



Decision Notice and Finding of No Significant Impact for the Alma Mesa, Copperas, Keller Canyon and Lop Ear Allotments of the Stateline Range NEPA Project

USDA Forest Service
Clifton Ranger District
Apache-Sitgreaves National Forests
Greenlee County, AZ

Introduction

An environmental assessment was conducted for the Stateline Range National Environmental Policy Act (NEPA) project consisting of 14 allotments located along or near the state line between Arizona and New Mexico, on the Clifton Ranger District, Apache-Sitgreaves National Forests and the Glenwood Ranger District, Gila National Forest as follows:

- Apache-Sitgreaves National Forests: Alma Mesa, Blackjack, Copperas, Hickey, Keller Canyon, Lop Ear, and Pleasant Valley allotments.
- Gila National Forest: Alma, Citizen, Dry Creek, Holt Gulch, Pleasanton, Potholes, and Sacaton allotments.

The project area covered approximately 271,665 acres with approximately 126,243 acres in Arizona and 145,422 acres in New Mexico.

Purpose and Need for Action

Where consistent with the goals, objectives, standards, and guidelines of the Apache-Sitgreaves National Forests and the Gila National Forest Land and Resource Management Plans (forest plans), Forest Service personnel may make forage from lands suitable for grazing available to qualified livestock operators. This is also in accordance with the Multiple Use and Sustained Yield Act of 1960 and the Forest and Rangeland Renewable Resources Planning Act of 1974.

Recent monitoring indicates vegetation, soil, and riparian resource conditions within the project area are largely meeting or moving toward forest plan goals, objectives, standards, and guidelines. However, some areas are not currently meeting forest plan direction, and some changes to current management practices could improve resource conditions or better ensure current conditions and trends are maintained.

The purpose for this project is to:

- authorize livestock grazing on the Apache-Sitgreaves and Gila National Forests in a manner that maintains or improves project area resource conditions and achieves the objectives and desired conditions described in the forest plans; and
- provide long-term management direction on grazing through allotment management plans, including the permitted numbers and class of livestock, season of use, facilities associated with livestock grazing, allowable forage utilization levels, and associated permit clauses.

This need for this project is to:

- meet the requirements of the Rescissions Act of 1995 (Public Law 104-19), section 504, which requires that all range allotments undergo National Environmental Policy Act analysis;
- maintain or improve current satisfactory resource conditions and to improve those areas in unsatisfactory conditions to move toward desired conditions; and
- incorporate management flexibility through an adaptive management strategy consistent with Forest Service policy (Forest Service Handbook 2209.13, chapter 90) to adapt management to changing resource conditions or management objectives.

Draft Decision and Reasons for the Decision

This decision is for the Alma Mesa, Copperas, Keller Canyon and Lop Ear allotments which are currently administered by the Clifton RD, Apache-Sitgreaves NFs. Following this decision, the Keller Canyon allotment will be administered by the Glenwood Ranger District, Gila National Forest. A separate decision will be issued for the Blackjack and Hickey allotments following completion of consultation with the US Fish and Wildlife Service for those two allotments.

Based upon review of the final environmental assessment and associated project record, I have decided to approve the grazing management strategy described under **Alternative 2 – Proposed Action** for the Alma Mesa, Copperas, Keller Canyon and Lop Ear allotments. The proposed action alternative was incrementally adjusted and modified throughout the environmental assessment process to incorporate mitigation measures and to respond to comments, identified issues and needs.

This decision to continue livestock grazing has four components: 1) authorizations 2) standards applicable to each allotment 3) allotment-specific direction, and 4) monitoring as follows:

Authorizations

Term grazing permits will be issued, authorizing the numbers and season of use described in table 1 below. (table 1 pg. 12). The term grazing permits will identify the number, kind, and class of livestock; maximum animal unit months; and the season of use permitted on each allotment. The kind of livestock permitted will be cattle and horses; however, classes of livestock, such as cow-calf pairs, yearlings, bulls, or some combination thereof, may be authorized annually as modified in the bill for collection up to the total animal unit months permitted.

Table 1. Permitted numbers and season of use for the Alma Mesa, Copperas, and Lop Ear allotments.

Allotment	Permitted Numbers	Season of use
Alma Mesa	682 cattle and 18 horses, up to 8,443 AUMs	Yearlong, except the Bear Valley pasture is restricted to October 1 to April 30.
Copperas	171 cattle and 4 horses, up to 2,117 AUMs	Yearlong
Keller Canyon	70 cattle (600 AUMs). 420 AUMs or 70% for the National Forest System lands portion and 180 AUMs or 30% for the waived private lands portion	Yearlong
Lop Ear	60 cattle from November 1 through April 30, and 30 cattle from May 1 through October 31, up to 539 AUMs.	Yearlong: 60 cattle November 1 through April 30 and 30 cattle May 1 through October 31.

AUMs = animal unit months

Standards Applicable to each Allotment

The following standards are applicable to each allotment.

Grazing Management

The chosen alternative consists of an adaptive management strategy that provides flexibility to adapt management to changing circumstances. Some adaptive management options include, but are not limited to, administratively adjusting the annual stocking rates, adjusting the specific dates for grazing, class of animals, constructing or removing cross fences, developing water and modifying pasture rotations as determined necessary and appropriate. The permitted numbers, timing, intensity, duration, and frequency of use will stay within the sideboards and not exceed the limits authorized in this decision.

Adaptive management includes monitoring to determine whether structural improvements are necessary, need to be modified, or installed. The selected alternative includes a number of new improvements. Additional minor changes may be implemented as needed, such as a short fence or pipeline extension or the addition of a tank or storage tank to an existing water system. The proposed new structural improvements will have heritage and biological clearances completed prior to implementation and all forest plan standards and guidelines will be followed.

