



United States Department of Agriculture

Angell Allotment

Finding of No Significant Impact & Decision Notice



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Angell Allotment

Decision Notice and Finding of No Significant Impact (FONSI)

USDA Forest Service
Coconino National Forest
Coconino County, Arizona

Background

This decision approves the reauthorization of livestock grazing under a Term Grazing Permit on the Angell Allotment, on the Flagstaff Ranger District, Coconino National Forest (abbreviated as Forest), which also administers and manages the allotment. The allotment boundary begins approximately 3 miles east of the City of Flagstaff and runs east to the Forest boundary (Figure 1). This allotment is located within all or portions of the following:

- T22N R10E Sections 4-9, 16-21 and 28-33;
- T21N R10E Sections 4-10 and 13-35;
- T20N R10E Sections 2-11;
- T22N R9E Sections 13, 14 and 20-36;
- T21N R9E Sections 1-5, 9-14 and 24

The Angell Allotment is approximately 51,700 acres and includes National Forest System (NFS) lands and private ownership. The Forest manages 51,584 acres with the remaining 116 acres managed by private land owners.

Grassland and juniper, which varies from open grassland to dense juniper, dominate the vegetation on the Angell Allotment at elevations ranging from 5,700 feet to 7,000 feet. Ponderosa pine exists in the northwest corner of the allotment and in canyons. There are three canyons running through the allotment: Walnut Canyon, Young's Canyon and San Francisco Wash. These canyons have diverse vegetation, however riparian vegetation is lacking due to naturally limited water availability.

The Angell Allotment is divided into 12 main grazing pastures, Appendix A-Figure 2, and several small livestock management pastures less than 100 acres, including water lots. The current season of use is May 15 through October 31. Current permitted livestock numbers are 425 head of cattle (cow/calf pair) or 2,375 Animal Unit Months (AUMs). Seasonal Utilization¹ levels (the amount of herbage removed or trampled during the grazing season) are managed at the light to

¹ The percentage of forage produced in the current season, to the date of the measurement that has been consumed or trampled by animals. It is a comparison of the amount of herbage left compared with the amount of herbage that has been produced to the date of the measurement. Seasonal utilization is measured at the end of a grazing period. Seasonal utilization differs from utilization because it does not account for subsequent growth of either the ungrazed or grazed plants. May also be referred to as "grazing intensity" or "relative utilization".

moderate level (21 to 50%). Utilization² levels, measured at the end of the growing season, are managed at the conservative level (35%) for herbaceous and non-riparian woody vegetation.

This decision is based on the final Angell Allotment Environmental Assessment (EA), which includes more detailed analysis of the potential effects on forest resources.

² The proportion or degree of current year's forage production by weight that is consumed or destroyed by animals (including insects). The term may refer either to a single plant species, a group of species, or the vegetation community as a whole. It is a comparison of the amount of herbage left compared with the amount of herbage produced during the year. Utilization is measured at the end of the growing season when the total annual production can be accounted for and the effects of grazing in the whole management unit can be assessed.

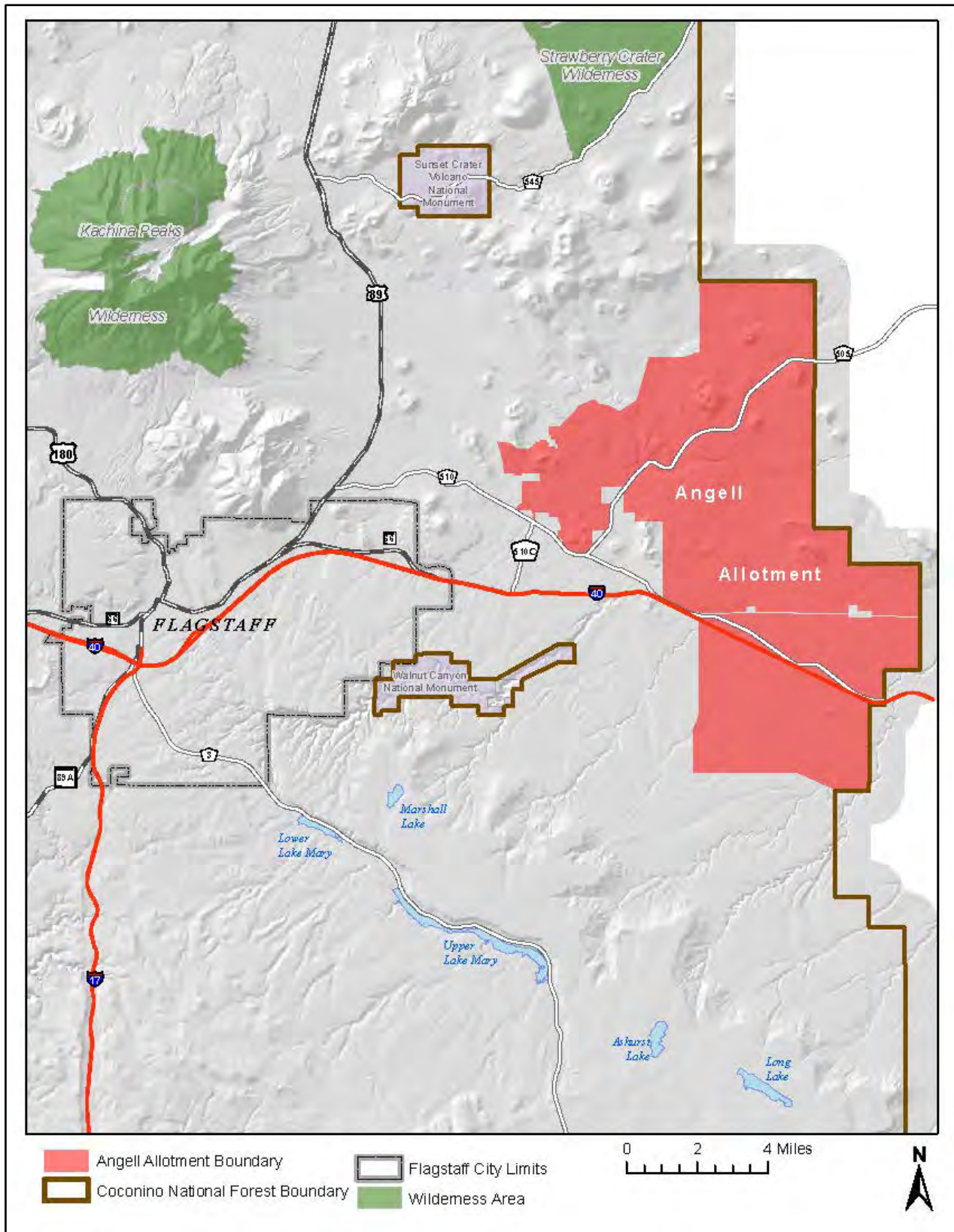


Figure 1. Location of the Angell Allotment on the Coconino National Forest.

Purpose and Need

The purpose of the EA and this decision is to authorize livestock grazing in a manner that maintains and/or moves the allotment toward desired conditions identified in the Coconino National Forest Plan (referred to as Forest Plan). Desired conditions include maintaining or improving vegetation and soil conditions and trends on the allotment (Table 7 page 24 of EA). The EA was completed as required by the Rescission Act of 1995 in order to ensure that livestock grazing is consistent with goals, objectives, standards and guidelines of the Forest Plan, as amended.

