

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

Five Lakes Grazing Environmental Assessment

Tonasket Ranger District
Okanogan-Wenatchee National Forests
USDA Forest Service
Okanogan County, Washington

The Five Lakes Grazing environmental assessment (EA) was prepared to analyze the effects of permitting livestock grazing on four grazing allotments on the Tonasket Ranger District of the Okanogan and Wenatchee National Forests.

Location

The Strawberry, Cumberland, Beth, and Bodie Allotments, totaling about 27,000 acres, are adjacent to each other in an area approximately 25 miles northeast of Tonasket, Washington in Townships 38 and 29 North, and Ranges 30 and 32 East. All are within the Tonasket Ranger District, Okanogan-Wenatchee National Forests. The total area includes portions of the Toroda Creek, Myers Creek, and Bonaparte Creek subwatersheds.

Decision And Rationale

It is my decision to adopt Alternative 3 and the accompanying mitigation measures and monitoring referenced on pages 20 through 23 in Chapter 2 of the EA. This decision will allow grazing in the Strawberry, Cumberland, Beth, and Bodie allotments with revised allotment management plans to address resource concerns. Alternative Three (3) includes:

Description

Livestock will continue grazing on the four allotments with the following seasons of use and animal unit months. On and Off dates may vary by up to two weeks to take advantage of annual changes of early/late springs, drought years or years of extra precipitation and forage production.

This alternative implements range improvements to improve livestock distribution and includes additional range improvements if monitoring shows that livestock impacts have not improved sufficiently. These improvements will be constructed in stages, and monitored for effectiveness of livestock control and distribution. Monitoring areas of key use will determine effectiveness. If the first stage of improvement implementation does not mitigate the problems identified then the second set of improvements will be

constructed. If problems continue after implementation of the second stage, then the improvements in the third stage will be implemented.

Allotment	Maximum AUMs allowed ¹	Season of Use ²
Strawberry	1341	June 1 – Sept. 30 th
Cumberland	1969	June 1 – Sept. 30 th
Bodie	42	June 16 – Sept. 30 th
Beth	42	June 16- Sept. 30 th

¹The number under **AUMs permitted** shows number of AUMs that are currently permitted on each allotment. ²The **Season of Use** is when livestock can be on the allotments on most years. For years with early or late springs, livestock may be turned on two weeks earlier or later than the on-date shown; during drought years, livestock may be brought off the allotments before the turn-off dates. During years of exceptional precipitation and forage production, a grazing extension of up to two weeks may be granted

This alternative will address the feasibility of forage available and operation logistics on the Beth Allotment. The Beth allotment has operational logistics where two of the grazing units are surrounded by private lands, sub-divided ownerships and no boundary fences. One of the units has more tree canopy closure, effectively minimizing forage available for grazing. This proposal will eliminate the Unit 14 from the Beth allotment and limit grazing in the middle unit to address these problems.

Stage 1

To reduce livestock use along a tributary to Myers Creek, Cumberland Creek, Vaughn Creek, Bonaparte Creek and Toroda Creek the following range developments will be installed.

- Four new water troughs will be developed in the Cumberland Allotment to draw livestock away from tributaries of Vaughn Creek and Meadow Creek, to distribute livestock away from the travel corridor of Little Beaver Creek, and distribute cattle into the upland away from Cumberland Creek. The headbox area for each water trough will be fenced to exclude livestock, but not wildlife, and the pipe from the headbox to the water trough may be buried underground.
- A holding pen will be constructed in an old landing to facilitate movement of livestock away from the wetlands in the Cumberland area (T.38, R.31, S.6NW1/4SW1/4)
- Natural barriers reduced or eliminated resulting from the Two Lakes Fuels Reduction project (T. 38N, R.30E, S. 2&3, and T. 39 N, R30E, S. 35&36) will be replaced with a fence approximately 2 miles long.
- One nonfunctioning water trough (Libra @ T.38, R.31, S.31), will be reconstructed to draw livestock away from Cumberland Creek. The fences will be repaired around the spring sources for the water trough.
- One new water trough will be developed in the Strawberry allotment near the wetlands at the southwest end of Lost Lake (T.39, R.30, S29 SE1/4 SE1/16) to attract livestock use away from riparian area.
- A holding pen will be constructed on an old landing to facilitate movement of livestock away from the wetlands in the Buster Mountain area (T.39, R.30, S.32) for the Strawberry allotment.