The adaptive management strategy gives the responsible official flexibility to respond to unpredictable ecosystem drivers and stressors, such as drought, flooding, and fire events. Such changes will stay within the bounds and not exceed the limits authorized in the NEPA analysis and this decision. Administrative changes may be documented and implemented in the annual operating instructions, allotment management plan, term grazing permit, or some combination of these documents. The use and application of adaptive management principles will follow Forest Service R3 Supplement 2209.13, Chapter 90 Handbook direction. (EA pg. 8).

In general, pasture rotations will occur among the larger pastures, with the smaller pastures being used at various times during the year as holding pastures to aid in livestock management.

Feeding of hay or other feed will be limited to feeding livestock temporarily confined to corrals and holding facilities on a case by case basis as authorized by the District Ranger. Forage certified to be weed free or commercially processed should be used.

Salt or supplement will be placed at least ¼ mile from all water sources and away from roads, high-use recreation areas, or other known livestock concentration areas except for land or resource treatment purposes. Salt or supplement should be placed and moved to less utilized areas. No salting will occur within or adjacent to identified heritage resources. (EA pg.11).

Areas Excluded from Livestock Grazing

The San Francisco River which is adjacent to the Copperas and Keller Canyon allotments is excluded from grazing. Although this river is excluded from grazing, no enclosure or fence is 100 percent effective. Therefore, it will be monitored as needed for the presence of livestock. If livestock are observed along the San Francisco River, Forest Service personnel will take action to address excess use (if the owner of the livestock is a national forest permit holder) or unauthorized use (if the owner of the livestock is not a national forest permit holder) in accordance with Code of Federal Regulations (CFR), Forest Service handbook direction, or both. (EA pg.14-15).

Additional fencing along the San Francisco River may be added in the future, as necessary, to better exclude livestock use. Should additional fencing be needed, both biological and cultural clearances will be completed prior to implementation. (EA pg.15).

Forage Utilizations Standards

Forage utilization standards will be set at:

- Conservative utilization levels (31 to 40 percent) for upland and riparian herbaceous species.
- Conservative utilization levels (31 to 40 percent) on riparian woody species in areas that are properly functioning. Non-use to light use (0 to 30 percent) on riparian woody species in areas that are not functioning properly.
- Within southwestern willow flycatcher and western yellow-billed cuckoo suitable habitat, average utilization will not exceed 35 percent of palatable, perennial grasses and grass-like plants in uplands and riparian habitats. Woody utilization will not exceed 40 percent on average.

Utilization is expressed in terms of the current year's production removed and therefore is measured at the end of the growing season. Seasonal utilization is the amount of use that occurs before the end of the growing season and will not be used for compliance monitoring with meeting utilization guidelines but may be useful when combined with other information to determine the appropriate times to move livestock to another pasture and for evaluating other resource needs.

Consistent patterns of utilization in excess of utilization standards will be used as a basis to modify management practices or take administrative actions necessary to reduce utilization in subsequent grazing seasons.

Stubble height standards may be used. Targeted stubble heights will correspond to the light and conservative intensity levels described above. (EA pg.9-11).

Range Improvements

Except as noted below under allotment-specific direction, allotment management does not depend on the proposed new range improvements nor is there a timeline for their installation. (EA pg. 13). As disclosed above, minor changes may be implemented as needed, such as a short fence or pipeline extension or the addition of a trough or storage tank to an existing water system.

Per forest plan direction, constructed features (improvements) should be maintained to support the purpose(s) for which they were built. When improvements are no longer needed for the purpose(s) for which they were built, they should be removed. (EA pg. 14).

Existing improvements will continue to be assigned an improvement number with maintenance responsibilities assigned to the permittee and reconstruction occurring as needed.

New improvements that result in ground disturbance will require heritage surveys and consultation with the respective State Historical Preservation Office and tribes prior to construction. Improvements will be located to avoid impacts to heritage resources. If unrecorded sites are discovered during the course of project implementation, activities will cease and the forest archeologist will be notified.

Prior to installing water improvements, necessary permits and approvals will be applied for and/or obtained with/from the appropriate State agency, such as the Arizona Department of Water Resources or the New Mexico Office of the State Engineer.

Water troughs and open storage tanks will include effective wildlife escape ramps. Fences will be constructed to wildlife friendly specifications such as 4-strand barbed wire fences with the top 3 wires being barbed wire and top wire not exceeding 42 inches above ground and the bottom wire being smooth barbless wire 18 inches above ground. Other types of fencing may be used as needed; for example, pole or rail fencing. (EA pg. 14).

Allotment Management Plans

New allotment management plans will be developed for each allotment and will become part of part 3 of the term grazing permits. The allotment management plans will identify specific goals and objectives of management, management strategies, range improvements, and monitoring requirements. The allotment management plans will incorporate the adaptive management strategy described above.

Annual Operating Instructions

On an annual basis, ranger district personnel and the permittee will jointly prepare an annual plan, referred to as annual operating instructions (EA pg. 11), which sets forth:

- the number and class of livestock, and the timing and duration of use for the current season;
- the planned sequence of grazing in pastures on the allotment(s), and the monitoring criteria that will be used to make changes;
- structural and nonstructural improvements to be constructed, reconstructed, or maintained and who is responsible for these activities;
- allowable use or other standards to be applied and followed by the permittee to properly manage livestock; and

- monitoring for the current season that may include, among other things, documentation demonstrating compliance with the terms and conditions in the grazing permit, consultation, and the allotment management plan.

Allotment-Specific Direction

In addition to the direction described above for all of the allotments, the term grazing permits will include direction for individual allotments as described below. (EA pg. 15-17 and 23-26).

Apache-Sitgreaves Allotments

Alma Mesa Allotment

Permitted use will remain at 682 cattle and 18 horses, up to 8,443 animal unit months. Use on the Alma Mesa allotment will continue to be permitted for yearlong grazing using rotational grazing systems except the season of use in the Bear Valley pasture will be restricted to October 1 through April 30.

