

Decision Notice

Finding of No Significant Impact

Second Knoll Shooting Range Project

USDA Forest Service
Lakeside Ranger District, Apache-Sitgreaves National Forests
Navajo County, AZ

Section 18, Township 10 North, Range 23 East, Gila & Salt River Meridian

Decision and Reasons for the Decision

Background

The Second Knoll Shooting Range is a recreational shooting range proposed by the Arizona Game and Fish Department (AGFD), located on approximately 80 acres managed by the Apache-Sitgreaves National Forests (ASNFs) Lakeside Ranger District in Navajo County, Arizona, approximately 5 miles east of the town of Show Low, Arizona (Figure 1 and Figure 2). The area proposed for the shooting range is within an existing materials-source pit. The Arizona Department of Transportation (ADOT) is authorized under a special use permit for the materials-source pit; the pit is currently inactive. ADOT will discontinue use of the area and cancel their special use permit, to allow for the authorization of the shooting range. The ASNFs will issue a special use permit to AGFD for operation of the shooting range on National Forest System lands. The term of the permit will be for a minimum of 20 years with a renewal option.

The purpose of the project is to promote opportunities for safe, educational, and family-oriented public shooting at a range in the Show Low/Pinetop-Lakeside area. This proposed action is needed to provide a safe, supervised, and controlled outdoor target shooting facility that will be open to the general public. Additionally, the purpose of this project is to provide a controlled target shooting facility in order to minimize the impacts of unregulated, dispersed shooting on public lands. The purpose and need is consistent with U.S. Department of Agriculture (USDA) Forest Service (Forest Service) policies for target shooting ranges and other outdoor recreation improvements (Forest Service Handbook 2709.14, Chapter 70). This action responds to the goals and objectives outlined in the Apache-Sitgreaves National Forests Plan, and helps move the project area towards desired conditions described in that plan (1987, as amended). The environmental assessment (EA) documents the analysis of one action alternative to meet this need.

Decision

After a review of environmental and economic impacts disclosed in the EA, comments received from the public, tribes, and other agencies, a review of the forest plan, and a review of the project record documenting relevant scientific information, I have decided to select Alternative 2 for implementation. This decision authorizes the following activities:

- Construct an 80-acre local community shooting range on lands managed by Lakeside Ranger District of the ASNFs.

- Secure the approximately 80-acre area by removing the existing perimeter fence and installing a new perimeter/boundary fence.
- Operate the shooting range (AGFD, in partnership with the White Mountain Shooters Association) for a minimum of 20 years with a renewal option.
- Use 0.5 mile of the existing access road (Forest Road 206) and maintain it according to the prescribed Maintenance Level III.

Design Criteria and Mitigation Measures

Design criteria and mitigation measures are site-specific management activities designed to avoid and reduce the impacts of project activities. These measures will be applied to the project design and layout, during construction, operation, and maintenance requirements as specified in the special use permit. The design criteria and mitigation measures I am choosing to implement are listed in Appendix A to this decision. These measures include such actions as a road maintenance plan, a Safety Plan, application for the U.S. Environmental Protection Agency's (EPA's) *Best Management Practices for Lead at Outdoor Shooting Ranges* certificate of recognition, and application of best management practices during construction activities to minimize soil and water impacts. I am confident the selected measures will minimize adverse effects for the following reasons: these measures are practices we have used successfully in the past, the measures are used at existing public shooting ranges operated by AGFD, many are State-recognized best management practices for protecting water quality, or they are based on current research.

Rationale for Decision

In my deliberations leading to this decision, I have carefully considered the alternatives presented in the EA and potential environmental, social, and economic effects of the alternatives. Both individuals and groups raised issues and concerns during the development of this project and I considered them to help make my decision.

I believe my decision to implement Alternative 2 addresses and fulfills the purpose and need for action. It responds to a local public need for an outdoor shooting range while preserving opportunities for future generations to practice safe, responsible target shooting. In addition, the 80-acre site as well as the access road have been previously disturbed as a materials-source pit during the construction of U.S. Highway 60 and other local arterial roads. Thus, the construction of the shooting range will have minimal new surface disturbances.

