

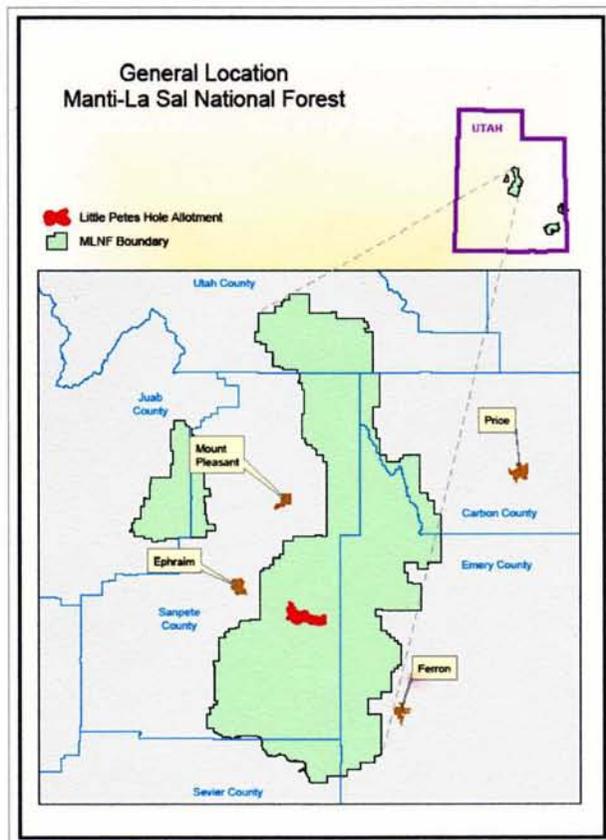
Decision Notice
& Finding of No Significant Impact
Environmental Assessment
Little Pete's Hole S&G Allotment
Management Plan Revision
USDA Forest Service
Ferron/Price Ranger District, Manti-La Sal National Forest
Carbon, Emery and Sanpete Counties, Utah

Decision and Reasons for the Decision

Background

The Manti-La Sal National Forest prepared the Little Pete's Hole S&G Allotment Management Plan Revision Environmental Analysis (EA) to disclose the potential effects of reauthorizing livestock grazing on the Little Pete's Hole S&G allotment in compliance with the National Environmental Policy Act (NEPA) and other relevant federal and state laws and regulations.

Little Pete's Hole allotment is located 20 miles west of Orangeville, UT on the Ferron/Price Ranger District, Manti-La Sal National Forest. It is east of Skyline Drive in the head of Seely Creek. The allotment extends from Slide Lake, on the east, to Skyline Drive on the west. The north boundary is Seely Creek while the south boundary is Wagon Road Ridge. It includes 5,627 acres of National Forest System lands. Elevations range from 7,100 feet at the mouth of Seely Creek to 10,350 feet at Danish Knoll Peak. Precipitation ranges from 14 to 45 inches.



Decision

After review of public comments, the analysis disclosed in the environmental assessment, information in the project file, and the determination of finding of no significant impact, it is my decision to implement the proposed action (alternative 2). This includes the following actions:

- Continue to authorize sheep grazing on the Little Pete's Hole S&G Allotment containing 5627 acres of National Forest System land by issuance of a Term Grazing Permit.
- Change capacity from 831 AUM's to 747 AUM's.
- Change from a three pasture twice over deferred rotation grazing to a six pasture deferred rotation grazing system.
- Install two spring protection structures
- Revise existing AMP to incorporate applicable direction.

When compared to the other alternatives alternative 2 will have a positive effect on soil productivity by increasing the infiltration rate and reducing runoff at the site and allow for multiple uses of Public lands. Alternative 2, provides plants in the deferred units the opportunity to reach maturity and set seed to provide for seedling establishment, therefore increasing the frequency and density of plants on the site. This alternative meets requirements under Public Law 104-19, Section 504(a): establish and adhere to a schedule for the completion of NEPA of 1969 (42 U.S.C. 4321 et seq.) analysis and decision on all allotments within the National Forest System unit for which NEPA is needed (PL 104-19 section, General Provision 1995).

Other Alternatives Considered

In addition to the selected alternative, I considered two other alternatives. A comparison of these alternatives can be found in the EA on pages 48.

Alternative 1 (No-Action or No Change)

This alternative reflects no change from the existing situation, which continues implementation of the existing AMP on the allotment. Authorized use in terms of number, class, season of use, and management system would remain the same. Structural improvements would be limited to those in existing AMP. Permitted obligation would provide for 2770 HM of grazing.

The No Action alternative can either be "no change from current management direction" or no action taken on the proposed activity. This alternative represents the existing condition against which the other alternatives are compared. The Table 2.1 (EA page 26) shows the current permitted use, existing structural improvements, acres (total and capable), grazing strategy and proper use utilization.