Because Dutch Blue Creek in the Bear Valley pasture is determined to be functioning at risk, utilization standards for Dutch Blue Creek will be limited to non-use to light (0 to 30 percent) until it is in properly functioning condition. Then up to 35 percent utilization will be allowed per southwestern willow flycatcher recovery plan guidelines. Utilization levels for the rest of the allotment will be managed at levels described above.

The permittee is authorized, within the Blue Range Primitive Area, to continue operating motor-driven pumps for the Stateline Cabin well (improvement #3723), to use motorized vehicles to service the well and to use mechanical equipment to use and maintain the service road (National Forest System Road 711) with proper erosion control features. (EA pg. 15). This authorization will be included in the term grazing permit.

Table 2. Alma Mesa allotment new improvements per EA pg. 16-17:

Pasture	Improvement Name	Alma Mesa Allotment Description and Location.
Alma Mesa	Alma Mesa water development	Install approximately 2.1 miles of pipeline to 2 storage tanks and 2 troughs. T1N, R32E, Section 6 NE and Section 8 NW.
Alma Mesa	Little Blue Creek/Yam Canyon fence	Install a fence approximately 0.8 miles in length in the northwest corner of the Alma Mesa pasture in T2N, R32E, Section 30 SW and Section 31 NW.
West Trap	West Trap water development	Extend a pipeline approximately 0.8 miles from Stateline Cabin to the west side of West Trap and install a storage tank and trough with a water lot fence around the trough. T1N, R32E, Section 18 N1/2.
Maple/Charlie Moore	Charlie Moore/Six Shooter division fence	Construct or reconstruct a pasture division fence approximately 3 miles long on the ridgeline adjacent to the Blue Range Primitive Area boundary. T1N, R31E, Section 36 and T1N, R32E, Sections 29, 30, and 31.
Maple/Charlie Moore	Charlie Moore pipeline extension	Extend a pipeline approximately 1 mile from Charlie Moore Spring, west to a storage tank and trough. T1N, R32E, on the section line of Sections 31 and 32.

Pasture	Improvement Name	Alma Mesa Allotment Description and Location.
NM South and Beaver Trap	Waterline extension	Extend the waterline approximately 0.8 miles from the Charlie Moore storage tank and install a new storage tank and trough(s). T10S, R21W, Section 31, along County Road C034, to the pasture division fence between NM South and Beaver Trap pastures in T10S, R21W, Section 33 SE.
NM South	Water lot fence	Construct a water lot fence around the storage tank and trough on the east side of the state line fence.
NM South	Charlie Moore corrals	Extend the Charlie Moore corrals on the New Mexico side of the fence to include a pen and loading shoot directly east of Charlie Moore Cabin.
NM North and NM South	Waterline extension	Extend a pipeline in T10S, R21W, Section 19, approximately 0.8 miles east to a trough(s) in T10S, R21W, Section 20 SW
Stateline Cabin Trap	Solar panels	Add solar panels to the Stateline Cabin well and storage tank pump. The existing motorized diesel generator may remain on site for a backup as needed. T1N, R32E, Section 17 NW.

The Blue Range Primitive Area is managed as wilderness. To minimize the impact of activities generally prohibited by the Wilderness Act, a minimum resource analysis was conducted using the minimum requirements decision guide as a guide for findings and recommendations. (EA pg. 16 and 85).

Transporting materials for, and installation of, new improvements within the Blue Range Primitive Area will follow the determinations and approvals in the minimum resource decision guide approved on January 28, 2019 as follows:

- Fence: Transport fence material using pack animals for the proposed new 0.8 mile fence in the northwest corner of the Alma Mesa pasture in T2N, R32E, Section 30 SW and Section 31 NW.
- Install standard barbed wire fence by hand.
- Pipeline: Use motorized vehicles using National Forest System Road 711 to transport pipeline materials to Stateline Cabin in keeping with the 1967 memorandum and the 1975 special use permit. Then use pack animals to transport pipeline materials to the two new waterline locations: the 2.1 mile waterline north of Stateline Cabin and the 0.8 mile waterline to West Trap.
- Bury pipelines where feasible with mechanized equipment such as with a ripper shank on a dozer or with a trencher.
- Storage tanks and troughs: Use a helicopter for up to 2 flights and a ½ hour of flight time to transport the storage tank and trough to West Trap. Use either a helicopter (4 flights for 1 hour of flight time) or a vehicle with a trailer to transport the 2 storage tanks and 2 troughs north of Stateline Cabin. Set storage tanks and troughs by hand.
- Solar panel: Transport the solar panel and stand by motorized vehicle to Stateline Cabin well using National Forest System Road 711. Hand dig the holes for stand posts and attach to stand.

The following prohibited uses found in section 4(c) of the Wilderness Act are approved and for the following quantities:

- Mechanical transport: Helicopter, motorized vehicles, or both to transport 3 storage tanks and 3 troughs. Maximum estimated flight time would be 3 hours of flight time for 6 flights. Motorized vehicle to transport approximately 2.9 miles of pipeline and a solar panel and stand to Stateline Cabin.
- Motorized equipment: Equipment to install and bury the pipeline such as a dozer with a ripper shank or a trencher, a helicopter and possibly a rock drill, if needed, to install the fence.
- Motor vehicles: Truck and trailer for transporting materials.
- Temporary roads: Cross-country travel possible but no temporary roads.
- Installations: Approximately 0.8 miles of fence, 2.9 miles of pipeline, 3 storage tanks, 3 troughs, and a solar panel on a stand.

Copperas Allotment

A term grazing permit will be issued for 171 cattle and 4 horses for up to 2,117 animal unit months. The season of use will be year-round using a deferred-rotation system to provide for periodic spring and summer growing season rest.

Use of Bullard Trap and Coalson Tap is limited to short durations when needing to hold and sort cattle with extended rest periods between times of use.