This project will help stimulate the local and regional economy, and will aid in reducing the risks associated with unregulated, dispersed recreational target shooting on the ASNFs.

The numerous management requirements, mitigation measures, Safety Plan, and application of environmental stewardship planning and monitoring ensure that Alternative 2 will achieve the multiple use objectives in a conservative and environmentally sensitive manner.

Other Alternatives Considered

In addition to the selected alternative, I considered the No Action alternative. A comparison of these alternatives can be found in the EA on pages 30–35.

Alternative 1—No Action

Under the No Action alternative, current management plans would continue to guide management of the project area. The proposed shooting range would not be developed, a special use permit would not be issued, and the inactive materials-source pit would continue to be managed by ADOT. I considered, but did not select Alternative 1 (No Action), since this alternative does not address the purpose and need to promote opportunities for safe, educational, supervised, family-oriented, and controlled public shooting at an outdoor range in the Show Low/Pinetop-Lakeside area.

Public Involvement

The proposal was listed in the Schedule of Proposed Actions on October 1, 2010 [PR #35] and published quarterly thereafter. The proposal was provided to the public and other agencies for comment during the public scoping period of June 7, 2012–July 7, 2012 [PR #42].

A mailing list was compiled of local agencies, businesses, individuals, adjacent property owners, and organizations interested in or determined to be potentially impacted by the Proposed Action. Emphasis was placed on contacting people affected or concerned about the Proposed Action because of ownership or land-use interests. Scoping documents including a discussion of the Proposed Action and maps of the proposed new facility were sent to more than 60 individuals, organizations, agencies, and tribes on the mailing list.

As part of the public involvement process, the ASNFs Lakeside Ranger District posted scoping documents online, mailed scoping letters to community members, and held an informational, open-house public meeting on June 27, 2012 in Show Low, Arizona with over 100 attendees [PR #474]. In addition, local shooting clubs disseminated scoping documents to their memberships.

A total of 456 comment submittals were received by the ASNFs by mail, email, phone, and hand delivery. The submittals were reviewed, organized, and analyzed; the analysis identified 11 specific resource concern [PR #503] comments within the 456 submittals. Public comments included favorable (over 75% of comments were in favor of the project) response for the development of a new recreational shooting range, as well as citing concerns regarding public safety, socioeconomics, and natural resources. All public scoping documents are included in the project record [PR #38-41 and 473].

A legal notice announcing the 30-day notice and comment period for the draft EA was published in the *White Mountain Independent* on April 19, 2013 [PR #538] and 48 comment letters were received and considered [PR# 535-587].

Tribal Contact and Consultation

The ASNFs' Schedule of Proposed Actions and the Proposed Action were sent to nine tribal governments.

The Forest Service works under a programmatic agreement with the State Historic Preservation Office (SHPO) to conduct consultation. During each phase of the proposed project the SHPO and concerned Tribes will be consulted. Implementation will follow the ASNFs First Amended Programmatic Agreement with the State Historic Preservation Office [PR #24].

Finding of No Significant Impact

Based on the interdisciplinary environmental analysis, review of the National Environmental Policy Act (NEPA) criteria for significant effects, and my knowledge of the expected impacts, I have determined this decision will not have a significant effect on the human environment; therefore an environmental impact statement will not be prepared. This determination is based on the following factors:

(a) Context – The physical and biological effects of the proposed actions and alternatives described in the environmental assessment are site-specific actions limited to this analysis area. The significance of the proposed action is evaluated within the context of the Lakeside Ranger District and Navajo County.

(b) Intensity – The severity of the environmental effects of the proposed projects, were considered in evaluating intensity (40 Code of Federal Regulations [CFR] 1508.27).