Alternative 2 (Proposed Action)

This alternative was designed to respond to the purpose and need for action described in Chapter 1. It also addresses the following issues: water resources, soil productivity, and vegetation diversity. This alternative proposes the following changes on Little Pete's Hole sheep grazing allotment (EA Table 2.3 page 29), an area of 5627 acres within the National Forest System Lands:

1. Change head-month numbers, and propose new structural improvement.

2. Change from a three pasture twice over deferred rotation grazing to a six pasture deferred rotation grazing system.
3. Revise AMP

Alternative 3 (No Graze)

Livestock grazing would be phased out on this 5627 acres area. New term grazing permits would not be issued as current permits expire. In ten years this area would not provide any grazing for domestic livestock. This alternative was developed to respond to the issues and concerns of those who believe that livestock grazing on the National Forest Lands conflicts with other resources to the degree that total elimination of the livestock is needed to adequately resolve conflicts.

Increasing the amount of organic ground cover is the primary way that rangeland soils are improved. Organic ground cover improves infiltration, reduces runoff and erosion, and improves the probability that slope and riparian vegetation will trap material eroded upslope. The difference between Alternative 1 and Alternative 2 is based on the premise that by reducing livestock numbers and changing management practices (twice over to a deferred rotation system), plant cover and litter on the soil surface will increase, therefore improving infiltration and reducing runoff. Alternative 2 will have a positive effect on soil productivity by increasing the infiltration rate and reducing runoff at the site. Alternative 2 provides plants in the deferred units the opportunity to reach maturity and set seed to provide for seedling establishment, therefore increasing the frequency and density of plants on the site.

For the majority of the allotment, Alternative 2 would be similar to Alternative 3 however the time span to achieve those goals may be extended. Alternatives 2 would result in improvement in ground cover based on a revised AMP. This would be due to the lower forage use proposed with Alternative 2. Alternative 2 provides the flexibility to make management changes, including forage use levels, deferred rotation system, and numbers and seasons of use, to achieve desired conditions. Therefore, changes can be made to improve ground cover in the allotment. Alternatives 2&3 will objectively meet the same desired condition however the time frames to achieve that condition is subjective.

Public Involvement

In January 2008, a letter providing information and seeking public comment was mailed to approximately 30 individuals and or groups. This included federal and state agencies, municipal offices, businesses, interest groups, and individuals. A total of five responses to this initial mailing were received.

Using the comments from the public, other agencies, and tribal consultation, the interdisciplinary team identified several issues regarding the effects of the proposed action. Main issues of concern included water resources, soil productivity, and vegetation (see EA pages 12-16). To address these concerns, the Forest Service created the alternatives described above.

Finding of No Significant Impact

This Finding of No Significant Impact incorporates by reference the Little Pete's Hole S&G Allotment Management Plan Revision EA, the Project Record including specialists' reports, Biological Evaluations, and Biological Assessments, and monitoring reports on file at the Ferron/Price District Office. After consideration 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 considering context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

(A) Context

The context of the Selected Alternative is limited to the Little Pete's Hole project area. [40 CFR 1508.27(a)].

Activities and environmental effects associated with my decision will be confined to the 5,627 acres described in the EA. Actions will be limited to those actions disclosed in this document and its appendices. Further, my decision is consistent with the management area direction, desired future conditions, and Forest Plan standards specified for the area (EA, pp. 9-12).

(B) Intensity Factors

1. My decision will not result in any significant adverse effects [40 CFR 1508.27 (b)(1)]. All practicable and reasonable mitigation and monitoring to avoid or minimize adverse environmental and social harm have been incorporated. I believe the intensity of disclosed beneficial and adverse effects is reasonable, acceptable, and typical of livestock grazing on Public lands. None of the impacts documented in the EA have the potential to cause irreparable, adverse damage to the environment. None of the impacts documented in the EA have an intensity that could result in uncommon or unique beneficial result to the human environment (EA, pp. 23-33).
2. There will be no significant effects on public health and safety [40 CFR 1508.27(b) (2)]. The Selected Alternative will not adversely affect public health and safety. Management requirements and mitigation measures will be in place to inform and protect the public during project activities and also to minimize any disturbance to the waterways (EA, pages 10-22). Proposed activities will meet water quality standards set by the Clean Water Act.
3. My decision will not result in any significant effects on any unique characteristics of the geographic area, historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas [40 CFR 1508.27(b)(3)].

The analysis documented in the EA and the project record discloses that the Selected Alternative will not result in any major effects on Inventoried Roadless Areas (EA, p. 1-7), cultural or historic resources (EA, pp. 15-16), wetlands (EA, p. 16-17) or wild and scenic rivers (EA, p. 21).