Table 3. Copperas allotment new improvements per EA pg. 24-25:

Pasture	Improvement Name	Copperas Allotment Description and Location
Coalson, Copperas Trap and breeding pasture	Water development and water gap fence	The existing spring development just south of Coalson Cabin (#3769) in T2S, R32E, Section 8 SW, will be modified to supply water through a pipeline to approximately 5 troughs; 1 near the spring, 1 at the corrals, 1 in the low saddle directly east of Coalson Cabin to service Copperas Trap and Breeding pasture, and 2 troughs on the west side of Coalson Canyon to service Coalson pasture. A short fence will installed adjacent to Coalson Cabin (#3769) to create a small water gap in Coalson Canyon for Coalson pasture.
Coalson Ranch	Coalson Ranch outhouse	The outhouse near the drainage bottom will be relocated to an upland site east of the stone cabin.
Coalson	Fence	Based on riparian monitoring results, install a fence just up canyon of Coalson Cabin, approximately 1/2 mile in length, to create a small trap in the upper Coalson Canyon reach to be used intermittently with longer periods of rest.
Bullard Trap	Fence #3125	In Bullard Trap, the lower fence (#3125) will be moved approximately 200 feet upstream to create a narrow water lane outside the trap.
Bullard Trap	Fence	Based on monitoring a fence may be installed to create a lane in the uplands on the east side of Bullard Trap (#3125) to allow livestock to access to the upper portion of Bullard Canyon without having to trail through the trap.
Coalson	Water lot	Install a water lot fence around Coalson Tank (#3129) in T2S, R32E, Section 18.

Pasture	Improvement Name	Copperas Allotment Description and Location
Breeding	Water lot	Install a water lot fence around Sluefoot Blue Tank (#3132) in T2S, R32E, Section 17.
Breeding	Fence	Based on monitoring, a 1.25-mile fence may be installed to divide breeding pasture. It would start in T2N, R32E, Section 17 and proceed northeast to the allotment boundary in Bullard Canyon in Section 9.

Keller Canyon Allotment

A term grazing permit with on-and-off provisions will be issued for 70 cattle, yearlong for up to 420 animal unit months for the National Forest System portion (70 percent) of the allotment, plus 180 animal unit months for the private lands portion (30 percent) of the allotment, for a total of up to 600 animal unit months.

The Keller Canyon allotment is currently managed by the Clifton Ranger District, Apache-Sitgreaves National Forests. Following this decision, the Keller Canyon allotment will be administered by the Glenwood Ranger District, Gila National Forest.

Table 4. Keller Canyon allotment new improvements per EA pg. 25:

Pasture	Improvement Name	Keller Canyon Allotment Description and Location
Hollimon	Hollimon Well extension	Extend a pipeline from Hollimon Well (#A4952) in T10S, R20W, Section 32 SE, to the west and north approximately 0.7 miles along National Forest System Roads 4054U and 4054T to a new storage tank and trough near Hollimon stock tank (#3734) in T10S, R20W, Section 32 NW.

Lop Ear Allotment

Permitted numbers will remain at 60 cattle from November 1 through April 30 and 30 cattle from May 1 through October 31 for up to 539 animal unit months. Actual timing and duration of use in the two pastures of the allotment will vary annually.

Livestock grazing will be managed using an adaptive management strategy that is regenerative in concept and will provide flexibility to adapt management to changing circumstances.

An exclusionary fence to protect a cultural resource site will be installed in accordance with Arizona State Historic Preservation Office (SHPO) consultation SHPO-2018-181611475661, approved on March 29, 2019.

Table 5. Lop Ear allotment new improvements per EA Pg. 26:

Pasture Name	Improvement Name	Lop Ear Allotment Description and Location
Badlands	Fence	Exclusion fence .
Badlands	Water development	Install a 0.25-mile pipeline, storage tank, and trough in T5S, R31E, Section 1 NE and T4S, R32E Section 31 SW.
Cold Springs	Water development	Install approximately 1 mile of pipeline from a well on the permittees adjacent private land to a new storage tank and trough in the southwest corner of the allotment in T5S, R31E, Section 12 SW.

Pasture Name	Improvement Name	Lop Ear Allotment Description and Location
Cold Springs	Park Trick Tank	Install a trick tank near Park Tank (#3300) in T5S, R32E, Section 6 SE.
Cold Springs	Park Tank	Install a water lot fence around Park Tank (#3300) in T5S, R32E, Section 6 SE.

Monitoring

Monitoring is an important component of adaptive management. Implementation monitoring will include, but not be limited to, such items as 1) actual use in each pasture; 2) condition of range improvements; 3) seasonal utilization, annual utilization, or stubble heights; and 4) other annual monitoring that may be important in site-specific situations.

Forage utilization will be monitored on key forage species that are palatable to livestock and may be monitored through a pasture-wide reconnaissance or measured in key areas. Utilization on nongrass species (forbs, shrubs, and trees) may also be measured if appropriate for the site, such as monitoring use on riparian browse.

Long-term effectiveness monitoring will typically occur at 5-year to 10-year intervals but may occur more often as needed to determine whether management actions are having the expected maintenance of, or progress towards, achieving resource management objectives and may be both qualitative and quantitative.

Examples of effectiveness monitoring include, but are not limited to, dry weight rank, pace transects, line intercept, pace quadrat frequency, riparian surveys, soil and watershed condition assessments, and repeat photography.

Rationale for the Decision

The selected alternative is the proposed action alternative which was incrementally adjusted and modified throughout the environmental assessment process to incorporate mitigation measures and to respond to comments, identified issues and needs. This alternative best meets the stated purpose and need for the project while maintaining or improving existing resource conditions to meet the aspirational desired conditions.

This decision is in compliance with the existing forest plans; guidance provided by law, regulation, and policy; as well as consultations with the U.S. Fish and Wildlife Service. The project record shows a thorough review of relevant information and a consideration of various views while addressing site-specific resource concerns in the following ways:

- The proposed action alternative authorizes livestock grazing in a manner that maintains or improves project area resource conditions and achieves the objectives and desired conditions described in the forest plans.
- It will provide long-term management direction on grazing through allotment management plans, including the permitted numbers and class of livestock, season of use, facilities associated with livestock grazing, allowable forage utilization levels, and associated permit clauses.