1. Impacts that may be both beneficial and adverse

Both beneficial and adverse effects and their significance were discussed for the action alternative. Effects were lessened or eliminated through decision criteria or mitigation measures. None of the adverse effects were determined to be significant, singularly or in combination. The beneficial effects of the action do not bias my findings of no significant environmental effects. The anticipated environmental effects and their intensity have been disclosed for each alternative in Chapter 3 of the EA (pp. 23–62). Beneficial effects were not used to minimize the severity of any adverse effects. The proposed uses on National Forest System lands will not result in any known, significant, irreversible resource commitments or a significant irreversible loss of soil productivity, water quality, wildlife habitats, heritage resources, or recreational opportunities. In reaching my conclusion of no significant impacts, I recognize that this project is likely to have impacts, which are perceived as negative, as well as positive.

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

Impacts of this action to public health and safety were analyzed (EA pp. 25-27). I find this action does not pose a substantial question of significant affect upon public health or safety.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas

No unique characteristic of the geographical area will be significantly affected by my decision. There are no effects to prime farmlands, wetlands, floodplains, or ecologically critical areas (EA pp 56-75). There are no effects to designated wilderness areas, wilderness study areas, inventoried roadless areas, or wild and scenic rivers (EA p. 7). See significant factor #8 for discussion related to historical and cultural resources.

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

The activities associated with this decision will not significantly affect the quality of the human environment. The area proposed for the shooting range is a previously disturbed materials-source pit and construction will not introduce new risks to public health and safety. It will also help reduce the risks associated with unregulated, dispersed recreational target shooting. I have considered the best available science in making this decision. The project record demonstrates a thorough review of relevant scientific information [PR #23, 39, 516, 523].

The effects on the human environment are not likely to be highly controversial based on the involvement of forest resource specialists, other agencies, and the public. There were over 450 comments received during project scoping and 48 comments received during the 30-day notice and comment period [PR #535-587]. After reviewing the project record and EA, I am confident the interdisciplinary team reviewed the comments and incorporated them into the Proposed Action or addressed them in the appropriate resource section. It is my judgment, that although a portion of the public may disagree with various components of the project and have raised concerns, there is no unusual or high degree of controversy related to this project.

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

This decision has no known effects on the human environment that are highly uncertain or involve unique or unknown risks. All of the effects of the selected alternative are similar to those taken into consideration and disclosed in the ASNFs forest plan final environmental impact statement [PR #16]. Recreational target shooting ranges are commonplace throughout Arizona; therefore, there is a high degree of certainty regarding project impacts. The risks associated with guns, ammunition, and shooting are beyond the scope of this decision.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration

The selected alternative does not represent a precedent for future action with significant effects or represent a decision in principle about a future consideration. The EA is site-specific and its actions incorporate those practices envisioned in the ASNFs forest plan and are within forest plan standards and guidelines [PR #16] (EA p. 4).

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts

Along with the effects of other past, present, or reasonable foreseeable actions implemented or planned in the area, there are no known significant cumulative effects of this decision. The EA describes the anticipated cumulative effects for each effected resources (EA pp. 24-25).

When the effects of this project are analyzed cumulatively, due to the small scale of this project relative to the entire Lakeside Ranger District combined with the design criteria, the effects are not significant. After reviewing the EA, I am satisfied that my decision will not result in significant cumulative effects.

8. 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

A review of archeological site record information indicates no archaeological sites are located within the project area. No sites are listed on the National Register of Historic Place [PR #524]. No traditional cultural properties are located within the project area.

The project will have no direct effects on cultural resources with mitigation measures in place. With the implementation of mitigation measures, direct and indirect risks to cultural resources posed by the project are low. The decision meets all forest plan cultural resources standards and guidelines. Consultation with the SHPO has determined that this project will have no adverse effects on heritage resources and is not expected to result in significant impacts to archaeological and historical resources. Site surveys will be conducted before treatment activities in accordance with the SHPO guidelines [PR #24].

