Bridgeport Ranger District, Bridgeport, CA (760) 932-7070.

## PROJECT DESIGN FEATURES

Design features to protect important resources will include:

- Protective livestock grazing practices and structures will be implemented on the **Aurora** Allotment to preserve the integrity of historic features in and around the ghost town of Aurora. These features will be in place before authorizing cattle grazing on the **Aurora** Allotment and may include drift fencing.
- Before new or additional livestock concentration activities such as salting, trailing, and water developments are placed within potential pygmy rabbit habitat, these areas will be surveyed for denning areas. If dens are found, no new livestock concentration activities will occur in their vicinity.
- Sage grouse critical breeding complexes (leks and nesting habitat within two miles of each lek) will not be grazed during the reproductive season (March 1-June 30). On sage grouse brood-rearing meadows (Aurora and China Camp meadows in the **Aurora** and **Rough Creek** allotments, resp.) that are not at desired functioning condition, grazing will not take place in those meadows during brooding season (April 10-June 30) until the meadows improve to functioning condition. Implementation might include the use of letdown fences around critical habitats such as leks, removing livestock grazing from the critical areas, or changing the season of use in critical areas.
- In areas where the sensitive plant, Williams combleaf (*Polyctenium williamsiae*), is found, livestock use will not occur during the critical growing period for this species (generally May-July). Activities which concentrate livestock use will be avoided in occupied *Polyctenium* habitat. Activities for this mitigation could include fencing, re-routing livestock trails around sensitive plant populations, changing the season of use in the critical areas, changing techniques to manage livestock, and removing livestock grazing from the area affected.
- Future planned activities that are likely to concentrate livestock use, such as salting, placement of watering sources, and placement of temporary handling facilities, shall not occur any closer than 0.25 miles of known sensitive and rare plant locations. Future livestock concentrating activities will not occur in potential habitat for sensitive plant species until surveys are performed.
- If future monitoring reveals areas where livestock concentration activities have already affected known sensitive and rare plant populations, the activity will be evaluated for its adverse effects and the resource specialist will determine if mitigation is needed to remain consistent with the determination of effects in the Biological Evaluation. Future surveys will also include existing activities that concentrate livestock use in *potential* habitat.

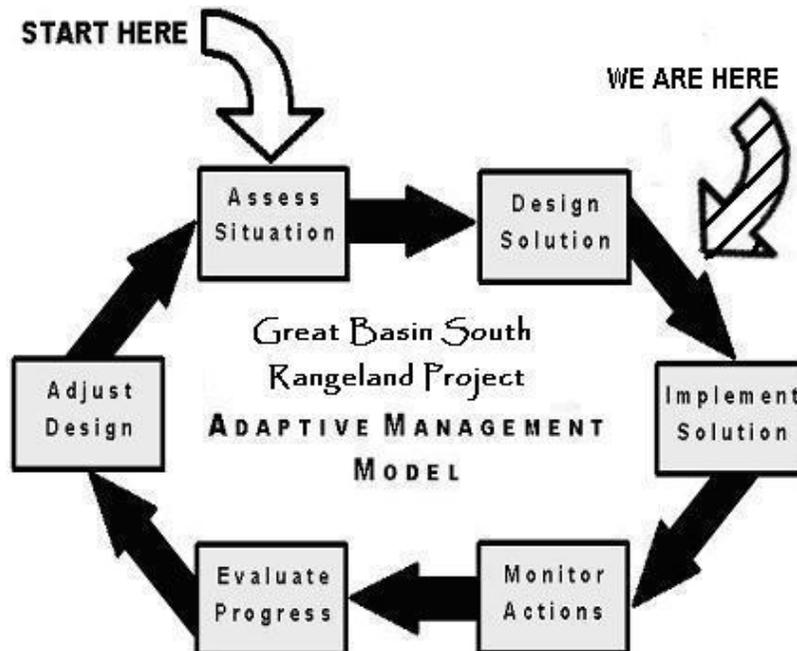
Design features that are ground disturbing and result in measurable environmental effects not disclosed in this FEIS may be subject to a subsequent environmental review.