- A barrier (trail bar or short fence) will be placed in the SW ¼ of Section 22 to restrict livestock access into the headwaters of Box Canyon.
- On the Beth allotment, one nonfunctioning water trough (T.39, R.30, S30), will be reconstructed to provide a better water source, for the pasture unit 30.

Stage 2

After 5 years of monitoring, if insufficient improvements result from the Stage 1 actions, other range improvement measures (water developments) will be implemented.

In the Cumberland allotment:

If the five (5) water developments and one (1) reconstructed water development in Stage 1 don't sufficiently attract the livestock away from the associated riparian areas of Cumberland, Little Beaver Creek Road corridor, and Vaughn Creek the following improvements will be constructed in Stage 2.

- Three (3) new water troughs will be developed in the Cumberland allotment to draw livestock away from tributaries of Vaughn Creek and Meadow Creek, to distribute livestock away from the travel corridor of Little Beaver Creek, and distribute cattle into the upland away from Cumberland Creek (one development in T.38, R.30 S.9, and two developments in T.39, R.31, S. 31). The headbox area for each water trough will be fenced to exclude livestock, but not wildlife, and the pipe from the headbox to the water trough may be buried underground.
- A fence to dividing the West unit of the Cumberland allotment into 2 pastures will be constructed to control livestock distribution.
- A fence will be constructed on the boundary between the Cumberland and Bodie allotments to discourage livestock movement between allotments.
- On the Strawberry allotment, an additional water trough will be constructed above the wet areas west of the 3200-040 road (T.38, R.30,S.4 SE1/4NE1/16),
- Rehabilitate the aspen stand along the 3300-250 road through potential non-commercial thinning and temporary fencing to exclude livestock during early aspen growth.

Stage 3

There are several other range improvement measures (water developments) that may be implemented if the Stage 2 improvements don't work. If monitoring 2-5 years after implementation of Stage 2 indicates insufficient improve in livestock distribution problems the following actions will be taken:

- Two (2) additional water developments will be constructed (T.39, R. 30, S. 12 and T. 39 R. 31 S. 28) on the Cumberland allotment
- If monitoring of wetlands of Box Canyon indicates 35-40 percent utilization by livestock post barrier placement, an extension of the barrier will be constructed on the Strawberry allotment

Details can be found on pages 16 through 19 of the EA.

Rationale

This project will move the area toward the desired future conditions described in the *Okanogan National Forest Land and Resource Management Plan* (Forest Plan, 1989), as amended by PACFISH (1995) and INFISH (1995). I have chosen this alternative because it best meets the purpose and needs identified on pages 4-5 of the EA as documented below.

Alternative 3 meets the desired future condition described in the amended Forest Plan by allowing grazing to continue on the Strawberry, Cumberland, Beth, and Bodie allotments with updated allotment management plans. Alternative 3 will result in allotment management plans, and grazing permits that accurately reflect current management direction, particularly relating to aquatic habitat. Alternative 3 will improve range conditions and provide for upward or stable range condition trends in all four (4) allotments. I am choosing Alternative 3 because it will allow for livestock grazing in accordance with multiple use mandates while improving range conditions in several areas:

- a) Alternative 3 will improve range conditions in the Bonaparte creek, Cumberland Creek, Toroda Creek, Vaughn Creek and Myers Creek riparian areas to meet Riparian Management Objectives (RMOs) identified in PACFISH/INFISH by reducing livestock use in these areas through construction of livestock watering sources to attract livestock use away from these riparian areas. (EA pages 27,29, 38, 50, 51, 54, 55, 83, 85 & 86).
- b) Alternative 3 will improve livestock distribution to utilize the uplands of the Strawberry and Cumberland allotments, reducing use along the Myers Creek wetlands, Cumberland, Toroda, Vaughn Creeks and tributaries. This will allow areas to meet RMOs. (EA pages 27,29, 38, 50, 51, 54, 55, 83, 85 & 86)
- c) Alternative 3 will incorporate an aspen rehabilitation fence to allow recovery of an aspen clone near the 3300- 250 spur road, reducing grazing utilization on the aspen within the wetland area. This will meet RMOs (EA page 7, 21, 23, 53, 54, 83, 85, 86, 108, 117).
- d) Alternative 3 will install additional livestock control measures, holding pens, corrals and fences to control livestock movement and allowing proper distribution and proper grazing within grazing units. A fence will reduce unauthorized livestock drift from the Cumberland allotment into the Bodie allotment. A fence will add additional control and distribution dividing the west portion of the Cumberland allotment; creating 3 pastures on the Cumberland allotment instead of 2. Holding pens and corrals in both the Strawberry and Cumberland allotments will allow for better control of livestock gathering. (EA pages 9, 22, 24, 38, 48, 53, 54, 68, 75, 98-99,107, 116-119).
- e) Alternative 3 will construct a trail bar or barrier would reduce livestock access into Box Canyon. (EA pages 9, 22, 24, 38, 48, 53, 54, 68, 75, 98-99,107, 116-119).

Alternative 3 also includes a strategy that includes the ability to make changes to operations if monitoring indicates a need. It allows for response to problems after implementation of some improvements.

Other Alternatives Considered and Rationale for Not Selecting Them

Other alternatives considered were:

Alternative 1 would discontinue livestock grazing on the Strawberry, Cumberland, Beth, and Bodie allotments. Alternative 1 was not selected because it would not allow grazing on areas designated for that use in the amended Forest Plan.

Alternative 2 would allow grazing to continue on the Strawberry, Cumberland, Beth, and Bodie allotments with fewer range improvements (water troughs) constructed. It would result in updated allotment management plans. It was not selected because it does not include the ability to make changes to operations if monitoring indicates a need. This may delay needed improvements to riparian areas and livestock distribution until a new environmental analysis and decision could be undertaken, and potentially result in continuing impact to riparian areas. It would also require more riding by the livestock operators and subsequent intensive compliance monitoring by U.S. Forest Service personnel.

Public Involvement

A proposed action was sent to people and organizations interested in resource management activities on the Tonasket Ranger District on February 24, 2006. Those who responded to the scoping letter, or otherwise indicated an interest, received a copy of the EA for a 30-day review in August 2006. The EA cover letter provided an opportunity to comment on the proposal prior to my final decision. No comments were received during the comment period.

Several issues were raised. The Forest Service separated the issues into two groups: significant and non-significant issues. Significant issues were defined as those directly or indirectly caused by implementing the proposed action. Non-significant issues were identified as those: 1) outside the scope of the proposed action; 2) already decided by law, regulation, Forest Plan (LRMP), or other higher level decision; 3) irrelevant to the decision to be made; 4) conjectural and not supported by scientific or factual evidence or 5) concerns mitigated by the proposed actions. The IDT considered all of the issues proposed during scoping (see scoping letters and issue tracking chart in the project file). Most issues raised were mitigated in the proposed action and thereby considered insignificant. The non significant issues outline the tracking and were addressed through mitigation described in Chapter 2 of the EA.