Decision

Based on my review of the Angell Allotment Environmental Assessment (EA), comments from the public, and input from the allotment permittee, I have decided to reauthorize grazing under a term grazing permit (TGP) on the Angell Allotment as described under Alternative 3, the Proposed Action, from here on, referred to as the selected alternative. My decision will allow livestock grazing to continue under a deferred rotational grazing system or a deferred rest-rotation grazing system, and includes conservative forage utilization guidelines. The selected alternative (page 39 of EA) consists of six components: authorization, drought management strategy, structural range improvements, monitoring, adaptive management, and resource protection measures.

Description of Approved Alternative

The selected alternative meets the purpose and need for the Angell Allotment because it would reauthorize livestock grazing in a manner that maintains and/or moves the area toward Forest Plan objectives and desired conditions. The selected alternative follows current guidance from Forest Service Handbook 2209.13, Chapter 90 (Grazing Permit Administration; Rangeland Management Decision Making). Relative to the decision framework outlined in the EA (page 2), the selected alternative reauthorizes livestock grazing on the allotment, will meet or move toward allotment objectives in an acceptable time frame, identifies range improvements and applies design criteria. Design criteria associated with the selected alternative include monitoring as well as resource protection measures (page 44 of EA). These resource protection measures were designed to avoid or minimize impacts to resources from cattle grazing and structural range improvement activities in the allotment. The EA and subsequent FONSI concluded that an Environmental Impact Statement (EIS) was not needed because there will be no significant impacts.

The selected alternative continues and expands the use of adaptive management by identifying specific scenarios and the possible management responses. The Forest has the option to use either a deferred rotation or deferred rest-rotation grazing system. These options will allow for management adjustments depending on conditions and monitoring data. In late spring and early summer a moderate seasonal utilization (21-50%) will be used, and in the late summer and early fall seasonal utilization would be managed at the conservative level (30-40%). Utilization levels for the Angell Allotment would be managed at the conservative level (30-40%). The actual grazing period within each pasture will depend on current growing conditions and the need to provide for plant recovery following grazing.

Research focused on southwestern rangeland identifies conservative grazing levels and deferred rotational grazing to be effective strategies for maintaining and improving productive rangelands with good range condition over the long-term (Galt et al. 2000). Annual Operating Instructions will be developed in the spring for the grazing period (generally June 1-November 15). Annual Operating Instructions could be modified later in the season in response to changing climatic conditions and/or monitoring results. Depending on allotment conditions, the grazing period may vary in length by approximately two – three weeks to adjust to variable climate and forage conditions.

Estimated allotment-level grazing capacity is described in Chapter 1 of the EA (pages 2-23). Capacity was assigned to fewer acres than what is identified as full capacity acres in the Forest Plan. Wildlife use is considered in determining the capacity of the allotment to support a stocking rate that is represented in the number of AUMs permitted under the selected alternative. The Rangeland Resource section in the EA (page 50-57) explains the overall process and assumptions for estimating acreage for Full Capacity lands and the rationale for determining the amount of acreage considered Full Capacity per the Forest Plan definition in more detail.

Authorization

The Coconino National Forest will continue to authorize livestock grazing for the Angell Allotment under the following terms:

- **Permitted livestock numbers** in the term grazing permit there would be a maximum of 2,350 AUMs which is the equivalent of 425 head of adult cattle for approximately five and a half months. This is a conservative AUM limit and is based on existing conditions (see Estimated Grazing Capacity for the Angell Allotment, pages 10 and 11 in EA).
- **Annual authorized livestock numbers** would be based on existing conditions, available water and forage, and predicted forage production for the year. Annual authorized livestock numbers would not exceed permitted numbers and therefore would always be between 0 and 2,350 AUMs. Adjustments to the annual authorized livestock numbers and AUMs (increase or decrease) may occur during the grazing year, based on conditions verified by range inspections, but would not exceed 2,350 AUMs.
- **The permitted season of use** would be June 1 through November 15. Depending on allotment conditions, the grazing periods may vary in length allowing livestock to enter the allotment as early as May 15 and/or remain on the allotment until November 31. An extended season of use would only be authorized if it has been determined through range inspections that soil, water and vegetation conditions are suitable. AUMs will not exceed 2,350 AUMs as permitted by the selected alternative.
- **Grazing Management:** Grazing would occur using a deferred rotation or a deferred rest-rotation management system, both of which would allow for plant growth and recovery. Having the option to use either the deferred rotation or deferred rest-rotation grazing system would allow the Forest to adjust management depending on monitoring and conditions. Generally pastures would be grazed only once during the grazing year. However, pasture re-entry may be needed to facilitate livestock movement on the allotment. Pastures would be grazed no more than once per year unless authorized by the Responsible Official when conditions warrant. Pasture re-entry would only be authorized if it has been determined through range inspections that soil, water and vegetation conditions are appropriate, and that utilization guidelines for the pasture would not be exceeded as a result of re-entry.
- **Utilization:** A management guideline of conservative use (30 to 40% forage utilization as measured at the end of the growing season) would be employed to maintain or improve

rangeland vegetation and long term soil productivity. Allowable use guidelines take into account the cumulative effects of wildlife and livestock.

- **Seasonal Utilization:** Seasonal utilization is defined as the amount of herbage removed through grazing or trampling during the grazing period. Seasonal utilization would be managed to allow for the physiological needs of plants. For the Angell Allotment, the Forest would manage for moderate seasonal utilization (21 to 50%) in late spring and early summer months when sufficient opportunity exists for plant regrowth. During the late summer and fall seasonal utilization would be managed at the conservative level (30 to 40%) when the potential for plant regrowth is limited.
- **Pasture Use Periods:** Pasture use periods would be variable based on current conditions.
- **Grazing Periods:** Actual grazing period within each pasture would depend on current growing conditions and the need to provide for plant recovery following grazing. The length of the grazing period within each pasture would also be dictated by the seasonal utilization guidelines.

Drought Management Strategy

Allotment management would be adjusted during drought conditions. Following FSH 2209.13, the Grazing Permit Administration Handbook guidance, combined with site-specific information, would be used to assess moisture conditions. Using the 12-Month Standardized Precipitation Index as a baseline and combining it with site-specific information from monitoring plots, a determination for drought would be made, and adaptive management alternatives would be evaluated.

Region 3 and the Forest's drought management policies identify numerous adaptive management actions for mitigating grazing effects during drought. The following management actions would be used on the Angell Allotment during periods of drought:

- Authorized AUMs (livestock numbers) may need to be reduced. Reductions may be necessary prior to the permitted season of use and/or during the permitted season of use.
- Season of use may need to be shortened. Depending on the severity of the drought and authorized AUMs, a reduced grazing season may be necessary.
- Pasture use periods may need to be shortened. Pastures would not be grazed twice during the same grazing season and this may ultimately result in an early exit from the allotment.
- Pastures may need complete rest from livestock use. How long a pasture, or pastures, would be rested depends on the severity of the drought.
- Utilization and/or seasonal utilization levels may need to be reduced. Depending on the severity of the drought and the authorized AUMs, reduced utilization and/or seasonal utilization levels would likely result in shortened pasture use periods and may ultimately result in an early exit from the allotment.
- Lack of livestock water, or poor distribution of livestock water, may result in reduced pasture/allotment use periods.
- Livestock use of planned rested pastures due to drought would not be authorized.

Any adaptive management actions necessary due to drought conditions would be made by the Responsible Official in consultation with the range specialist and the permittee.