## MONITORING

### *Adaptive Management*

Adaptive management is a relatively new term in livestock grazing management but it is not a new concept. For over a century, allotments on National Forest System (NFS) lands have been managed using the concept. Forest managers observed resource conditions and adjusted management accordingly. These changes have been made in the form of incremental changes to livestock management practices or permitted number adjustments, depending on the magnitude of the change needed.

This decision formally incorporates an adaptive management process to guide livestock management. This adaptive management process provides land managers and permittees the ability to adjust management based on monitoring results. The process is based on a six step cycle identified in the figure below. The process by which adaptive management fits in grazing administration in the project area is described in detail in Chapter 2, Proposed Action, of the FEIS. In short, adaptive management is a process which allows certain management changes to address actual resource conditions. For this current decision, Forest personnel gathered site-specific data on conditions in the allotments. This data was used to develop the proposed action which I am selecting. The decision also includes long-term monitoring that will be conducted. Resource specialists will evaluate the monitoring data and determine if indeed the management in the selected alternative is moving conditions towards desired future conditions as identified in the community-specific matrices described in Appendix 1 of the FEIS. If it is, management will proceed as specified. If it is not, adjustments may be made in use levels, seasons of use, or other management practices to move towards those desired conditions.



### **Monitoring**

In this project area, the sites evaluated to assess current conditions will be re-evaluated to measure progress towards desired conditions, if appropriate. Additional data may be collected, as needed.

- Herbaceous and browse utilization observations will be conducted as needed on riparian habitat and upland key sites listed within the term grazing permits.
- Operating instructions, and terms and conditions, will be monitored for compliance.
- A long-term trend monitoring schedule will be established and incorporated into each AMP. Appropriate key areas will be established in representative areas that will help determine if the management practices that have been prescribed are moving the area towards the desired condition. Monitoring will follow Forest Service Handbook (FSH) accepted methodologies, including establishing photo points where appropriate.
- The condition of sage grouse brood-rearing meadows described in the project design feature, above, will be monitored and evaluated using the matrices in Appendix 1. This will determine when or if livestock are allowed in those meadows.
- Livestock use patterns on the Masonic allotment will be monitored to validate the assumption that livestock use will be widely dispersed and not affect rare plant habitat. On the Powell Mountain allotment monitoring will be conducted in Long Valley milkvetch habitat to validate assumptions in the analysis. This monitoring will include review of livestock use patterns in relation to rare plant population distribution, yearly vigor of the rare plants and habitat impacts. The monitoring will include site visits and generalized observations, not a quantitative assessment.

## **Rationale for the Decision**

I have selected the Proposed Action alternative because it best meets the goals of providing economic benefits and tangible goods and services in a way that ensures the sustainability of other uses and values of the ecosystem. The Proposed Action will best meet the purpose and need of providing economic returns in a sustainable manner. It meets the need of re-authorizing livestock grazing and adjusting management, where necessary, to meet desired conditions. The Proposed Action alternative, described in this ROD and hereafter referred to as the selected alternative, will result in site-specific improvements to the ecological resources while continuing to provide social and economic benefits to permittees and the surrounding community. According to the FEIS, the management direction in the selected alternative will result in improving upland and riparian vegetation conditions. This will benefit wildlife, fisheries, and rare plant habitats. The selected alternative will negatively impact the permittees with the closure of the Huntoon Valley, incorporation of rest periods, and some of the other project design features. These changes are needed, however, to move towards desired

conditions as defined in the Toiyabe LRMP, Walker Resource Area RMP and at this site-specific level. Grazing in the Huntoon Valley cannot be sustained therefore it must be closed to meet the purpose and need.

The selected alternative will best meet the objectives for the Forest Service range management program as defined in the Forest Service Manual (FSM) 2200, Section 2202.1:

- Providing forage, wildlife food and habitat, outdoor recreation, and other resource values dependent on range vegetation;
- Integrating management of range vegetation with other resource programs to achieve multiple use objectives contained in Forest land and resource management plans; and
- Contributing to the economic and social well being of people by providing opportunities for economic diversity and by promoting stability for communities that depend on range resources for their livelihood.