The Following issue was identified during public scoping and internal scoping regarding the Proposed Action –

Issue 1 – More New Range Developments are Needed:

Livestock distribution can be improved to use upland available forage, and reduce use in riparian areas along tributaries to Vaughn Creek, Cumberland Creek, Bonaparte Creek, and South Fork Beaver Creek and around riparian areas of Box Canyon. This can be accomplished through additional watering sources, livestock handling facilities such as holding pens, and strategic placement of additional fencing. These would be used in addition to riding and strategic placement of salt instead

Effects between alternatives would be measured by:

- Number of range improvements installed

Findings

From the results of the site-specific analysis documented in the Environmental Assessment, I conclude:

- The project does not harvest any timber, nor manipulate any vegetation and thus will comply with the requirements of 36 CFR 219.27(b).
- The project is consistent with the goals and objectives of the *Okanogan National Forest Land and Resource Management Plan*, as amended, and will help achieve the Desired Future Condition for the Okanogan National Forest (see EA, page 4 and 5 and Decision Rationale earlier in the document, plus analysis of specific Forest Plan standards and guidelines in Chapter 3 of the EA).

Finding of No Significant Impact

I have determined that these actions are not major Federal actions individually or cumulatively, and they will not significantly affect the quality of the human environment. Therefore, an environmental impact statement is not needed.

This finding is based upon the context and intensity of the following impacts:

Beneficial Effects	Adverse Effects
Range Resources	
Distribution will be improved by reconstructing existing nonfunctional water developments, constructing new water developments and constructing corrals. Moving water troughs outside RHCAs will improve riparian condition (EA, pages 27, 29 & 38).	
Watershed and Fisheries	
Watershed: Installation of new troughs, fencing wet areas, replacing or moving water troughs out of RHCAs will reduce impacts on streambanks and wetlands in upper reaches of Bonaparte	Some trampling of streamside vegetation will still occur. Minor short term, localized sediment delivery is expected.

Beneficial Effects	Adverse Effects
<p>Creek, Cumberland Creek, Toroda Creek and Myers Creek. Stream temperature will decrease as streambank vegetation recovers, stream widths decrease and stream banks stabilize.</p> <p>Fecal coliforms expected to decrease because fewer livestock in creeks and RHCAs.</p> <p>Livestock use in wetlands will be reduced helping restore the water infiltration, storage and release functions.</p> <p>(EA, pages 83, 85 & 86)</p> <p>Fisheries: Improvement in sedimentation, off-channel habitat, stream bank condition, and RHCAs (EA, pages 50,51,54 &55)</p> <p>No Effect to listed fish (EA, page 56-58)</p>	
<p>Vegetation</p> <p>Riparian vegetation in areas where range improvements repaired or moved out of RHCAs will begin to recover (EA, pages 4-6, 51-55, 85 & 86).</p> <p>No effect on T/E plants (EA, page 63 & 72).</p>	<p>Cattle may still access some riparian areas, but with less frequency</p>
<p>Noxious Weeds</p> <p>Proper grazing management of livestock can minimize the spread of weeds (EA page 97).</p>	<p>Cattle can potentially spread existing populations or bring in new populations. In this event, weeds will be treated under the existing Forest Integrated Weed Management project decision.</p>
<p>Wildlife</p> <p>There will be no or non-significant effects to Management Indicator Species for mature and old growth habitats, dead and defective tree habitat, deciduous and riparian habitat, and winter range habitat (EA pages 114 & 115).</p>	<p>Small areas of riparian habitat will be impacted by grazing.</p>
<p>May effect, but no likely to adversely affect the bald eagle, lynx, grizzly bear and gray wolf (EA pages 113).</p> <p>No impact to common loon, eared grebe, sandhill crane, Pacific fringed-tailed bat, wolverine, western gray squirrel, and peregrine falcon (EA page 114).</p> <p>May impact individuals or habitat, but will not likely contribute to a trend towards federal listing for gray flycatcher, Townsend' big-eared bat, sharp tailed grouse, Pacific Fisher, and great gray owl (EA pages 104).</p> <p>Dispersing livestock and reducing impacts to riparian areas will allow vegetation to recover, reducing erosion and compaction (EA, pages 4-6, 51-55, 107 & 108).</p>	<p>Grazing reduces security and nesting cover for migratory birds that forage and/or nest in grass/forb or shrub habitats. "Grazing management will result in improvement." (EA page 166, and 169).</p> <p>Grazing may alter gray flycatcher prey abundance. (EA pages 133)</p> <p>Grazing may alter the abundance of rodent species that great gray owls prey on. "This grazing project will have only small incremental effects" (EA page 134 & 135).</p>