Project implementation in any phase will be contingent upon completion of the identification and protection of historic properties and compliance with applicable provisions of the National Historic Preservation Act in accordance with the Southwestern Programmatic Agreement [PR #24].

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973

The project will not have direct effects to the eight species of federally listed species or critical habitat that may occur within the project area. This is due to the small project location coupled with the already disturbed nature of the site [PR #516] (EA at pages 36-50). The project is not likely to jeopardize the continued existence of Mexican gray wolves and their habitat. For aquatic threatened and endangered species, there are no direct effects expected. No project activities will occur in riparian areas.

The USFWS concurred with the effect determinations on January 3, 2013 [PR #514]. This project is consistent with the 2012 ASNFs Biological Opinion on the forest plan [PR #39].

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

Implementation of the selected alternative will not violate any Federal, State, or local law or requirements imposed for the protection of the environment. These include:

- Clean Water Act of 1972 (EA pp. 56-58)
- Clean Air Act, as amended in 1977 (EA pp. 58)
- Endangered Species Act of 1973, as amended (EA pp. 36-54)

- Executive Order 13186 of January 2001 (in furtherance of the purposes of the Migratory Bird Treaty Act) (EA pp. 41-54)
- National Historic Preservation Act of 1966 (see No. 8 of FONSI, above)
- Executive Order 12898 of February 11, 1994 (Environmental Justice in Minority Populations and Low-income Populations) (EA pp. 33-35)

Finding of Consistency with Other Laws and Regulations (see No. 10 above)

This decision is consistent with the intent of the forest plan's long-term goals and objectives [PR #16]. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for specific resources (EA p. 4). This decision is also in compliance with NEPA.

Administrative Review or Appeal Opportunities

Opportunities under 36 CFR 215

All comments were supportive of this action and therefore, this decision is not subject to appeal pursuant to regulations at 36 CFR 215.12.

Implementation Date

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 15th business day following the date of the last appeal disposition.

Contact Person

For additional information concerning this decision or the Forest Service appeal process, contact James Zornes, Forest Supervisor, Apache-Sitgreaves National Forests, PO Box 640, Springerville, AZ 85938, phone: 928-333-4301.