In addition, the Forest Service operates under mandates such as the Multiple-Use Sustained-Yield Act (MUSYA) and other legislation as well as annual appropriations language that make it clear that social and economic benefits be a factor in management decisions. The selected alternative balances livestock grazing use of the project area with this need to improve rangeland resource conditions. If natural resource conditions were the sole consideration, it would be logical to choose the no grazing alternative. In my decision, however, I must consider natural resource conditions and social and economic values. The selected alternative clearly meets these multiple objectives the best.

The no grazing alternative is advocated by some as the easiest way to insure that grazing does not negatively impact the natural resources. While this may be true, the magnitude of change with no grazing versus grazing as prescribed in the selected alternative, is not great. In desert ecosystems, change comes very slowly and must be measured in decades or centuries, not years. Measurable changes in vegetation diversity will take a long time, even if grazing were eliminated. This project area contains little riparian and aspen vegetation and livestock are not influencing conditions on much of it. Thus, no grazing would improve conditions but not by much when compared to the selected alternative. Conversely, the no grazing alternative would have a dramatic impact on several permittees as well as the custom and culture of the area in exchange for a slightly more rapid improvement in resource conditions. The no grazing alternative does not meet the purpose and need for action. With the no grazing alternative, there would be no livestock use of the forage resource even though such use can be done in a sustainable manner. The no grazing alternative does not meet the goals of the Forest Service range management program listed above. Nor does it meet Congressional intent in that Congress has made it clear through legislation and appropriations that the rangeland resource is one to be utilized.

The current management (no action) alternative does include allotment management direction designed to improve resource conditions. Based on our assessment of the current conditions in the allotments, however, this management has not been effective

everywhere. In order to meet the general desired conditions in the Toiyabe LRMP and BLM Walker Resource Area RMP and the site-specific conditions described in the Humboldt-Toiyabe Matrices (see Appendix 1 of the FEIS), management must be changed in some areas. The current management alternative does not meet the purpose and need, address the issues, or result in improved rangeland resource conditions.

I carefully considered all public comments on this project. Of particular note were the comments from the U.S. Environmental Protection Agency supporting the effort and noting that the proposed action reduces the maximum allowable vegetation utilization rates, implements rest-rotation systems, provides specific aspen management thresholds, and closes Huntoon Valley and the Squaw Creek allotments.

Also important were comments from the Nevada Department of Wildlife, which reviewed the Draft EIS and supports the Proposed Action. The Department noted that the project best represents a resource based approach and management strategy necessary to protect and restore Nevada rangelands. One commenter submitted multiple letters requesting very detailed information and analysis for a wide variety of issues they felt were relevant to the decision. I carefully considered this request and ensured that the most relevant data and analysis were included in the FEIS. Other information and analysis requests from this commenter were addressed in the response to comments in the FEIS. While any analysis and decision can be expanded to include additional data, I determined that the information provided in the FEIS was sufficient to make a reasonable choice among the alternatives and sufficient to display to the public the relative impacts of the alternatives. In this case, obtaining additional information cannot be justified in terms of adding to the quality of the decision, and additional information is not needed to make an informed decision on this project.

The discussion below addresses some of the key management features of the selected alternative and how I considered them in my decision.

## **ALLOTMENT MANAGEMENT DIRECTION**

The selected alternative includes some changes to livestock grazing practices. These changes are tailored to improve the site-specific conditions in allotments. In several of the allotments, monitoring data indicates that grass species diversity and ground cover are not meeting desired conditions under current management. The selected alternative incorporates rest and includes other features to improve these conditions. Utilization standards will be reduced to 40% on upland herbaceous species. According to research on grazing in desert ecosystems, this amount of use is sustainable and conditions will improve or stay static at that level (Holechek et al. 1999). Several allotments are permitted for grazing during the early growing season every year. That management strategy has caused a severe decline in the grass species over time. One year of rest in every three will improve the herbaceous species diversity and abundance. These features of the selected alternative will move the desert community types to desired conditions. The selected alternative tailors the management changes to conditions on each allotment rather than having “one-size-fits-all” direction as in the no grazing and current management alternatives.

In the Huntoon allotment, the analysis indicates that grazing is not sustainable in Huntoon Valley itself. This site is severely degraded due to many years of heavy grazing, drought, and excessive wind erosion. The selected alternative addresses the need to improve resource conditions while still allowing some grazing where appropriate. This is another way in which the selected alternative meets the dual missions of providing goods and services while sustaining natural resources.