Beneficial Effects	Adverse Effects
Air Quality No effect (EA, page 91 & 174).	
Cultural Resources No new cultural resources were located and all previously documented sites were determined to lie outside areas where concentrated grazing pressure is occurring or is anticipated (EA, page 76)	Construction of range improvements could disturb cultural resources with the greatest amount of ground disturbance initially and thus it presents the greatest opportunity for livestock to congregate for long periods of time. As such, this alternative has the greatest potential to impact cultural resources. Pasture rotation and riparian management under this alternative will minimize impact to the natural resources which will generally serve to minimize impacts to cultural resources as well (EA page 75 & 76).

a. The degree to which the proposed action affects public health or safety:

Public health and safety are minimally affected by the proposed actions. Air quality will not be affected (see EA, pages 174 & 175).

b. Unique characteristics of the geographic area.

No unique characteristics of the geographic area will be significantly affected. Any wetlands or floodplains that exist in the project area are not significantly affected. The project is designed to restore proper function within RHCAs (EA, pages 4-5). No prime rangeland or farmland is within the analysis area; no prime forestland will be affected (see EA page 174). No streams within the project area are potentially eligible for wild and scenic rivers. No ecologically critical areas, park lands are found within the analysis area. The character of Inventoried roadless areas will not be affected by activities (EA, page 175).

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

The intensity of the effects upon the quality of the human environment is not likely to raise scientific controversy. Grazing is a long established action on these National Forest System lands.

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

There are no known effects upon the human environment that are highly uncertain or involve unique or unknown risks. The types of activities approved in this decision are routine and effects from such activities are well known and understood (EA, Chapter 3).

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

These actions do not set a precedent for other projects that may be implemented to satisfy the goals and objectives stated in the *Okanogan National Forest Land and Resource Management Plan*, as amended. All of the activities proposed are the types of implementation activities foreseen in the Forest Plan (USDA, 1989) and have been routinely implemented over the life of the Forest Plan.

- f. Whether the action is related to other actions with individually insignificant but cumulative significant impacts.**

Cumulative effects are disclosed in each resource section of the EA. There will be no significant direct, indirect, or cumulative impacts to soil, water, fisheries, or wildlife resources, or other components of the environment. The analysis considered cumulative effects of past, present, and reasonably foreseeable future actions within and adjacent to National Forest lands in the potentially affected areas (EA, Chapter 3, Cumulative Effects discussions).

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

There will be no adverse effects to sites listed or eligible for the National Register of Historic Places, and no impacts to cultural resources are expected (EA, Chapter 3, pages 72-76). This project is covered under the 1997 programmatic consultation agreement with the State Historic Preservation Office (see analysis file, Okanogan-Wenatchee National Forests Heritage Program Project Documentation, Report Number R2006-060803003).

- h. The degree to which the action may adversely affect an endangered or threatened species or its critical habitat.**

Based upon the analysis documented in the biological assessments (see analysis file) and the current biological evaluation, no known threatened or endangered species or their habitats are likely to be adversely affected by this decision, and no critical habitat will be affected. The District has concluded that the proposed project “may affect, but is not likely to adversely affect” the bald eagle, gray wolf, grizzly bear and Canada lynx (see EA, pages 113, 117-127). The USFWS concurred with these findings in the letter dated July 27, 2006 (see analysis file). The project will have no effect on any threatened or endangered fish (EA, page 56). The project will have no effect on any threatened or endangered plant species (EA, page 65 & 71).