- This alternative provides an adaptive management framework that will allow the national forests personnel and grazing permittees to adapt management to changing resource conditions. The permitted numbers reflect the range of variability that affects capacity on the allotments, and the proposal allows for timely adjustments in authorized use.
- This decision brings the term grazing permits into compliance with the requirements of the Rescissions Act of 1995 (Public Law 104-19).
- It allows for the maintenance and/or improvement of current satisfactory resource conditions and allows for those areas in unsatisfactory conditions to move toward desired conditions.
- As disclosed in the “Soil and Watershed Condition” section of the environmental assessment: (EA pg. 47-53).
 - ◆ Stable to slightly upward trend is expected, with some localized, short-term impacts to soil stability. Soils in satisfactory condition are expected to remain that way or improve, impaired soils should slightly improve, and inherently unstable soils are expected to remain in that state.
 - ◆ Water quality is expected to remain at or improve towards acceptable levels. Localized, short-term effects to water quality are anticipated, but water quality is expected to remain stable or improve to acceptable levels but not to the point where the impaired waters would be removed from the 303(d) list.
 - ◆ Riparian reaches are expected to remain satisfactory or move towards desired conditions.
- As disclosed in the “Rangeland Resources” section of the environmental assessment: (EA pg. 36-42).
 - ◆ Overall, rangeland resources are expected to remain static or move toward desired ground cover, resulting in satisfactory conditions and meeting desired conditions.
 - ◆ There is little risk of the selected alternative contributing to the spread of noxious weeds.
- As disclosed in the “Wildlife” section of the environmental assessment: (EA pg. 57-75).
 - ◆ This alternative is not likely to jeopardize the Mexican gray wolf and would either have no effect or it may affect but is not likely to adversely affect, modify, or destroy other listed threatened or endangered species or their habitat.
 - ◆ This alternative is not likely to cause a trend to Federal listing or loss of viability of any sensitive species.
 - ◆ For migratory birds, no measurable negative effects at the population level are expected.
- For cultural resources, this alternative is not expected to have adverse effects. (EA pg. 77-78).
- Livestock grazing activities will continue to contribute to the social, economic, and cultural diversity and the stability of the adjacent rural communities. (EA pg. 91-93).

- It is unlikely the positive or negative effects this alternative may have on climate change would be measurable. The adaptive management component of this alternative is expected to increase the ability to adapt and respond to climate change. (EA pg. 89).
- This decision provides the basis for an allotment management plan and annual operating instructions which, among other things, will help enforce the exclusion of livestock from the San Francisco. (EA – multiple locations).

Other Alternatives Considered

In addition to the selected alternative I considered the no-action (no grazing) alternative. A comparison of the effects of these alternatives is found in “Affected Environment and Environmental Impacts” section of the environmental assessment.

Alternative 1: No Action (No Grazing)

Under this alternative, grazing would not be authorized, and use of the allotments by domestic livestock would be discontinued. Grazing permits would be canceled following 2-year prior notification. Range improvements such as interior fences, corrals, water lots, pipelines, and troughs, would be removed as time and funding permits. Water developments beneficial to wildlife and recreational stock could be retained if funding is secured for maintenance by benefiting program areas or through cooperative volunteer programs. Where necessary, maintenance of allotment boundary fences would be reassigned to adjacent permittees.

While this alternative would meet the natural resource objectives defined for the allotments, it would not manage for multiple use and sustained yield nor contribute to a viable rural economy.

Public Involvement and Consultation

Several efforts were made to coordinate with and involve the public and to consult with Tribes, the State Historic Preservation Office, the US Fish and Wildlife Service, other agencies, permittees and partners (EA pg. 6-7).

The project was first published on the schedule of proposed actions in 2016, with periodic updates published quarterly.

On December 15, 2017, a scoping notice was mailed to 277 contacts, including 181 individuals, groups, and organizations; 22 elected officials; 39 tribal members; and 35 agency and government entities. A total of twenty comments were received in response to the scoping notice. As a follow-up, Clifton Ranger District personnel met with the Arizona Game and Fish Department personnel and as requested, the project team leader met with the Sierra Club members and an interested individual.

Personnel on the Apache-Sitgreaves and Gila National Forests coordinated with the permittees that run livestock on the allotments regarding existing and desired conditions, possible practices, and design features that could improve management.

At their request, two on-the-ground sites visits were conducted: one with an adjacent landowner to the Dry Creek allotment and one with a member of the Sierra Club on the Blackjack, Hickey, and Pleasant Valley allotments.

A 30-day opportunity to review and comment about the preliminary environmental assessment was provided on October 3, 2018 and again on October 31, 2018. A total of 14,195 comments were received; the majority were form letters. Seventy-four individual comments were submitted by individuals, organizations, tribes, and State agencies.

On July 3, 2019, a 45-day opportunity was provided to review and object to the final environmental assessment a draft decision notice (DDN) and finding of no significant impact (FONSI), for the Stateline Range NEPA project. Legal notices were published in the newspapers of record (Silver City Daily Press and Copper Era) and information was posted on the Forest's web sites. Six objections to the DDN/FONSI were received and were reviewed by the Forest Supervisors of each Forest in accordance with the administrative review procedures found at 36 CFR 218, Subparts A and B. On September 16, 2019, one objector was notified that it was determined that their objection did not meet the requirements of 36 CFR 218.8(d) and was therefore set aside from further review.

On November 1, 2019, written response letters were sent to the remaining five objectors, including instructions to the Responsible Officials regarding Inventoried Roadless Areas, adaptive management, AUM values and wetlands. To address the instructions we created an errata to the final EA and clarified points within this Final Decision Notice and Finding of No Significant Impact.