## **PROJECT DESIGN FEATURES**

In addition to the allotment-by-allotment management direction, the selected alternative includes several project design features to address key wildlife, rare plant, and archeological resources. The selected alternative includes a project design feature to not graze critical sage grouse breeding complexes during the reproductive season. Brood-rearing meadows will also be protected during critical times of year. It provides rare plants protection from grazing during the time periods most critical to their life cycle. These requirements and others ensure that the grazing program provides sustainable habitats for wildlife and plant species. According to the FEIS and Biological Evaluation, populations of wildlife and rare plants will be sustained and none will trend toward listing under the ESA. The selected alternative will not preclude future re-introduction of Lahontan cutthroat trout into the project area.

Another key design feature is the requirement to keep livestock out of the Aurora townsite. This National Historic Register Site will be protected from grazing impacts yet grazing will be allowed elsewhere in the allotment.

While the selected alternative will have impacts on wildlife, rare plants, and other resources, the impacts will be greatly reduced with these mitigations. This demonstrates again how the selected alternative will improve and/or protect the natural resources while allowing use of them. The current management alternative allows use of the natural resources but in some allotments and areas that use is causing a decline in the condition. The no grazing alternative would eliminate impacts from grazing but not use of the resource.

## **ADAPTIVE MANAGEMENT**

The selected alternative formally incorporates the adaptive management process into grazing permit administration. This allows for management changes if current actions are not moving resource conditions towards desired conditions. This decision includes management changes that will be made upon implementation such as changes to livestock utilization standards, changes in grazing schemes, and allotment boundary adjustments. These are expected to improve rangeland resource conditions, particularly abundance of cool season grasses and overall plant diversity. The decision also has a monitoring component which will determine if the conditions are, indeed, moving towards desired. If they are, no additional management changes will be made. If they are not, the data and observations will be evaluated to determine if changes in management are needed. This process of “act-check-adjust” will allow course corrections to meet desired conditions. The selected alternative will change some of the terms and conditions of our grazing management systems to respond to the latest science and will provide a more flexible system for improving environmental conditions

in the future. The current management and no grazing alternatives do not include this feature.

## **Other Alternatives Considered**

### **ALTERNATIVE ONE: NO ACTION/CONTINUE CURRENT MANAGEMENT**

Under the No Action alternative, current management would continue to guide management of the project area. Grazing would be re-authorized without any changes in grazing permit terms and conditions. Livestock management practices and standards in existing permits on ten allotments would continue to be used. Allowable utilization of forage and would vary depending on standards in existing grazing permits, the Toiyabe Forest Plan, and the BLM Walker Resource Area's Resource Management Plan. Grazing use on herbaceous species would range from 40 to 65 percent and use on shrub species would range from 20 to 50 percent. The Squaw Creek and Aurora Allotments would remain vacant.

### **ALTERNATIVE THREE: NO GRAZING**

This alternative would phase out grazing. When current term grazing permits expire, new permits would not be issued. The last permits to expire would be at the end of the 2012 grazing season. This would result in a reduction of 9929 cattle animal unit months. The allotments would be managed under their current systems and standards until they become vacant. Existing improvements that are no longer functional or needed would be removed. This would include interior fences, cattle guards, and water developments. This would occur over time as allotments become vacant and budgets allow.

### **ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY**

Several other alternatives were considered but eliminated from detailed analysis. These are listed below; more details are contained in the FEIS and project record.

- An alternative that would establish long-term monitoring and adaptive management but make no short-term adjustments in seasons-of-use was considered. This alternative was dropped because sufficient information is available to show the need for the adjustments in the Proposed Action.
- An alternative to remove existing livestock grazing facilities was considered, but eliminated from detailed study because existing facilities are needed for proper livestock grazing management.
- An alternative to implement ecosystem restoration projects was considered, but eliminated from detailed study. This alternative was dropped because for two reasons 1) Projected costs from active ecosystem restoration such as berms or revegetation are too high to be considered reasonably implementable, 2) The proposed action restores ecosystems through implementation of the project

design features and adjusting livestock grazing as needed to meet desired conditions.