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

The proposed action will be in compliance with relevant federal, state, and local laws, regulations, and requirements designed for protection of the environment (See Findings Required by Other Laws below).

Findings required by other Laws and Regulations

As noted above, the project is consistent with the Okanogan National Forest Land and Resource Management Plan (1989), PACFISH (1995) and INFISH (1995). The project is consistent with the National Forest Management Act (NFMA) because it is consistent with the amended Forest Plan; the project is designed to protect resources, maintain or improve soil and water resources, and diversity (See findings above, and later in this paragraph, and Chapter 3 of the EA), and proposes no vegetative manipulation, silvicultural practices, or even age management. This document was prepared under the requirements for the National Environmental Policy Act, its implementing regulations, and the Forest Service NEPA handbook (1909.15). There are no irreversible or ir retrievable commitments of resources and no trade offs between long-term productivity at the expense of short-term use (EA, Chapter 3, page 174). Clean Water Act standards will be met; the project will reduce sedimentation by improving distribution of cattle and reducing use of riparian areas. Stream temperatures will decrease as streambank vegetation recovers, stream widths decrease and stream banks stabilize. Water quality will improve by reducing cattle use of riparian areas and excluding them from others and the activities planned under in the Bonaparte Creek watershed will not impair water quality in the Okanogan River at the locations for the current 303(d) listings (EA pages 82 & 86- Hydrology report in analysis file). Riparian vegetation in areas where range improvements are repaired will begin to recover (EA, pages 4-6, 51-55, 85 & 86). For soils, dispersing livestock and reducing impacts to riparian areas will allow vegetation to recover, reducing erosion and compaction (EA, pages 4-6, 51-55, 107 & 108). The project will not affect air quality and meets the requirements of the Clean Air Act (EA, pages 91 & 174). The activities are not likely to adversely affect any species listed as threatened or endangered under the Endangered Species Act, findings that were concurred with by the US Fish and Wildlife Service (see EA, pages 56, 65, 71, 113, 117-127 and Wildlife, Aquatic and Botany Biological Evaluations and concurrence letters in the Analysis File). The project is consistent with the National Historic Preservation Act since it will not have adverse effects on potentially eligible or listed sites (EA, pages 75 & 76). The project is not expected to have any disproportional effects on minorities or low-income people. Consumers, civil rights, minority groups, and women will not be significantly affected (EA, page 174).

Appeals and Implementation

This decision is not subject to appeal pursuant to 36 CFR 21512(e)(1) because no comments were received during the comment period.

This project is appealable by the permittees only under 36 CFR 251. An appeal by the permittee under 36 CFR 251 must be consistent with 36 CFR 251.90 (content of notice of appeal), and must be made in writing, postmarked, and sent to the Reviewing Officer within 45 days of this decision. The time begins the first day following this written notice. The appeal must provide the Reviewing Officer sufficient evidence to show why a decision should be reversed or changed. The Reviewing Officer is:

Regional Forester
Attention: 1570 Appeals
Pacific Northwest Region
P.O. Box 3623
Portland, Oregon 97208-3623

A copy of the appeal should also be mailed to the Forest Supervisor, at the Okanogan Valley Office, c/o Jan Flatten, 1240 S. Second Avenue, Okanogan, Washington, 98840. Requests for stay of implementation may be sent to the Reviewing Officer at any time while the appeal is pending in accordance with 251.91.

Permit issuance may be not implemented for 50 days after publication of the legal notice for this decision in the Wenatchee World newspaper if no appeal is received, or until 15 days after appeal disposition if an appeal is received and the decision is affirmed.

For further information, contact project team leader Christina Bauman at the Tonasket Ranger District, 1 West Winesap, Tonasket, WA 98855, (509) 486-5112.

James L. Boynton

September 14, 2006

JAMES L. BOYNTON
Forest Supervisor

Date