Tribal

On December 12, 2017, a letter and scoping notice was sent to the following tribes: Alamo Navajo Chapter, Mescalero Apache Tribe, Pueblo of Acoma, The Hopi Tribe, Hualapai, White Mountain Apache Tribe, Fort Sill Apache Tribe, Pueblo of Laguna, Ramah Navajo Chapter, The Navajo Nation, San Carlos Apache Tribe, Tonto Apache Tribe, Yavapai-Apache Nation, Yavapai Nation, Yavapai-Prescott Tribe, Ysleta Del Sur Pueblo and Pueblo of Zuni. Responses were received from the Hopi, Ysleta del Sur Pueblo, and White Mountain Apache Tribes.

On October 1, 2018 and again on October 31, 2018, a letter was sent to these same tribes notifying them of the opportunity to review and comment about the preliminary environmental assessment.

U.S. Fish and Wildlife Service Consultation

Informal consultation with the U.S. Fish and Wildlife Service, New Mexico Ecological Services Office, was initiated on April 16, 2019 for the Keller Canyon allotment. A concurrence letter was received on May 23, 2019.

Informal consultation with the U.S. Fish and Wildlife Service, Arizona Ecological Services Office, was initiated on April 29, 2019 for the Alma Mesa, Copperas, and Lop Ear allotments. A concurrence letter was received on May 7, 2019.

State Historic Preservation Office

Personnel on both national forests consulted with their respective State Historic Preservation Offices. Gila National Forest personnel received concurrences from the New Mexico State Historic Preservation Office for the portion of the Alma Mesa allotment that occurs in New Mexico and for the Keller Canyon allotment on June 11, 2018. Apache-Sitgreaves National Forests personnel received concurrence from the Arizona State Historic Preservation Office on March 29, 2019 for the Alma Mesa, Copperas and Lop Ear allotments.

Finding of No Significant Impact

I have evaluated the effects of the project relative to the definition of significance established by the Council on Environmental Quality regulations (40 CFR 1508.13). The environmental assessment and the documentation included in the project record have been reviewed. After considering the context and intensity of the environmental effects, I have determined the selected alternative will not have a significant effect on the quality of the human environment.

Thus, no environmental impact statement will be prepared. The rationale for this finding follows the Council on Environmental Quality definition of significance cited above.

Context

Context means the significance of an action must be analyzed in several contexts (local, regional, worldwide), and over short and long time frames. For site-specific actions, significance usually depends upon the effects in the local rather than in the world as a whole.

This project is a site-specific action without international, national, regionwide, or statewide importance and will not affect regional or national resources. This decision is made within the context of local importance in the project area along the Arizona-New Mexico state line.

There are currently twenty-two allotments on the Clifton Ranger District. The four allotments covered by this decision account for approximately 18 percent of the number of allotments and 10 percent of the land area on the Clifton Ranger District.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects and is defined by the 10 points below.

The following factors were considered to evaluate intensity:

1. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.

The beneficial and adverse effects of the selected alternative are described in the “Affected Environment and Environmental Impacts” section of the environmental assessment and further detailed in the specialist reports in the project record. These findings have been reviewed and it is determined that none of the actions will result in significant effects.

The selected alternative may result in removal of herbaceous vegetation up to conservative use levels (31 to 40 percent), except riparian areas not in properly functioning condition will be limited to non-use to light use levels (0 to 30 percent). Also, areas within southwestern willow flycatcher and western yellow-billed cuckoo suitable habitat, will not exceed 35 percent of palatable, perennial grasses and grass-like plants and 40 percent of woody species. (EA pg.9-11).

These levels are expected to retain litter and plant stubble to provide soil cover and wildlife habitat. Possible structural improvements involve the installation of fences, cattleguards, and water systems. Construction of these improvements will result in minor, short-term disturbance but will benefit resources over the long term as a result of improved management, flexibility, and livestock distribution.

Flexibility given to resource managers to adjust the timing, intensity, frequency, and duration of livestock grazing will meet plants needs for recovery, improved vigor, and recruitment of desirable species. Rangelands, soils, and riparian and watershed conditions are expected to maintain or improve. Adverse effects have been mitigated through proposed management practices and design features. No significant adverse effects were identified during the analysis (see the environmental assessment, “Environmental Consequences” sections for each resource).

Expected effects to threatened and endangered species and to cultural resources are described below.

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

No significant effects on public health and safety were identified. The scope of the grazing authorization is limited to implementation of managed livestock grazing and possible installation and maintenance of structural range improvements. There are inherent risks associated with these activities, but they are not expected to present significant hazards to workers or the public.

Water quality was considered as part of the watershed analysis. The “Riparian Areas” section of the environmental assessment discloses the miles of stream of impaired waterbodies due to *Escherichia coli* (*E. coli*). The San Francisco River is excluded from livestock grazing except for a possible watering point gap on the Alma allotment in New Mexico. The Gila Watershed Working Group indicated livestock grazing was only one of several likely sources for the impairment. It was determined the selected alternative should keep water quality stable or improve to acceptable levels but not to the point where the impaired waters would be removed from the 303(d) list. (EA pg. 46, 49, 52-53).

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 significant effects on the unique characteristics of the area are expected to occur. The projects effects to historical and cultural resources are minimized through the use of project design features that avoid or mitigate impacts. There are no park lands, prime farmlands or designated wild and scenic rivers in the project area.

Wetlands within the project area, include, but are not limited to, cienegas, seeps, springs, streams, riparian areas and other bodies of water, including “ephemeral wetlands”. As disclosed in the environmental assessment, localized effects to riparian areas and wetlands are anticipated. However, riparian reaches are expected to remain satisfactory or move towards desired conditions and water quality is expected to remain at or improve towards acceptable levels. (EA p. 49-53).

Ecologically critical areas include wetlands as described above, as well as designated habitat for threatened and endangered species. See Item 9 below for information on the degree to which the action may adversely affect an endangered or threatened species or its habitat.

Wilderness: A wilderness area is defined as “an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions.” Wilderness characteristics that are mandated by law to be protected within wilderness or primitive areas include untrammelled, undeveloped, natural and solitude, or primitive and unconfined recreation.