- An alternative to reduce livestock numbers through use of only stubble height as a parameter was considered, but eliminated from detailed study because that parameter would not apply to all of the project area. Instead, the proposed action includes utilization and rest to improve vegetation condition on a site-specific basis.

## **Tribal and Public Involvement**

### **TRIBAL CONSULTATION**

Tribal consultation has been conducted for this project. The initial scoping was sent to local Tribes. No written or oral comments were received. The District Archeologist and I have subsequently conducted government-to-government consultations with the Tuolumne Me-Wuk, Yerington Piute, and Bridgeport Indian Colony where this project was discussed. These local Tribes did not have any specific comments on the proposed action (now the selected alternative). Tribal contacts were generally concerned with the impact of the livestock grazing program on cultural properties and natural resources. The selected alternative will protect cultural resource properties and improve riparian conditions and habitat for wildlife. This is in concert with tribal desires to maintain natural cycles and provide for a variety of species.

### **PUBLIC INVOLVEMENT**

Scoping for the project proposal began August 16, 2002 and ended September 20, 2002. Letters were mailed to interested parties. A legal notice to inform the public of the proposed action was published in the Mammoth Times, the newspaper of record for the Bridgeport Ranger District (at the time). In addition, articles were also published in the Mineral County Independent News and the Mason Valley Times. Four comment letters were received. Following this effort, the Forest decided to proceed with an Environmental Impact Statement (EIS), rather than an Environmental Assessment as originally proposed. A notice of intent to prepare an EIS was published in the Federal Register on May 20, 2005. The notice asked for public comment on the proposal from May 20, 2005 to June 20, 2005. In addition, as part of the public involvement process, the agency mailed copies of the scoping document to interested parties and published it on the Forest Service web site. Two additional comment letters were received.

Notices regarding this project were also distributed to the public through the Forest Service Schedule of Proposed Actions each quarter since February, 2002. Throughout the life of the project, District personnel have discussed the proposal and the analysis with members of the local communities and other interested parties. The project has been formally and informally presented to Regional Planning Advisory Committees, Lyon and Mineral County Commissioners, and the Mono County Board of Supervisors. In February and March of 2006 and March 2007, members of the project team met with grazing permittees in the field to review grazing and ecosystem conditions and options for future management. These meetings included representatives from the Natural Resources Conservation Service, the Nevada Department of Agriculture, the University

of Nevada, and the University of Nevada Cooperative Extension, as well as interested parties from the area. Using the comments from the public, grazing permittees and other agencies, the interdisciplinary team developed a list of issues to address.

The Draft EIS was released for public review in January, 2007. Copies were mailed to interested parties, a Federal Register notice was published, a legal notice was published in the Mammoth Times and the Draft EIS was made available for review on the Humboldt-Toiyabe National Forest website.

During the 45 day public review period a total of five commenters submitted written comments and two provided oral comments. Agency comments included:

*“The Nevada Department of Wildlife has reviewed the Draft EIS and supports the Proposed Action. This document best represents a resource based approach and management strategy necessary to protect and restore Nevada rangelands.”*

*“The U.S. Environmental Protection Agency supports the effort to move rangeland conditions for the Great Basin South grazing allotments towards desired functioning conditions.”*

Public comments focused on grazing / sage grouse issues as well as a variety of general grazing related subjects such as:

*“Factors that may influence determinations of suitability include protection of T&E species habitat, limited funding or staff to monitor or otherwise manage, voluntary or involuntary reductions for resource protection, permit waivers back to the government, livestock market and ranch economies reactions, recovery for wildlife.”*

## ISSUES

The Forest Service identified the following issues for consideration in the EIS.

- Continued livestock grazing has the potential to affect the health of riparian vegetation. Livestock grazing has the potential to affect the plant composition, structure and health of the various riparian sites in the project area. Riparian areas include streams, seeps, springs, and meadows.
- Continued livestock grazing has the potential to affect the health of upland vegetation. The health of upland vegetation is the degree to which the integrity of the soil, vegetation, water and air as well as the ecological process of the rangeland ecosystem, are balanced and sustained.
- Continued livestock grazing has the potential to affect sage grouse habitat. Brood-rearing meadows are also a critical component of sage grouse habitat. The quality of these meadows can affect the forage availability for young sage grouse after the nesting season.
- Continued livestock grazing has the potential to affect watershed conditions. Livestock grazing has a direct physical impact on soil properties. Soil compaction and increased erosion can be affected of livestock grazing. This can affect sediment delivery to waters in the project area.