JAMES E. ZORNES

Forest Supervisor

5-24-2013

Date: May 24, 2013

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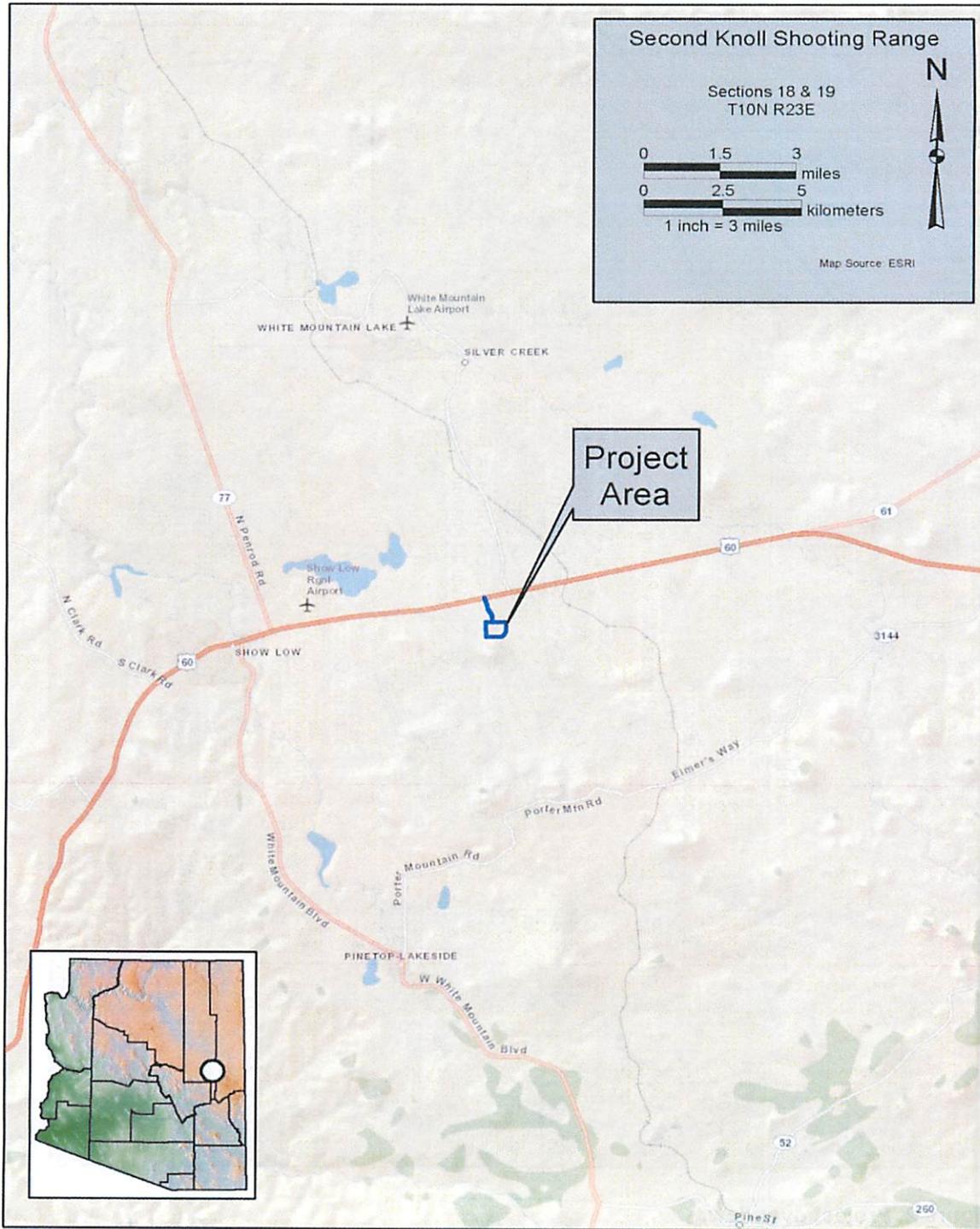


Figure 1. Project location.