4. The Selected Alternative will not result in any effects that are likely to be highly controversial [40CFR 1508.27(b)(4)]. Controversy in this context refers to scientific dispute over the effects of the Federal action, not opposition to its implementation. The scientific basis for the analysis is contained in the project record and summarized in the EA. Standard analysis techniques and models were used. The effects of the Selected Alternative are minor (EA, pp. 34-46) and are supported by scientific research as referenced in the EA.
5. The Selected Alternative will not result in any highly uncertain, unique, or unknown risks [40 CFR 1508.27(b)(5)].

The environmental analysis (which includes the EA, resource technical reports, monitoring reports on file at the Ferron/Price District Office, Biological Assessments, and Biological Evaluations) determined that the Selected Alternative In the Little Pet's Hole's Allotment Management Plan Revision Environmental Assessment will not involve any highly uncertain or unknown risks. The management activities associated with my decision are typical of those successfully implemented in the past on the Manti - LaSal National Forest.

6. My decision does not establish a precedent for future actions with significant effects nor does it represent a decision in principle about a future consideration [40 CFR 1508.27(b)(6)].
The Selected Alternative will not set a precedent for future actions with significant effects. The Selected Alternative applies only to grazing on the Little Pete's Hole allotment discussed in the EA. Future proposed projects would be subject to site-specific analysis and implementation would hinge on that analysis.
7. The analysis documented in the EA discloses that my decision will not result in any significant cumulative effects [40 CFR 1508.27(b)(7)].
Chapter 3 of the EA discloses that the Selected Alternative will not result in any significant cumulative effects (EA, pp. 50-53).
8. My decision will not adversely affect sites or objects listed or eligible for listing in the National Register of Historic Places, nor will it cause the loss or destruction of significant scientific, cultural, or historical resources [40 CFR 1508.27(b)(8)].
The project area was surveyed for cultural resources, a cultural report was prepared, and the State Historic Preservation Office concurred with a "no effect" determination (Project Record). If additional sites are located during project implementation, measures will be taken to avoid impact to them. The Forest Archaeologist will be notified so the sites can be evaluated for eligibility to the National Register (EA, pp. 15-16).
9. My decision will not adversely affect threatened or endangered species or their habitats. [40CFR 1508.27 (b) (9)]. A biological evaluation and assessment has been prepared for this project and is part of the project file. Based on its content, I find the actions approved in this decision will have no effect on any federally listed threatened, endangered, proposed or candidate wildlife, fish, amphibian, or plant species. The project would have no impact to any Region 4 Forest sensitive wildlife, fish, amphibian, or plant species. The project would have no impact to any Manti-La Sal National Forest management Indicator Species (MIS) or to any Utah Partners in Flight Avian Conservation Strategy Priority Species.
10. My decision is consistent with Federal, State, and local laws and requirements imposed for the protection of the environment [40 CFR 1508.27(b)(10)].
Chapter 1 of the EA (pp. 6-12) discloses consistency of the Selected Alternative with applicable laws and regulations relating to federal natural resource management. Chapter 3 of the EA and the Project Record provide supporting information.

Findings Required by Other Laws and Regulations

My decision is consistent with all applicable laws, Executive Orders, regulations, and policies (EA, p. 23-24) including the Endangered Species Act, Executive Order 13112 and 13186, and

the National Historic Preservation Act. The Selected Alternative follows Forest Plan direction. The project area lies within Management Areas designated for livestock grazing. The decision meets Forest Plan standards (EA, pp. 10-12), including consistency with the Soil and Water Conservation Practices (SWCP) and Best Management Practices (BMPs)

Consideration of Best Science

My conclusion is based on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

Implementation Date

If no appeal is filed within the 45-day time period, implementation of this decision may begin on, but not before, the 5th business day following the close of the appeal-filing period (36 CFR §215.15). If an appeal is filed, implementation may occur on, but not before, the 15th business day following the date of appeal disposition (36 CFR § 215.2). In the event of multiple appeals of the same decision, the implementation date is controlled by the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

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 comment period may appeal. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of this notice in the Sun *Advocate* newspaper. This date is the exclusive means-for calculating the time to file an appeal. Time frame information from other sources should not be relied on. Incorporation of documents by reference is not allowed. The Appeal Deciding Officer is Forest Supervisor, Rod Player. Appeals must be sent to: Appeal Deciding Officer, Intermountain Region USFS, 324 25th Street, Ogden, Utah 84401; or by fax to 80 1-625-5277; or by email to: appeals-htermtn-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. Monday through Friday. For additional information concerning my decision or the Forest Service appeal process, please contact Mesia Nyman at the Ferron/Price District Office at 115 West Canyon Road, P.O. Box 310, Ferron, Utah 84523, 435-384-2372.

 acting for

MESIA NYMAN
District Forest Ranger
Ferron/Price Ranger District

9/26/08
Date

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