Other resource concerns that are analyzed in the FEIS include wildlife, rare plant, and fishery habitat; heritage resources; livestock grazing; invasive weeds and social economics.

## Findings Required by Law

Consultation with the U.S. Fish and Wildlife Service (USFWS), the California Natural Resources Division, the California and Nevada State Historic Preservation Office (SHPO), Nevada Departments of Agriculture and Wildlife, and the local Native American Tribes has been completed. My decision is consistent with all applicable laws, Executive Orders, regulations and policies as summarized below. The supporting information for this summary is found in the FEIS and project record.

### ***Executive Order 13175 (consultation and coordination with Indian Tribal Governments)***

The Forest Service has also consulted with Indian tribes with an interest in the project area, including the Tuolumne Me-Wuk, Washoe Tribe, Yerington Piute Tribe, Bridgeport Indian Colony, and the Walker River Piute. The results of these consultations are available in the project record. No concerns with the proposed action were identified in this consultation process.

### ***National Historic Preservation Act and Archeological Resource Protection Act of 1979***

Heritage Resource surveys of various intensities have been conducted on National Forest Land in the Great Basin South Rangeland Project Area. The Forest is also complying with the 1995 Memorandum of Understanding between the Humboldt Toiyabe N.F. and the California and Nevada State Historic Preservation Offices regarding the effects of livestock management on historic properties.

### ***Executive Order 13007 (American Indian Sacred Sites) and American Indian Religious Freedom Act of 1978***

Executive Order 13007 directs Federal agencies to accommodate access to and ceremonial use of American Indian sacred sites by Indian religious practitioners and to avoid adversely affecting the physical integrity of such sites. The Tunna' Nosi' Kaiva' Gwaa area is probably a sacred area to the Northern Paiute. It is possible that Mt. Hicks, a source of obsidian, and other high peaks in the area are sacred. The American Indians in the area have yet to identify any other specific sacred sites. This project will not adversely impact the physical integrity of these areas.

### ***Rescission Act of 1995 (PL 104-19 as amended)***

This Act directed the National Forest System to evaluate the impacts of grazing on allotments according to a schedule agreed to with Congress and the Forest Service. This analysis complies with the Rescission Act in that it has analyzed the impacts of re-authorizing grazing in 12 allotments.

### ***Clean Air Act of 1979 (as amended)***

The proposed action and alternatives will not impact air quality therefore the analysis is in compliance with the Clean Air Act.

### ***Clean Water Act of 1977 (as amended)***

The selected alternative will improve riparian conditions and thereby not negatively affect water quality in the analysis area.

***Endangered Species Act of 1973 (as amended)***

There are no species listed under the Endangered Species Act in the project area. The FEIS addresses grazing impacts to potential Lahontan cutthroat trout habitat. With the selected alternative, conditions are expected to improve in the two streams capable of providing LCT habitat.

***Executive Order 11988 (floodplains) and Executive Order 11990 (wetlands)***

The alternatives analyzed in the FEIS would not impact floodplains or wetlands as defined in these Orders. Riparian conditions are expected to improve with the implementation of the selected alternative.

***Executive Order 12898 (environmental justice)***

The decision will not have a disproportionately high and adverse human health or environmental effects on minority or low-income populations. The socio-economic analysis did not predict significant effects to any minority or under-represented ethnic group. Mineral County is the poorest county in Nevada but even the no grazing alternative is not expected to have an impact at the county level. The permittees could be affected at a personal level but none of them are of an ethnic or economic group identified in this Executive Order. None of the alternatives would have an impact on the economic well-being of local Indian tribal members.

***National Environmental Policy Act (NEPA) of 1969 (as amended)***

This project analysis fully discloses the expected impacts of the alternatives on the relevant natural and human resources. The deciding official has adequate information in the FEIS and project record to base an informed decision upon. There was no incomplete and unavailable information identified that would be necessary to make an informed decision. The FEIS discloses irreversible and irretrievable commitments of resources.