Approximately 58 acres of the Blue Range Wilderness occurs on the Alma Mesa allotment. The grazing of livestock, where established prior to the effective date of the Wilderness Act, shall be permitted to continue. On the 58 acres of the Blue Range Wilderness, this decision will not distract from wilderness values over current management. No new improvements are proposed within the wilderness area and no Wilderness Study Areas occur within these four allotments. (EA pg. 84-87).

Blue Range Primitive Area: The Blue Range Primitive Area is the only designated primitive area in the Forest Service. It encompasses 199,502 acres, of which approximately 33,322 acres occurs within the Alma Mesa allotment. The Blue Range Primitive Area is managed as wilderness with one exception: the area is not withdrawn from mineral prospecting and mineral development. A minimum resource analysis was conducted and approved on January 28, 2019 for the proposed new improvements in the Blue Range Primitive Area and the associated proposed prohibited uses as described in section 4(c) of the Wilderness Act.

Under the selected alternative, inventoried roadless areas will maintain their overall roadless characteristics (Recreation and Special Management Areas Report, p. 19-20 and Errata for the Final EA). This decision will not result in the construction or reconstruction of roads within an inventoried roadless area. Water developments and fencing are consistent with the recreation opportunity spectrum classes and common on the grazing allotments but are not expected to occur as often in areas designated as primitive.

Effects to soil, water, air, plant and animal communities, threatened and endangered species, traditional cultural properties and sacred sites are addressed in their respective sections of this environmental assessment.

This decision is not expected to affect public drinking water, reference landscapes, natural-appearing landscapes with high scenic quality, or other locally identified unique characteristics within the inventoried roadless areas. (EA pg. 87).

Wild and scenic rivers: There are no designated wild and scenic rivers within the project area. Three streams are considered eligible for further study to determine if they should be recommended to Congress for designation. The selected alternative will not prevent or inhibit possible recommendation. (EA pg. 83).

Cultural resources: Cultural resources are further discussed in item 8 below.

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

In this context, the term “controversial” refers to cases where substantial scientific dispute exists as to the size, nature, or effects of a major Federal action on a human environmental factor rather than to public opposition of a proposed action or alternative.

The proposed action is supported by science and research. The proposed management practices and design features are commonly used practices described in agency directives, prescribed in the forest plans, applied on many other national forests with similar issues, and also used by other land management agencies. The details of the proposed action were reviewed several times by stakeholders and interested parties, and their comments were factored into the design of the project.

Many comments were received from members of the public expressing their opposition to livestock grazing on public lands, and others view the Forest Service as too restrictive in its management. However, based on review of public comments, specialist's input, literature referenced, and the analyses discussed in the environmental assessment, it is determined that the effects of the selected alternative does not represent something highly controversial within the context of the National Environmental Policy Act.

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

The effects analysis indicates the effects are not uncertain and do not involve unique or unknown risk. Forest Service personnel have considerable experience with the types of activities to be implemented. The effects described in the environmental assessment are based on the judgement of experienced resource management professionals using the best available information. This action is similar to many past actions, both in this analysis area and across the national forests. It is likely the effects of implementing the selected alternative will be similar to the effects of past, similar actions.

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 decision to reissue grazing permits for this group of allotments does not establish a precedent for future actions with significant effects. This is a stand-alone decision, and each grazing allotment was evaluated independently on its own merits. Future actions will be evaluated on a project-by-project basis through the environmental analysis process and will stand on their own as to environmental effects and project feasibility.

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

The cumulative impacts of the selected alternative on rangelands, soils, vegetation, watershed function, cultural resources, terrestrial and aquatic wildlife resources, economics, recreation, and special management areas were considered and disclosed in the environmental assessment in the environmental consequences sections (EA pg. 53, 56, 75-76, 78, 81, 87, 93 and 95) and in a variety of specialist reports. The direct and indirect effects of the selected alternative are expected to be minor in the short term and beneficial or neutral over the long term. None of the effects are considered significant for reasons described herein. No past or future actions have been identified that will combine with the effects of the selected alternative to cause cumulatively significant effects.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.

This analysis is in conformance with regulations of the National Historic Preservation Act, 1966, as amended (1992: Public Law 102-575); the National Environmental Policy Act (1969); Archaeological Resources Protection Act of 1979; Native American Grave Protection and Repatriation Act (1990: Public Law 101-601); and American Indian Religious Freedom Act (1978: Public Law 95-341). Forest Service Manual 2360.5 provides agency direction for heritage program management.

This decision will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The term “historic properties” refers to cultural properties listed or determined as eligible for the National Register of Historic Places.

Areas proposed for ground-disturbing activities have been, or will be, surveyed prior to construction, and all cultural resources or historic sites will be avoided. Proposed management activities are likely to maintain or improve vegetation cover and stable soils which would benefit cultural resources by reducing the visibility of sites and the movement of artifacts. The selected alternative includes a provision to fence a sensitive heritage site on the Lop Ear allotment.

On March 7, 2019 the Apache-Sitgreaves NFs submitted two reports (FS# 2016-03-01-00084 and 2016-03-01-084B) to the Arizona State Historic Preservation Office covering the analysis of the selected alternative including the Alma Mesa, Copperas and Lop Ear allotments. The Arizona State Historic Preservation Office concurred with a finding of “no adverse effect” on March 29, 2019.

Consultation with the New Mexico State Historic Preservation Office occurred on an allotment-by-allotment basis. Report FS# 2017-06-006/NMCRIS# 137020 was submitted for the portion of the Alma Mesa allotment occurring in New Mexico and Report FS# R2017030600074/NMCRIS 140355 was submitted for the Keller Canyon allotment. The New Mexico State Historic Preservation Office concurred with findings of “no adverse effect” for both allotments on June 11, 2018.