Structural Range Improvements

Climate change may require land managers and users to be more flexible in the future. It is possible that as climate change continues there will be a need for additional waters on the Angell Allotment to help improve livestock distribution and management on the allotment. Through the construction of pipelines, troughs and water lots, the grazing permittee will be better able to implement adaptive management on the Angell Allotment. Under the selected alternative the following four groups of structural range improvements would be altered or constructed (EA, Appendix C, Figures 5-7) , all proposed structural range improvements would help improve livestock distribution, allotment management and increase adaptive management options:

- A new water pipeline and trough will be constructed in the southwestern portion of the Cocrane pasture and the southeastern portion of Cinder Hill pasture. The pipeline will run along the pasture fence between Cocrane pasture and Luepp Road. The new pipeline and trough will create new livestock watering locations for both Cocrane and Cinder Hill pastures. The source for this new pipeline and trough is the existing pipeline in the Cocrane pasture and the initial project plan is to construct the new pipeline as an above ground pipeline.
- Two new water pipelines will be constructed in South Angell pasture with troughs located at the terminal end of the pipelines. The source for these new pipelines is the existing pipeline in the South Angell pasture and the initial project plan is to construct the new pipelines as above ground pipelines.
- The existing water lot currently servicing Crip and Cinder Hill pastures would be expanded to also service the O'Neil pasture. The expansion of this water lot would allow for better livestock distribution and improved livestock management within the O'Neil pasture by providing an additional water source.
- A water lot would be constructed in the southeast corner of Cinder Hill pasture that would also be accessible from Cocrane pasture. This water lot would be constructed around the trough proposed in #1 above. The construction of this water lot would allow for better livestock distribution and improved livestock management in Cinder Hill and Cocrane pastures.

All existing structural range improvements are listed in the term grazing permit. The new structural range improvements, listed above, would be added to the term grazing permit as they are constructed. Maintenance responsibility for each structural range improvement is also listed in the term grazing permit. In general, maintenance responsibility will fall to the holder of the term grazing permit. Prior to construction of any of the proposed structural range improvements, National Historic Preservation Act (NHPA) Section 106 compliance must be completed, including avoidance of all cultural resource sites eligible for the National Register of Historic Places. All range improvements would follow site-specific construction guidelines. The Forest Service uses Forest Plan direction, Forest Service Manual 2200 Chapter 2240 and additional outside resources to identify specific guidelines for each project. Some of the sources include:

- Sanderson, H. Reed; Quigley, Thomas M.; Swan, Emery E.; Spink, Louis R.1990. Specifications for structural range improvements. Gen. Tech. Rep. PNWGTR-250. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 120 p.
- USDA Forest Service, USDI Bureau of Land Management. 1999. Fences. 210 pp.

- AZGFD. 2011. Wildlife Compatible Fencing. Arizona Game and Fish Department, Phoenix, AZ. 34 pp.

Monitoring

Two types of monitoring would be used: implementation and effectiveness monitoring. Implementation monitoring would be conducted on an annual basis and would include: permit compliance, collection of livestock actual use data, seasonal utilization evaluations during the grazing season (within key areas), assessments of forage production, ground cover, and precipitation monitoring.

Utilization monitoring would occur at the end of the growing season within each of the main grazing pastures. Utilization is measured at the end of the growing season when the total annual production can be accounted for and the effects of grazing in the whole management unit can be assessed.

Utilization measurements would be taken in key areas which reflect grazing effects within an entire pasture, as based on the definition in the Forest Plan and the Rangeland Analysis and Training Guide. A minimum of one key area would be established within each main grazing pasture, at existing long-term monitoring sites if possible, to represent overall pasture utilization. Utilization guidelines are not intended as inflexible limits. Utilization measurements can indicate the need for management changes prior to this need being identified through long-term monitoring. Utilization data would not be used alone. Instead, actual use (reporting of the number of AUMs grazed) along with climate and condition/trend data would be used to determine authorized AUMs and pasture rotations for future years.

Effectiveness monitoring to evaluate the success of management in achieving the desired objectives would occur within key areas on permanent transects at an interval of approximately 10 years. Effectiveness monitoring may also be conducted if data and observations from implementation monitoring indicate a need. Monitoring frequency of vegetation and soil condition and trend would be accomplished collaboratively by Forest Service personnel, permittee, and cooperating agencies as funding, personnel, and time are available. Both qualitative and quantitative monitoring methods would be used in accordance with the Interagency Technical References, Region 3 Rangeland Analysis and Management Training Guide, and the Region 3 Allotment Analysis Handbook. Soil assessments would also be performed on the allotment in coordination with the soil and range programs.

Adaptive Management

The selected alternative includes adaptive management, which provides a menu of management options that may be needed to adjust management decisions and actions to meet desired conditions as determined through monitoring. If monitoring indicates that desired conditions are not being achieved, management would be modified in coordination with the permittee. Adaptive management allows the Forest Service to adjust the following: the timing, intensity, frequency and duration of grazing; the grazing management system and livestock numbers. If adjustments are needed, they are implemented through the Annual Operating Instructions, which may be amended throughout the grazing season.

Table 1, below, identifies several examples of management evaluation points and management options to describe scenarios when adaptive management would be used as part of implementation. This is not an all-inclusive list.

Table 1. Management Evaluation Points and Adaptive Management Options.

Management Evaluation Point The "If" Statement	Adaptive Management Response Options The "Then" Statement
If existing and predicted forage production falls below average because of climatic conditions,	Authorized livestock numbers may be reduced, the grazing season may be adjusted, pasture use period may be adjusted or any combination of these options.
If available water is below average,	Authorized livestock numbers may be reduced, the grazing season may be adjusted, pasture use period may be adjusted, water hauling for livestock use may be required or any combination of these options.
If grazing utilization is in compliance with the up to 40% guideline,	Continue current management system.
If grazing utilization is NOT in compliance with the up to 40% guideline,	The strategy for that pasture the following year may be either be to rest it, graze it at lighter intensity, or shorten the use period. The season of use or timing of grazing the next year may be changed. The permittee would be required to implement additional strategies to more evenly distribute forage use such as use of salt blocks.
If seasonal utilization is NOT in compliance with the up to 50% guideline,	Livestock might leave that pasture early. The strategy for that pasture the following year may be to rest it, graze it at lighter intensity, or shorten the use period. The season of use or timing of grazing the next year may be changed. The permittee would be required to distribute livestock use better.
If wildfires and/or prescribed burning occur in pastures.	Based on the severity and extent of the fire and the condition of the vegetation afterwards, resting or deferrment of pastures may be considered.