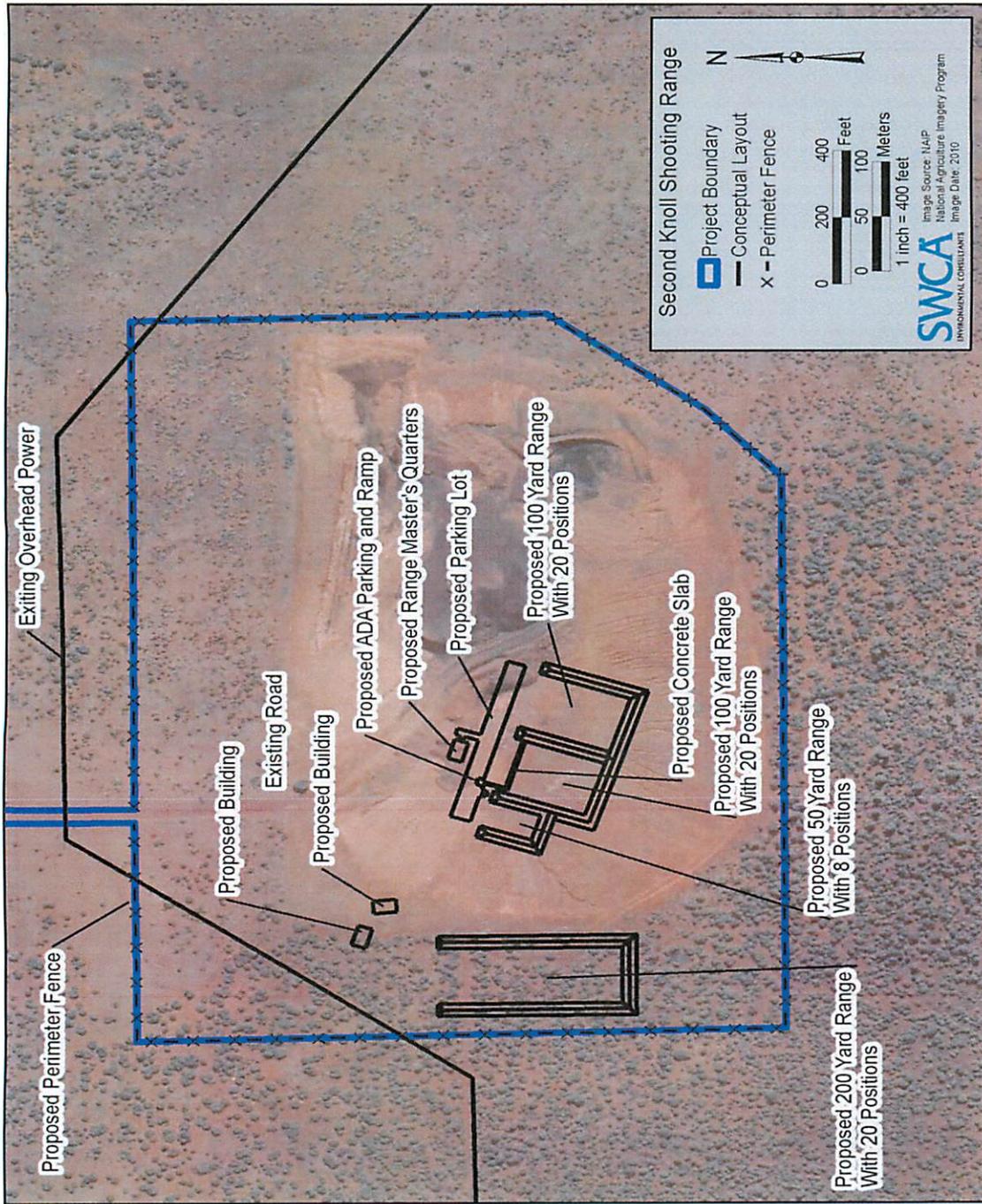


Figure 2. Project overview.

Appendix A Design Criteria

Design criteria are an integral part of the Proposed Action and serve to minimize impacts of activities on resource area conditions. Best management practices and legal requirements of the regulatory context would be applied during construction, operation, and maintenance of the proposed project, if approved.

Design Criteria	Resource the Design Criteria is Intended to Protect	Design Criteria Description
Construction Design Features	Public health and safety, soils and soil erosion, economic conditions	ASNFs' <i>Construction Best Management Practices</i> would be applied. Materials needed for construction of the roadway and other improvements such as range berms would be derived primarily from on-site material sources. Any other construction materials, which cannot be derived on-site, would be hauled from commercial sources. Additional amount of product to be transported, duration and timing of construction, and temporary equipment staging areas needed for construction would be identified before construction begins. Future coordination with ADOT to provide signage would also be conducted.
Environmental Stewardship Plan (ESP)	Human health and safety, vegetation, water resources, wildlife, hazardous materials, and fire/risk management	The ESP would apply the following: EPA's <i>Best Management Practices for Lead at Outdoor Shooting Ranges</i> certificate of recognition, National Shooting Sports Foundation's <i>Environmental Stewardship Plan Development Program</i> , Interstate Technology and Regulatory Council's <i>Environmental Management at Operating Outdoor Small Arms Firing Ranges</i> , and AGFD's <i>Hazardous Waste Management Plan for Department Owned/Operated Shooting Ranges</i> .
Operating Plan	Human health and safety, recreation, litter/trash, water resources, noise, hazardous materials, and fire risk/management	National Shooting Sports Foundation's <i>Environmental Aspects of Construction and Management of Outdoor Shooting Ranges</i> specifies operational control measures and monitoring schedule and requirements. A road maintenance plan would provide a management strategy for maintaining Forest Road 206 (such as wetting disturbed soils and covering trucks hauling materials) from U.S. Route 60 to the proposed range and would be specified in the special use permit, if granted. Monitoring reports would be coordinated with ASNFs.