**Best Available Science**

Both NEPA and the NFMA require that federal managers make decisions considering the best available science. The decision need not be purely scientifically based but managers and the public must clearly see the effects of the decision. I have personally been involved in the analysis process on this project for the past two years. I have reviewed the project file for the Great Basin South Rangeland Project EIS. I have also reviewed the DEIS, public comments on the DEIS, and the FEIS. I have participated in Interdisciplinary Team meetings and had many discussions with individual team members regarding the analysis methods used to predict effects and the magnitude and type of effects. In these reviews and discussions, I have determined that the Interdisciplinary Team members and the other contributors to the analysis and documentation have utilized the best available science. The FEIS identifies the analysis methods used, references scientific sources relied on, discusses responsible opposing views, and discloses incomplete or unavailable information as required by 40 CFR, 1502.9 (b), 1502.22, 1502.24.

The team members have researched the effects of livestock grazing at various levels on the natural and human resources of concern. This research is reflected in the EIS and supporting documentation. The analysis relies on field data gathered by teams of

seasonal employees, the Ecology Team, the Forest Ecologist, Rangeland Management Specialists, wildlife biologists, and others. In addition, the team has reviewed literature provided to them by the public. They also reviewed a listing of published and unpublished literature provided to us by the public. Relevant information was considered in developing the FEIS and discussed. The Interdisciplinary Team and myself also had field reviews with interested parties prior to publication of the DEIS. These reviews included members of the Regional Office staff, Supervisor's Office staff, State agencies, other federal resource management agencies, and members of academia with expertise in Great Basin resources.

### **Environmentally Preferable Alternative (NEPA)**

Section 1505.2(b) of NEPA requires that the responsible official must designate the environmentally preferable alternative. Forest Service policy further defines this as the Alternative that best meets the goals of Section 101 of NEPA. In determining the environmentally preferred alternative, I referred to the goals of Section 101 which are to:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
2. Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
4. Preserve important historic, cultural, and natural aspects of our national heritage and maintain wherever possible an environment which supports diversity and variety of individual choice;
5. Achieve a balance between population and resource use, which will permit high standards of living and a wide sharing of life's amenities; and
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Considering only the natural resources, the No Grazing alternative would be the environmentally preferable alternative. This alternative will have the most beneficial effect on the natural resources due to the elimination of livestock grazing on over 400,000 acres (CEQ 40 Most Asked Questions, #6A). It is clear from the goals above, however, that natural resources should not be the only consideration. The Proposed Action, which I have selected, best meets the goals of Section 101 of NEPA. This alternative will not affect any wildlife species listed under ESA and it will not lead to a federal listing for any Forest Service sensitive species. It will improve habitat for MIS species and preserve cultural resources. The actions we will implement will improve overall rangeland health. The Selected alternative best meets the goals outlined above because it provides for beneficial use of the environment while maintaining long-term sustainability. The Current Management alternative will not maintain long-term sustainability throughout the project area and the No Grazing alternative does not "achieve a balance between population and resource use", "support diversity and variety of individual choice" or "attain the widest range of beneficial use".

***National Forest Management Act of 1976 (as amended)***

This site-specific analysis is in compliance with the 1986 Toiyabe Land and Resource Management Plan. All applicable standards and guidelines will be followed. The 1986 LRMP rangeland capability analysis has been reviewed and analyzed. Impacts to habitat and viability of Management Indicator Species have been analyzed at the Forest level and that analysis was re-created at the site-specific level. The selected alternative includes specific direction and management changes to improve degraded rangelands such as those found in Huntoon Valley. The selected alternative also includes project design features to improve MIS habitat where necessary. The selected alternative includes changes to grazing management needed to insure that the resource conditions are moving towards desired conditions in the 1986 LRMP.