Resource Protection Measures

The selected alternative is designed to comply with Forest Plan standards and guidelines, as amended. Best management practices (BMPs) would be implemented to prevent the introduction

and spread of invasive plants, to retain water in earthen stock ponds and troughs for wildlife, to protect heritage resources, and to protect public health and safety during project implementation. Resource protection measures are design features that would be incorporated into the project to protect soil, water, scenery values, cultural resources, wildlife and aquatic habitat, and rare plants in addition to the above BMPs. Specific design features include but are not limited to the following:

- Prevention measures from the State of Arizona Aquatic Invasive Species Management Plan (AZGFD 2011(a)) would be required to avoid spreading aquatic invasive nuisance species and pathogens during tank cleaning activities.
- At least 60 days prior to the start of maintenance of earthen stock tanks, the permittee would be required to contact the Flagstaff Ranger District so biological and heritage surveys could be completed, if needed, and mitigation measures for the protection of aquatic species could be implemented.
- Salt or mineral supplement locations should be rotated annually and avoid areas where livestock concentrations could cause excessive vegetation trampling, soil loss or disturbance to sensitive species or habitats. Salt and mineral supplements should not be placed closer than ¼ mile from a water source.
- Management practices which tend to concentrate livestock (and most likely wild ungulates), such as placement of salt or water troughs, will be located away from known cultural resources.
- Any construction of new fences or reconstruction of existing fences would be done in accordance with specifications developed to facilitate wildlife passage.
- Project work on structural range improvements and/or new construction of structural range improvements would be carried out when soils are dry enough to support heavy equipment, if needed, without creating compaction or ruts.
- Implement grazing BMPs in alignment with Arizona Administrative Code R18-9-501. Grazing management and mitigation practices which could be considered for these allotments are described in the National Management Measures to Control Nonpoint Source Pollution from Agriculture published by EPA in 2003. This publication can be downloaded at <http://www.epa.gov/owow/nps/agmm/index.html>.
- Spread of potential and existing noxious or invasive weeds by heavy equipment used in the maintenance or construction of structural range improvements will be prevented by cleaning the heavy equipment before entering the area and by avoiding weed infestations during travel. Noxious or invasive weed populations that may occur in areas of proposed structural improvements will be identified and treated.
- Incorporate the BMPs for noxious or invasive weeds as listed in Appendix B of the 2005 Final Environmental Impact Statement for Integrated Treatment of Noxious or Invasive Weeds into all management actions.
- Water will be left in troughs when cattle leave the pastures per Forest Plan direction.
- All new and existing open storage tanks and drinkers would be fitted with entry and escape ramps for wildlife. These ramps would be built to current Bat Conservation International specifications and installation would be coordinated with both the range and wildlife staff.
- Monitoring/site inspections within the grazing allotment will continue as a part of the day to day activities of Forest archaeologists.

- Any ground disturbing range developments within the allotment will comply with the existing Region 3 Programmatic Agreement with the Arizona State Historic Preservation Officer, dated December 24, 2003, and shall constitute an undertaking for Section 106 compliance.
- Prior to ground-disturbing activities, archaeological sites will be identified and marked for avoidance. If previously unrecorded cultural resources are encountered during ground-disturbing activities, all work must cease in the immediate vicinity of the discovery and steps would be taken to secure the site. Work should not resume until the District or Forest archaeologist have been notified and have determined an appropriate course of action.

Public Involvement

The Forest Service consulted individuals, entities, tribes, and other Federal, State and local agencies during the development of the EA. A list of those who were sent the preliminary EA, but did not provide comments or feedback, can be found in the project record. The project proposal was listed in the quarterly published and online versions of the Schedule of Proposed Actions (SOPA) since February of 2014.

The selected alternative was developed internally with the help of the permittee, and based on public comments. Consultation letters were sent to the Hualapai Tribe, the Navajo Nation, the Yavapai-Apache Nation, the Hopi Cultural Preservation Office and the Pueblo of Zuni.

As part of the public involvement process, a 30-day combined scoping/comment period on the preliminary EA was initiated with a legal notice published in the Arizona Daily Sun on September 27, 2014, and ended on October 29, 2014. Twenty nine comment letters including two from the permittee, one from the Hopi Cultural Preservation Office and one from the Navajo Nation Historic Preservation Office were received during this timeframe. The permittee was kept informed of the project through meetings and phone calls during the analysis period. Concerns and issues from public comment letters and permittee input were used to develop several elements of the selected alternative.

Overall comments were concerned with economics, climate change and drought, pronghorn habitat, Forest Plan consistency, cumulative effects and heritage. Concerns raised during the comment period are summarized in the Response to Comments document included in the project record. Copies of comments are also included in the project record.

Of the twenty nine comment letters received twenty four were in support of the selected alternative, three expressed concerns with the selected alternative, and two comment letters aimed to inform the Forest of regulations and additional activities within allotment boundaries. All comments were addressed in the Response to Comments document and in changes to the analysis from the preliminary EA to the final EA. Comments expressing concerns with the selected alternative were addressed by either referring the author of the comment to specific pages of the EA or clarifying EA language in the Response to Comments document and/or final EA. None of the comments received identified new issues that required analysis of an additional alternative.

There were no public meetings held. Chapter 4 of the EA lists agencies and people consulted.

Decision Rationale

After review of the EA and the Response to Comments, I have determined that Alternative 3-Proposed Action best meets the purpose and need from the Angell Allotment. Alternative 3 is the selected alternative because it will reauthorizing grazing in a manner that: (1) is consistent with applicable laws, orders, standards, practices, and guidance, including the Forest Plan, and (2) protects environmental resources to the greatest extent practicable. This decision facilitates proactive adaptive management procedures to protect resources and thus will move the allotment toward greater consistency with applicable standards and guidelines. The selected alternative includes a number of resource protection measures that will minimize Forest resource impacts to the extent practicable by limiting the timing, intensity, or location of activities, and identifying site-specific adaptive management scenarios. My decision is based on consideration of the best available science.

Alternative 3 was chosen because it meets the purpose and need, addresses important resource issues identified internally, by the grazing permittee, and during the comment period; and represents the best balance of social, economic, and environmental interests as identified through laws and regulations for livestock management and resource protection. For example, Alternative 3 includes the following advantages not included in the other alternatives:

- The structural range improvements will provide additional water sources that are expected to result in a greater capacity to address the effects of climate change such as a more variable climate and possible severe or more frequent droughts. By having more water available, livestock are more likely to graze in a more distributed pattern across the allotment, and will have access to more upland forage resources, thus resulting in less concentrated use across the allotment.
- The structural range improvements will provide additional water sources that are expected to provide wildlife greater capacity to maintain populations during severe or frequent droughts that may occur as a result of climate change.
- The selected alternative is expected to result in improvement of 242 acres of pronghorn antelope habitat.
- The selected alternative would result in additional costs, but maintain employment and benefits of livestock grazing to the local economy. Combined with increased flexibility to address periods of severe or frequent drought resulting from climate change, this would result in a more sustainable livestock grazing operation over the length of the term grazing permit.

Alternative 1-No Action does not reauthorize cattle grazing and would not meet the purpose and need. Alternative 1 would result in decreased water sources for wildlife, and would limit improvement potential for vegetative diversity and density. Alternative 2-Current Management was not chosen because it would limit adaptive management options compared to the selected alternative.

Alternatives Considered

Alternatives were assessed for their ability to reasonably respond to the purpose and need for action. This section describes, compares, and provides the rational for each alternative identified and considered for the Angell Allotment. This section defines the differences between each alternative, demonstrating the basis for choice that was provided to the decision maker and the

public during the National Environmental Policy Act (NEPA) process. Alternatives are primarily compared based on design and effects to environmental, social and economic factors.

Alternative 1: No Action Alternative

In this case, the No Action Alternative would mean that no livestock grazing would be permitted and a term grazing permit would not be issued (FSH 2209.13, Ch. 90). Under this alternative range improvements would not be maintained, and no new range improvements would be constructed. Coordination with adjacent permittees and other agencies would be necessary to determine, through additional analysis, whether to remove or maintain these features. Selection of Alternative 1 at this time would not prevent the authorization of livestock grazing on this allotment at a later date.