Design Criteria	Resource the Design Criteria is Intended to Protect	Design Criteria Description
Safety Plan	Human health and safety, hazardous materials, and fire/risk management	<p>The Safety Plan would include AGFD range rules, safety officer responsibilities and protocol, and operational control measures for maintaining a safe shooting range. The Safety Plan would apply the EPA's <i>Best Management Practices for Lead at Outdoor Shooting Ranges</i> (EPA-902-B-01-001). Consistent with Forest Service Handbook 2709-14, Chapter 70 requirements for applications, the Safety Plan includes information and protocols for maintaining a safe and environmentally sound facility, including, but not limited to: spill response and remediation, emergency evacuation and closure procedure plan, fire suppression/emergency response, storage and remediation of hazardous, combustible, explosive, corrosive materials, and site security.</p> <p>The Safety Plan's emergency evacuation and closure plan outlines the Range Master's and range staff's procedure for safely evacuating and closing the shooting range in the event of an emergency.</p> <p>The shooting range would also apply fuel and fire management regulations and programs in the Safety Plan through fire suppression/emergency response procedures that are used in the Apache-Sitgreaves Forest Plan. In the event of a fire, range staff will report to the Range Master for fire-fighting or evacuation instructions.</p> <p>The perimeter fence would consist of four wire strands on "T" posts no further than 15 feet apart with two stays at 5-foot intervals between posts. Corner and tension posts would be constructed of 3-inch steel pipe set in the ground in a concrete footer 18 x 24 inches deep.</p>
Operation Design Features	Human health and safety, land use, wildlife, grazing, recreation, water resources, air quality, noise, hazardous materials, and fire/risk management	<p>Operation of the proposed shooting range would apply AGFD and National Rifle Association shooting range design features. All facilities would be in compliance with the Americans with Disabilities Act. The shooter's booth partitions would not exceed 4 to 5 feet in height to ensure every shooter is visible at all times from the Range Master's area. Because the access road is not paved, water and/or a non-toxic dust palliative would be applied to the roadway to prevent excessive fugitive dust during dry periods. NO SMOKING signs will be posted at the facility entrance, administrative office, and the Range Master's quarters.</p> <p>The spill response and remediation component of the Safety Plan includes an inventory of all liquids that would be stored on the premises, the associated Materials Safety Data Sheets for each, and requirements/materials used to contain the spill. In addition, all hazardous, combustible, explosive, and corrosive materials would be stored in approved containers with secondary containment and locked inside Bureau of Alcohol, Tobacco, Firearms, and Explosives-approved magazines.</p>
Construction Monitoring	Cultural and heritage resources	<p>In the event a historic or prehistoric cultural resource is found during implementation, all activities will cease and appropriate officials and affiliated tribes will be notified to evaluate the situation. Project activities may resume after proper notifications, mitigations, and archaeological clearances are obtained.</p>

Design Criteria	Resource the Design Criteria is Intended to Protect	Design Criteria Description
ASNFs Noxious Weed Best Management Practices	Vegetation, water resources, fire/risk management	<ul style="list-style-type: none"> • Survey for noxious weeds at a time when the growing season is well established, and prior to treatment implementation. • If noxious/invasive weeds are identified during or post implementation, treat the weeds and monitor the site for a minimum of three growing seasons post weed-treatment success. • Any fills, mulches, or revegetation seeding, used during or after project implementation, will be certified weed free. • Ensure that all contract equipment moved onto the National Forest is free of soil, weeds, vegetative matter, or other debris that could harbor seeds. Inspect each piece of equipment to ensure cleanliness, prior to entering the National Forest. • Seeding will be considered if natural revegetation of ground cover species does not occur rapidly enough to protect an area from erosion. • Minimize soil disturbance by limiting the extent of the area traveled by vehicles and by avoiding areas with wet soils.