The forest archeologists have consulted and coordinated with interested and effected tribes regarding the proposed action. As disclosed in the “Cultural Resources” section of the environmental assessment, if cultural features or deposits or any Native America human remains or funerary objects are encountered during project activities, the activities will be discontinued in the immediate area of the remains, and the tribe and the respective State Historic Preservation Office will be consulted with to evaluate their nature and significance.

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. There are federally listed threatened or endangered species, their habitat, or both within the project area.

On April 16, 2019, section 7 informal consultation was initiated with the U.S. Fish and Wildlife Service, New Mexico Ecological Services office for the allotments occurring primarily in New Mexico, including the Keller Canyon allotment. On May 23, 2019, the U.S. Fish and Wildlife Service issued a letter (Consultation # 02ENNM00-2019-I-0707) concurring with the following determinations for the selected alternative: (PR 362).

- **may affect but not likely to adversely affect** Gila trout, loach minnow and its critical habitat, Mexican spotted owl and its critical habitat, narrow-headed gartersnake, northern Mexican gartersnake, southwestern willow flycatcher and its critical habitat, spikedeace, and yellow-billed cuckoo and its critical habitat.
- **may affect but not likely to adversely modify or destroy** proposed critical habitat for the narrow-headed gartersnake and northern Mexican gartersnake, if designated.
- Is **not likely to jeopardize** the experimental, non-essential population of the Mexican gray wolf.

Additionally, a **no effect** determination was made for the Chiricahua leopard frog and its critical habitat, which does not require consultation or concurrence with U.S. Fish and Wildlife Service personnel. (EA pg. 57-66).

On April 29, 2019, section 7 informal consultation was initiated with the U.S. Fish and Wildlife Service, Arizona Ecological Services office for the Alma Mesa, Copperas and Lop Ear allotments. On May 7, 2019, the U.S. Fish and Wildlife Service issued a letter (Consultation # 02EAAZ00-2019-I-0513) concurring with the following determinations for the selected alternative: (PR 356).

- **may affect but not likely to adversely affect** Chiricahua leopard frog, Gila chub, loach minnow, Mexican spotted owl, narrow-headed gartersnake, southwestern willow flycatcher, spikedeace, and yellow-billed cuckoo.
- **may affect but not likely to adversely modify or destroy** proposed critical habitat for the narrow-headed gartersnake, if designated.
- Is **not likely to jeopardize** the experimental, non-essential population of the Mexican gray wolf.

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

The project was prepared consistent with the requirements of the National Environmental Policy Act and other relevant Federal and State laws and regulations. The selected alternative is in compliance with Federal, State, and local laws or requirements for the protection of the environment. (EA pg. 3-4).

Findings Required by Other Laws and Regulations

National Forest Management Act: This decision is consistent with forest plans for the Apache-Sitgreaves National Forests and the Gila National Forest. A consistency check with each forest plan was conducted by interdisciplinary team members and is available in the project record. (PR 2 and 202). The project was designed in conformance with land and resource management plan standards and incorporates appropriate forest plan guidelines for livestock grazing, wildlife, rangeland vegetation, cultural resources, and soil and watershed health.

The Wilderness Act: As described in Item 3 above, portions of the Blue Range Primitive Area, and approximately 58 acres of the Blue Range Wilderness occurs on the Alma Mesa allotment. Use of motorized and mechanized equipment within the Blue Range Primitive Area are included as part of the selected alternative. In accordance with direction, a minimum requirements analysis, using the minimum requirements decision guide, was conducted for the Alma Mesa allotment and approved on January 28, 2019. Further information is included in the “Recreation and Special Management Areas” report (PR 361) and minimum requirements analysis (PR 319) in the project record and the “Special Management Areas” section of the environmental assessment. (EA pg. 82-88). It is determined the selected alternative is in compliance with the Wilderness Act.

Endangered Species Act: See discussion under item 9 above.

Migratory Bird Act: As disclosed in the environmental assessment, Executive Order 13186 directs agencies to avoid measurable negative effects at the population level of migratory bird species, not the project level, unless a project would have measurable effects to a species’ entire population. No measurable negative effects are expected to migratory bird populations. (EA pg. 72-75).

Bald Eagle Protection Act: Possible impacts to bald eagle were considered and are disclosed in the “Sensitive Species” section of the environmental assessment. It was determined the selected alternative would not impact bald eagles and is not likely to cause a trend to Federal listing or loss of viability. (EA pg. 67).

National Historic Preservation Act: See above under items 8. Concurrence was received per consultation with the Arizona and New Mexico State Historic Preservation Offices. (PR 96, 188-197, 322, 323, and 328).

Executive Order 12898 (environmental justice): This decision does not impose disproportionately high adverse human health or environmental effects on minority or low-income populations. (EA pg. 94).

Clean Water Act: Arizona Department of Environmental Quality and New Mexico Environment Department personnel were provided with the opportunity to review the proposal. Mitigation and design features to protect water quality are included in the selected alternative. (EA pg. 13-30).

Multiple Use Sustained Yield Act: The selected alternative considers the multiple uses of the various renewable resources, will not impair land productivity, and is consistent with this law.

Sensitive species: Impacts to Southwestern Region sensitive species were considered as disclosed in the “Sensitive Species” section of the environmental assessment. The selected alternative is not likely to cause a trend to Federal listing or loss of viability of any sensitive species. (EA pg. 66-72).

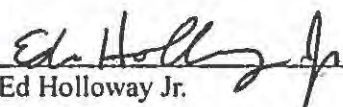
Implementation

Implementation of this decision may begin immediately pursuant to regulations at 36 CFR 218.

Copies of the Decision Notice

Copies of this Decision Notice and Finding of No Significant Impact are available online at <https://www.fs.usda.gov/project/?project=57226>. Other related documents are available online at <https://www.fs.usda.gov/project/?project=22466> and at the Clifton Ranger District, 397240 AZ Hwy 75, Duncan, AZ 85534.

Approved by:


Ed Holloway Jr.
District Ranger
Clifton Ranger District
Apache-Sitgreaves National Forests

November 21, 2019
Date

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