Alternative 2: Current Management Alternative

Alternative 2 is similar to the selected alternative, with the exception that Alternative 2 does not include the construction of new range improvements. Under Alternative 2, current management of the Angell Allotment would continue under current utilization and seasonal utilization rates. No new range improvements would be constructed including fence construction, pipeline construction, or addition of troughs. All monitoring specifications, design features, and mitigation measures for the selected alternative apply to Alternative 2. Alternative 2 was not chosen primarily because the selected alternative allowed for more adaptive management options which will allow the Forest to better manage the allotment for static or upward vegetation trends through improved flexibility for livestock management.

Required by Other Laws or Regulations

The planning and decision making process for this EA was conducted in accordance with all applicable laws, regulations, policies and plans. This section briefly describes my findings regarding the legal requirements most relevant to this decision.

If golden eagle nests are identified in the allotment area, seasonal restrictions on structural range improvements will be implemented, where applicable, according to current U.S. Fish and Wildlife Service (USFWS) guidelines to comply with the **Bald and Golden Eagle Protection Act**. Alternative 3 will not result in take of golden eagles as defined under this Act.

The **Endangered Species Act** (ESA) (16 USC 1531 et seq.) requires that any action authorized by a Federal agency does not jeopardize the continued existence of a threatened or endangered species, or result in the destruction or adverse modification of the critical habitat of such species. Based on the November 10th, 2014 USFWS letter of concurrence on the Coconino National Forest's Threatened, Endangered, Proposed and Candidate Species List, the evaluation of potential effects on black-footed ferrets and suitable habitat is not necessary at the project level since no ferret populations are currently known to occur on the Forest. No additional endangered, threatened, proposed, or candidate species or proposed and designated habitat occurs on the Angell Allotment. Based on this information, Section 7 consultation with USFWS was not conducted.

The selected alternative is consistent with the **Clean Air Act** because it is not anticipated to cause disproportionate adverse human health or environmental effects related to air quality. Any air quality impacts as a result of implementing this decision are not expected to exceed the Federal and State ambient air quality standards because impacts will be minimal, local and will

not cause regional changes to air quality. The ADEQ Air Quality Division concurred that the reissuance of a new grazing permit will not have an impact on air quality.

Executive Order 13186 (Migratory Birds) requires that an analysis be made of the effects of Forest Service actions on Bird Species of Concern listed by Partners in Flight (PIF), important bird areas (IBA) identified by PIF, and important over-wintering areas. The wildlife specialist analyzed the effects of allotment activities on migratory bird species and found that the selected alternative could potentially result in unintentional take of individuals, but would not lead to a decline in migratory bird populations.

Where consistent with other multiple use goals and objectives, the **Multiple Use Sustained Yield Act of 1960, Forest and Rangeland Renewable Resources Planning Act of 1974, Federal Land Policy and Management Act of 1976** declares a Congressional intent to allow grazing on suitable lands. All areas approved for grazing in this decision are identified as suitable lands under the Forest Plan (1987).

The selected alternative complies with the **National Forest Management Act (1976), 36 CFR 219 Regulations**, and the Forest Plan, as amended. The EA incorporates all applicable forest-wide standards and guidelines and management area direction as they apply to the allotment area. This EA is also in compliance with Forest Plan, as amended, goals and objectives. All required interagency review and coordination has been accomplished.

Archeological Resources Protection Act; American Indian Religious Freedom Act; Executive Order 11593 (Cultural Resources), and **Section 106 of the National Historic Preservation Act (NHPA)** requires Federal agencies to consider the potential effects of an agency decision on historic, architectural, or archaeological resources that are eligible for inclusion on the National Register of Historic Places (NRHP) and to afford the President's Advisory Council on Historic Preservation an opportunity to comment. Potential impacts to archaeological and historic resources have been evaluated in compliance with Section 106 of the NHPA. Based on the resource protection measures the selected alternative will have no adverse effect on cultural properties and values. The Arizona State Historic Preservation Office (SHPO) has been consulted and concurred with the determination of no adverse effect on May 5, 2014. In addition, implementation of the selected alternative will not affect tribal access to Federal lands within the allotment area.

The **Range Recessions Act (1995)** required National Forests to develop a schedule by which they would complete NEPA analyses on allotments. This is also known as the Burns Amendment. Completing NEPA analysis for the reauthorization of the term grazing permit on the Angell Allotment ensures compliance with the Burns Amendment.

Finding of No Significant Impact (FONSI)

After considering the environmental effects described in the EA, I have determined that the actions described in the selected alternative will not have a significant effect on the quality of the human, biological, or physical environment, considering the intensity or severity of impacts within the context of the allotment. Therefore, an Environmental Impact Statement is not required. Livestock grazing is a routine activity that has been occurring on the Coconino National Forest and in the allotment area for over 100 years; the effects of grazing are well known. As required by NEPA, I evaluated the selected alternative in both its context and

intensity. The following is my rationale for reaching a FONSI determination after considering the factors required for significance of intensity determinations under 40 CFR 1508.27:

Context

I have determined that the selected alternative is limited in context. The Forest is 1.8 million acres. The activities described in the selected alternative would be confined to approximately 51,580 acres of a single allotment on the Forest, or a little less than 3% of the Forest's land base. Furthermore, the portion of the Forest where this allotment occurs includes very little recreational use, no natural water or wetland features, and few wildlife concerns. The effects from this project will primarily be localized to the Angell Allotment.

Intensity

My decision to reauthorize grazing in the Angell Allotment is a site-specific action that by itself does not make international, national, regional or statewide decisions. The scope of the selected alternative is specific to the allotment area. The following discussion is organized around the ten intensity factors described in the NEPA regulations (40 CFR 1508.27) as they pertain to the context of the Angell Allotment under the selected alternative:

1. Neither beneficial nor adverse effects are significant.

Direct, indirect and cumulative effects of the allotment activities on various resources are disclosed and discussed in Chapter 3 of the EA (pages 50-106) and the associated project record.

Grazing has occurred on this allotment for over 100 years, and this decision authorizes livestock grazing with lower AUMs and utilization levels compared to historical levels. This decision is based on monitoring and adaptive management practices that have illustrated the ability to manage grazing at sustainable levels. With proper management, livestock grazing will not result in a decline in soil conditions, forage, wildlife or other resources on the allotment. Although there are some potential effects to resources as described in the EA (pages 50-106) they are not expected to be significant.

2. There will be no significant effects on public health and safety.

The selected alternative is not expected to affect public health and safety because no long-term public safety problems are anticipated from implementing the selected alternative. No broad public health or safety issues were raised during the scoping or analysis processes, and no unusual actions are proposed that might lead to issues within the project boundary.

3. There will be no significant effects on the unique characteristics of the area, such as historic or cultural resources, designated park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas (research natural areas).

The selected alternative will not cause any loss or destruction of historic resources, cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas. There are no designated park lands or prime farmlands in the Angell Allotment. Historic and cultural resources are numerous on the Forest and present

within the allotment area, and this decision will result in no adverse effects to historic and cultural resources identified on the allotment (pages 98-101 of EA). The Arizona State Historic Preservation Office concurred with the Forest's assessment (page 99 of EA). There are no wetlands, wild and scenic rivers or ecologically critical areas on the allotment (page 21 of EA). The selected alternative will not cause effects to the unique characteristics of the area. While the allotment does include a high number of cultural resource sites, the Forest has concluded there would be no adverse effects to any sites eligible to the National Register of Historic Places based on specific study of the effects of livestock grazing on the Angell Allotment over the last several years.