***Nevada Enhancement Act of 1989***

Approximately 35 percent of the project area includes lands transferred from the Bureau of Land Management (BLM) to the National Forest System in the Nevada Enhancement Act of 1989 (P.L. 100-550). These lands are to be managed under the existing BLM Resource Management Plan until the Toiyabe LRMP is amended or revised. The 1986 Walker Resource Area RMP emphasizes improving rangeland and watershed conditions, maintaining wildlife habitat, and protecting and maintaining existing and potential fisheries and riparian habitats (BLM 1986). Specifically, the Walker RMP includes direction to “develop and implement AMPs” and “continue rangeland and watershed monitoring to determine if management objectives are being met” and adjust grazing use if necessary. The changes to grazing management in the selected alternative are necessary to maintain and improve rangeland and watershed health on the lands acquired in the Nevada Enhancement Act. Thus, this decision is consistent with the goals and objectives in the Walker Resource Area RMP.

***Executive Order 13186 (Migratory Bird Treaty Act)***

The FEIS contains analysis of the direct, indirect and cumulative impacts of the proposed action and alternatives on migratory birds. This analysis states that with the selected alternative, impacts to habitat will be reduced. The selected alternative will enhance neotropical habitat by reducing livestock impacts. This is in compliance with the MBTA.

***Federal Land Policy Management Act and the Public Rangeland Improvement Act***

The selected alternative will be used as a basis for the Allotment Management Plans (AMP) required by FLPMA and PRIA. AMPs are a long-term plan of how each allotment will be managed to achieve desired future conditions and goals from the Forest Plan and those developed at the site-specific level during the AMP process. The AMPs will be updated or created when the selected alternative can be implemented. The Term Grazing Permits will also be modified to reflect the changes in the selected alternative. (FSH 2209.21, Chapter 14)

### ***Roadless Area Conservation Rule (RACR)***

Portions of this project area are located within several Inventoried Roadless Areas (IRA). Management with IRAs is guided by the 2001 Roadless Area Conservation Rule (36 CFR 294 Subpart B-Protection of Inventoried Roadless Areas), which:

- Prohibits road construction and reconstruction in IRAs, with provisions for several exceptions, none of which apply to this project.
- Prohibits timber cutting, sale, or removal, unless the Responsible Official determines that one of several circumstances exist.

The 2001 Roadless Rule does not address livestock grazing. The proposed action will have beneficial effects on the nine characteristics of IRA's as described in the 2001 RACR when compared to current management. This project is in compliance with the 2001 RACR and the selected alternative will not preclude future wilderness designation in any of the IRA's in the project area.

## **Appeals and Implementation**

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215. Appeals must meet the content requirements of 36 CFR 215.14. Only individuals or organizations who submitted comments or otherwise expressed interest in the project during the 45-day comment period on the Draft EIS may appeal. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of this notice in the Reno Gazette Journal<sup>2</sup>. This date is the exclusive means for calculating the time to file an appeal. Timeframe information from other sources should not be relied on. Incorporation of documents by reference is not allowed.

The Appeal Deciding Officer is the Forest Supervisor of the Humboldt-Toiyabe National Forest. Appeals must be sent to: Appeal Deciding Officer, Intermountain Region USFS, 324 25<sup>th</sup> Street, Ogden, Utah 84401; or by fax to 801-625-5277; or by email to: [appeals-intermtn-regional-office@fs.fed.us](mailto:appeals-intermtn-regional-office@fs.fed.us). Emailed appeals must be submitted in rich text (rtf), Word (doc) or portable document format (pdf) and must include the project name in the subject line. Appeals may also be hand delivered to the above address, during regular business hours of 8:00 a.m. to 4:30 p.m. (MST) Monday through Friday.

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15<sup>th</sup> business day following the date of the last appeal disposition.

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<sup>2</sup> When the Draft EIS was issued and the 45-day notice of public comment occurred, the Mammoth Times was the official paper of record for the Bridgeport Ranger District. The official paper of record has since been changed to the Reno Gazette Journal.

## Contact

Copies of the FEIS and this ROD are on file at the Bridgeport Ranger District in Bridgeport, California. The FEIS and ROD are also available on the Humboldt-Toiyabe National Forest's website and in local libraries. For additional information concerning this decision, contact Amy Baumer, Natural Resources Specialist, Bridgeport Ranger District, HC 62, Box 1000, Bridgeport, CA 93517-1000, telephone (760) 932-5852, fax (760) 932-5899.

/s/ Cheryl F. Probert

CHERYL F. PROBERT  
District Ranger

9/28/2007

Date

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