4. The effects on the quality of the human environment are not likely to be highly controversial.

The effects of implementing this proposal on the quality of the human environment are not likely to be highly controversial. Expected environmental effects were analyzed and disclosed in Chapter 3 of the EA (pages 50-106). This analysis represents the judgment and expertise of natural resource management professionals. Though some members of the public are opposed to livestock grazing on public lands, and others view the Forest Service's management of that use as too restrictive, this action is not highly controversial within the scientific context of the National Environmental Policy Act (NEPA).

Furthermore, there is little controversy on this specific proposal as to the effects on the quality of the human environment. Research regarding grazing in the southwest and on the Forest has repeatedly shown that incorporating appropriate management practices while grazing livestock can minimize or avoid impacts to other resources including, but not limited to, water quality, wildlife, soils and cultural resources.

5. The degree of possible effects on the human environment is not highly uncertain, nor are there unique or unknown risks involved.

The effects of the selected alternative on the human environment are not highly uncertain, nor do they involve unique or unknown risks. The effects of livestock grazing are well known. Furthermore, current livestock AUMs and utilization levels are lower than in the previous century, thus the effects of grazing are expected to be well within the range of impacts observed in the past. The effects described in the EA (pages 50-106) represent the judgment of experienced natural resource management professionals using the best available scientific and commercial information.

6. The action is not likely to establish a precedent for future actions with significant effects.

The selected alternative is not precedent-setting, livestock grazing is a routine activity and has occurred on this allotment for over 100 years and does not represent a precedent for land use. Furthermore, current livestock AUMs and utilization levels are lower than in the previous century, thus the effects are expected to be well within the range of impacts observed in the past. Incorporation of the principles of adaptive management is not new, but this decision provides for a clearer, scenario-based management program for addressing climate variability and other potential resource conditions on the allotment. This decision does not represent a decision in principle about a future consideration. Any future actions not authorized by this decision will be evaluated through the NEPA process with opportunities for public comment and administrative review.

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

The cumulative impacts to different resource areas are discussed and disclosed in Chapter 3 of the EA (pages 50-106). None of the effects are determined to be cumulatively significant. This decision will allow for a more effective, efficient and beneficial management of the allotment. While this decision may include impacts to some resources, these impacts are not expected to result in a cumulatively significant impact due to the resource protection measures and the approved adaptive management framework (pages 43-44).

8. The action 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.

Historic and prehistoric resources are numerous on the Coconino National Forest and occur within the allotment area, but known cultural resource concerns from grazing in the Angell Allotment are limited. The selected alternative will not have an adverse effect on significant scientific, cultural or historic resources. The Arizona State Historical Preservation Office concurred with the Forest's assessment that the selected alternative will not adversely affect districts, sites, highways, structures, or objects listed in, or eligible for listing in the National Register of Historic Places. This concurrence is documented in the project record.

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 Flagstaff Ranger District's wildlife specialist investigated the potential effects of the selected alternative to endangered, threatened, proposed, and candidate species and proposed and designated habitat (page 71-96). While suitable habitat for black-footed ferrets exists on the Angell Allotment, USFWS direction (11/10/14) does not require the analysis of potential effects to ferrets at the project level since this species is not currently known to occur on the Forest. The USFWS direction can be found in the project record. No additional endangered, threatened, proposed, or candidate species or proposed or designated habitat occurs on the allotment (page 71). This decision is not expected to result in impacts to any endangered, threatened, proposed, or candidate species or proposed or designated critical habitat.

10. The action will not violate any Federal, State, or local law or requirement imposed for the protection of the environment.

The selected alternative is consistent with applicable Federal, State, and local laws for protecting the environment. The selected alternative fully complies with all standards and guidelines in the Forest Plan (Appendix G of EA). More information on relevant laws and regulations are discussed in the "Required by Other Laws and Regulations" section of this notice.

Forest Plan Consistency

My decision on this project is based on a review of the record that shows consideration of relevant scientific information, best available science, including responsible opposing views, and as appropriate, the acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk. My decision implements the Coconino National Forest Plan, as amended.

On November 7 2015, the Forest signed a Programmatic Forest Plan Amendment for Cultural Resources Protection Standards and Guidelines Categorical Exclusion (CE). This decision removed language which conflicts with standard practices used to meet the requirements of the NHPA. As a result, this decision is now in full compliance with the language in the Forest Plan and NHPA. For more details regarding this CE, see Appendix C or visit the Project's website: <http://www.fs.usda.gov/project/?project=47505>

As required by NFMA Section 1604(i), I find this project to be consistent with the Forest Plan (EA, Appendix G).

Pre-decisional Administrative Review Process (Objection Process)

The EA and the draft Decision Notice and Finding of No Significant Impacts (FONSI) were subject to review and objection pursuant to 36 CFR 218 regulations. Two objections were received: one focused on impacts to pronghorn, and the other primarily involved concerns with impacts to cultural resources. Four individual issues were identified in the two objections and each was considered in the review. The review focused on ensuring that the EA and decision meet current NEPA and NFMA requirements and determining whether changes were warranted to improve the analysis and decision.

Objection issues included impacts to pronghorn, pronghorn viability on the Forest, impacts to cultural resources, and Forest Plan consistency as it relates to specific language in the Forest Plan for the protection of cultural resources. See the project record for documentation of the objections process.

The IDT met with the reviewing official and were upheld on all issues with the exception of the consistency with the decision with specific language for cultural resource protection in the Forest Plan. The reviewing official instructed the IDT to prepare additional documentation to clarify how the project meets Forest Plan management direction in relation to cultural properties. This need was met through the Programmatic Forest Plan Amendment for Cultural Resources Protection Standard and Guideline CE, which removed conflicting language in the Forest Plan regarding the "No Effect" determination for cultural resources, as explained above and in Appendix C.

The reviewing officer responded to all the objectors in writing. This decision fully incorporates the instructions from the reviewing officer to document these modifications and clarifications to this decision, the EA, and supporting documents in an appendix to this Decision Notice and FONSI (see Appendix C).

Conclusion

On the basis of the information and analysis contained in the EA and all other information available as summarized above, it is my determination that adoption of the management direction reflected in my decision does not result in significant impacts.

Contact Person

Additional information regarding the Angell Allotment can be obtained from Jessica Richardson, NEPA Coordinator, Flagstaff Ranger District, Coconino National Forest by mail at N. Highway 89, Flagstaff AZ 86004, by phone: (928)527-8219, or via email at jessicalrichardson@fs.fed.us

Responsible Official's Decision

Through my signature, I am making the decision to implement Alternative 3, the Proposed Action, as described in the Environmental Assessment for the Angell Allotment and summarized in this Decision Notice.

Date: _____

DEBRA L. MOLLET
Deputy District Ranger
Flagstaff Ranger District
Coconino National Forest

References

- Arizona Game and Fish Department (AZGFD). 2011(a). State of Arizona Aquatic Invasive Species Management Plan, Arizona Game and fish Department, Phoenix, AZ. September 2011.
- AZGFD. 2011(b). Wildlife Compatible Fencing. Phoenix, Arizona.
- Galt, D., F. Molinar, J. Navarro, J. Joseph, and J. Holecheck. 2000. Grazing Capacity and Stocking Rate. *Rangelands*. 22(6):6-11.
- Sanderson, H. Reed; Quigley, Thomas M.; Swan, Emery E.; Spink, Louis R.1990. Specifications for structural range improvements. Gen. Tech. Rep. PNWGTR-250. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 120 p.
- USDA, Forest Service Handbook 2209.13, Chapter 90 (Grazing Permit Administration; Rangeland Management Decision making).
- USDA Forest Service, USDI Bureau of Land Management. 1999. Fences. 210 pp.

Appendix A: Grazing Allotment Map

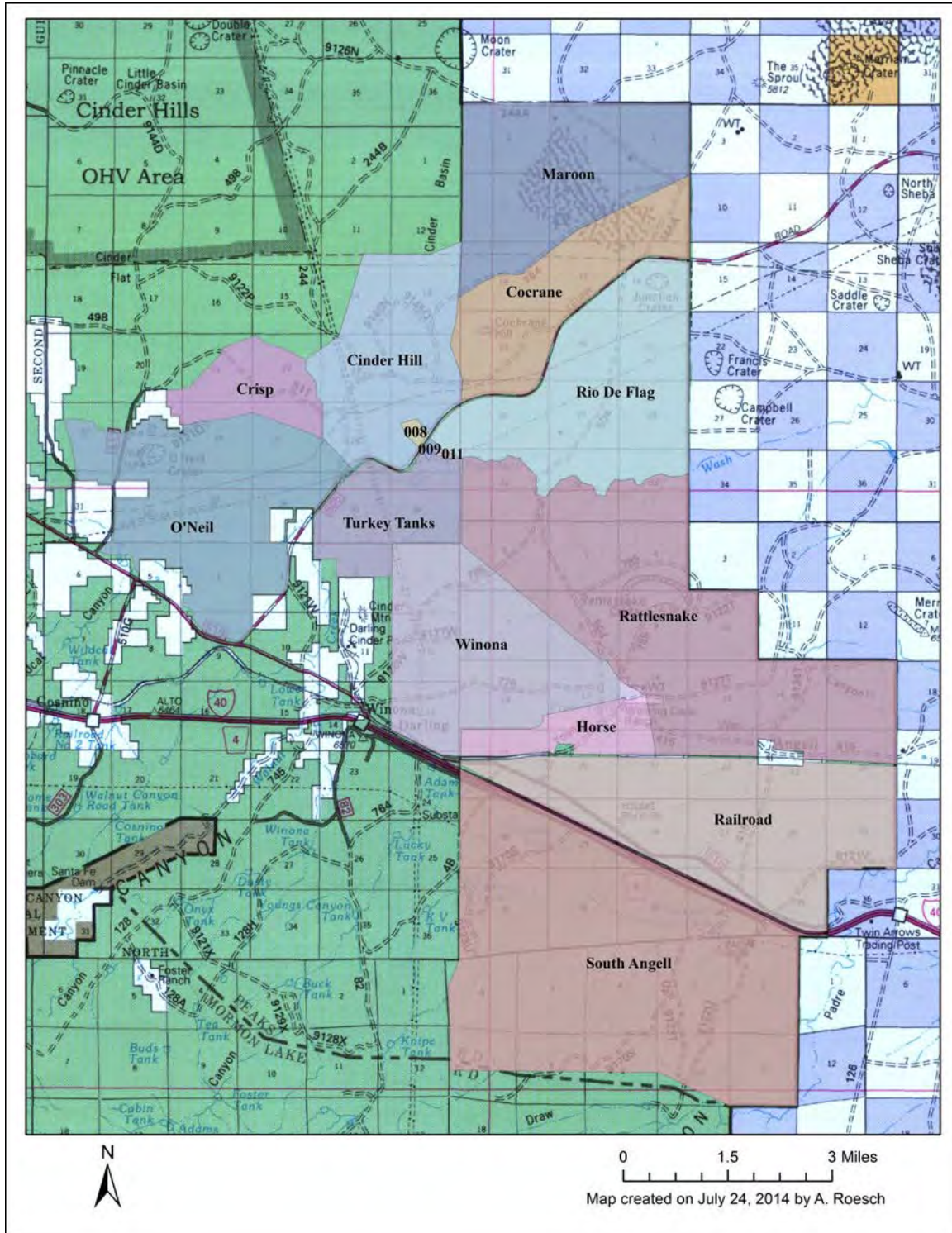


Figure 2. Map of pastures within the Angell Allotment.

Appendix B: Objection Resolution Letter

Center for Biologic Diversity Letter



United States
Department of
Agriculture

Forest
Service

Coconino National Forest
Supervisor's Office

1824 South Thompson Street
Flagstaff, AZ 86001
928-527-3600
FAX: 928-527-3620

File Code: 1570; 2230
Date: July 10, 2015

Katherine Davis
Center for Biological Diversity
PO Box 70
Tucson, AZ 85702-0710

Dear Ms. Davis,

This letter is in response to the objections filed on the Angell Allotment Environmental Assessment (EA), Finding of No Significant Impact (FONSI), and Draft Decision Notice (DN) released by District Ranger Mike Elson (Responsible Official), Flagstaff Ranger District, Coconino National Forest. We have read the objections and reviewed the project record and EA, including the environmental effects. My review of the objections was conducted in accordance with the administrative review procedures found at 36 CFR 218, Subparts A and B.

PROJECT OVERVIEW

Under the selected alternative (Alternative 3, Proposed Action), a term grazing permit will reauthorize up to a maximum of 2,350 animal unit months (AUMs) which is the equivalent of 425 head of cattle for approximately five and a half months. The selected alternative continues and expands the use of adaptive management by identifying specific scenarios and the possible management responses. The Forest has the option to use either a deferred rotation or deferred rest-rotation grazing system. These options will allow for management adjustments depending on conditions and monitoring data. In late spring and early summer a moderate seasonal utilization (21-50%) will be used, and in the late summer and early fall seasonal utilization would be managed at the conservative level (30-40%). Utilization levels for the Angell Allotment would be managed at the conservative level (30-40%). The actual grazing period within each pasture will depend on current growing conditions and the need to provide for plant recovery following grazing.

The selected alternative also includes the construction of pipelines, troughs, and water lots that would help improve livestock distribution, allotment management and increase adaptive management options.

ADMINISTRATIVE REVIEW PROCESS

The legal notice for the objection filing period was published on April 3, 2015. Timely objections were received from the following eligible groups:

- Katherine Davis, Center for Biological Diversity #15-03-04-0001-O218
- Erik Ryberg, Western Watersheds Project #15-03-04-0002-O218



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The regulations at 36 CFR 218 provide for a pre-decisional administrative review process in which the objector provides sufficient narrative description of the project, specific issues related to the project, and suggested remedies that would resolve the objection (36 CFR 218.8). The regulations also allow for parties to meet in order to resolve issues. The record indicates that both objectors were sent an email on May 21, 2015 inviting them to meet with the Forest Supervisor and District Ranger to discuss their objections. Both objectors declined to meet.

The Responsible Official and I have reviewed the project in light of the issues presented in the objections. A discussion of the issues follows.

ISSUE REVIEW – CENTER FOR BIOLOGICAL DIVERSITY (CBD)

Issue 1: The draft decision violates the National Environmental Policy Act (NEPA).

Contention 1a: Ms. Davis contends the Forest Service fails to provide a rational basis for the pronghorn effects determination. The EA and project record contain no evidence or information to support the claims that “the overall effects of the proposal are not expected to result in a change in forest-wide pronghorn antelope population trends.” No information linking moderate or conservative grazing levels to sufficient pronghorn forage is presented to back up the Forest Service’s conclusion that “this level of management would maintain sufficient herbaceous forage for pronghorn.” Ms. Davis contends the Forest Service’s conclusion that the project will have minimal impact to grassland habitat and maintain viability of pronghorn is arbitrary and capricious since it relies not on facts, but merely on assertions lacking factual support [Objection, pp. 1-2].

Response: Pronghorn is analyzed as part of the EA because it is identified in the Coconino Land Management Plan (LMP) as a management indicator species (MIS) for early and late seral grasslands. As an MIS, the standard of review is set by case law in the 9th Circuit Court of Appeals. Specifically, the Forest can analyze effects to habitat as a proxy for the species as long as a relationship between habitats and populations is established. The effect to habitat is that of both quantity (i.e., is the habitat converted to some other vegetation type), or quality of habitat for the species in question. Because the MIS were selected to represent forest-wide conditions under the forest plan, the analysis is that of project effects to forest-wide habitat.

The Wildlife Specialist Report [PR 98, pp. 33-39] incorporates habitat and population data on pronghorn from the forest-wide MIS report. The analysis then determines effects to both habitat quantity and quality, as required by the 1982 planning rule and relevant case law [PR 98, pp. 36-37]. The amount of habitat affected forest-wide is provided on page 35. The information presented provides a reasoned basis for the conclusion of effects to pronghorn and is consistent with existing requirements. This information is summarized in the EA [PR 108, pp. 88-93].

Contention 1b: Ms. Davis contends the Forest Service fails to properly assess cumulative effects for pronghorn. The Forest Service did not actually apply the cumulative effects boundary to the analysis provided for each alternative in the EA. There is no discussion of the cumulative impacts for forest-wide pronghorn populations or grassland habitats from the alternatives presented. The Forest Service also fails to provide a rational basis for its finding that “Alternative

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3 would result in no change in habitat quantity, but a small increase...in habitat quality for pronghorn antelope.” There is no discussion of how drought and livestock grazing would cumulatively impact pronghorn habitat within the project area, nor is there discussion of how the adaptive management strategy employed by this project would actually respond to or limit the impact of drought. Also, there is no information provided to support the assertion that range improvements will increase the quality of pronghorn habitat. Ms. Davis concludes that the determination that cumulatively, the selected alternative would result in no change in habitat quantity, a small increase in habitat quality, and no impact on pronghorn viability, are not reasonable or rational conclusions based on the information presented in the EA [Objection, pp. 3-4].

Response: Based on comments received on the Draft Version of the Angell Allotment EA, several additions and revisions were made to the Wildlife Section. For all sections, the spatial and temporal scale of the cumulative effects analysis was clearly defined. Additionally, more detail was added in the cumulative effects section regarding improvements in pronghorn indicator habitat on the Forest, including fence modification and grassland restoration. The EA and Wildlife Specialist Report analyze cumulative effects for pronghorn [PR 108, pp. 91-93 and PR 98, pp. 37-39] and conclude that “Despite the small increase in quality of pronghorn habitat as a result of new range improvements, the potential impacts of livestock grazing and associated activities under Alternative 3 combined with past, present and reasonably foreseeable future projects on the allotment would not result in any additional effects to the quality or quantity of pronghorn habitat.” As noted above, since MIA are associated with the forest plan the area for which the analysis occurs is limited to the forest plan boundary.

Issue 2: The draft decision violates the National Forest Management Act (NFMA).

Contention: Ms. Davis contends the Forest Service fails to insure viability of pronghorn. The evidence presented in the EA regarding pronghorn population, habitat quality, and conditions forest-wide indicate that pronghorn populations may remain stable, but could also decline, and that many of the reasons for their decline or instability are in fact related to livestock grazing, the underlying activity that would be permitted by this project. Ms. Davis concludes that the Forest Service has failed to meet its obligation to ensure the viability of pronghorn on the Coconino National Forest through its management of this allotment [Objection, pp. 4-5].

Response: Please see the response to Contention 1a above.

We find that the EA and project record adequately disclose the effects of the proposed livestock grazing activities on pronghorn antelope. The Forest has met its obligation to ensure the viability of pronghorn on the Forest.

ISSUE REVIEW – WESTERN WATERSHEDS PROJECT (WWP)

ISSUE 1: The draft decision violates the National Environmental Policy Act (NEPA).

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Contention 1a: Mr. Ryberg contends the project requires an EIS because it risks significant, irreparable harm to cultural resources that are unique and precious. Statements in the response to comments that the archaeological sites in the area are not unique or rare are false and offered without any support [Objection, pp. 1-2].

Response: The Heritage Specialist Report, Cultural Resource Clearance Report, Contractor's Report, EA and FONSI all concluded that the project will not have significant impact to cultural resources. While there may be important historic or prehistoric resources within the project area, the analysis determined that livestock activities are not resulting in adverse effects to cultural resource sites [PR 34, pp. 5-63; PR 106, p. 15].

The effects of cattle were analyzed in the EA and found to be "not adverse" [PR 108, pp. 98-100]. The Heritage Specialist Report describes the sites in the project area [PR 100, pp. 5-7], and the sampling strategy used to select sites most likely subject to impacts from cattle grazing [PR 100, pp. 7-8]. An on-the-ground inspection of those resources was undertaken, and indicated that effects were not adverse [PR 100, p. 9; PR 34, p. 63]. The sites in the sample are those located in areas most heavily used by cattle, and sites that are most sensitive to effects from cattle [PR 100, pp. 7-8]. The Contractor's report, appended to the specialist's report, found the effects to the sites inspected were not adverse [PR 100, p. 69]. The FONSI also notes that the effects will not be adverse [PR 107, p. 13]. The Cultural Resource Clearance Report contains the same conclusion [PR 34, p. 63]. Many of the sites in the area are ancestral to the Hopi Tribe [PR 100, p. 4; PR 106, p. 16]. The Hopi Tribe agreed that the effects would not be adverse [PR 61, p. 2]. The State Historic Preservation Officer (SHPO) was consulted and concurred that the effects to cultural resources would not be adverse [PR 107, p. 13] (also see the IS&A form attached to the Clearance Report [PR 34, p. 1]). An Environmental Impact Statement is needed only if there are significant effects to the quality of the human environment. The fact that the project will not have adverse effects on cultural resources indicates that an EIS would not be necessary based on potential effects to cultural resources.

It should be noted that, contrary to the statement of Mr. Ryberg, the response to comments acknowledges that there may be important historic or prehistoric resources within the project area and acknowledges that the site density in the Angell Allotment is high [PR 106, p. 15]. The clearance report and specialist's report also clearly describes the sites in the project area [PR 34, pp. 11-13; PR 100, pp. 5-7]. The response to comments correctly notes that the archaeological site density is similarly high in most pinyon/juniper dominated landscapes on the Coconino National Forest. The response goes on to correctly note that in general, these archaeological site types and their density are not discrete to the Angell Allotment area [PR 106, p. 16].

Contention 1b: Mr. Ryberg contends it is obvious that there will be "effects" to the cultural resources; these effects were reported by contractor Logan-Simpson, which noted a great amount of livestock activity on many of the sites they visited, even though they chose to report to the Forest Service that the impacts were not significant. He argues that all studies he is aware of that investigated the impacts of livestock grazing on cultural resource sites showed that livestock do indeed impact those sites and concludes that the science does not support the findings of the Forest Service, that this project will be benign to the archaeological resources on the allotment. NEPA requires that the science used be accurate and thorough; it is arbitrary and capricious to

rely on a study that is 180 degrees opposed to everything else that has been published [Objection, pp. 2-4].

Response: Mr. Ryberg had also made this comment in his comments on the draft EA [PR 87, pp. 2-3]. Based on his comments, the analysis in the EA now provides more specific data regarding livestock grazing impacts to cultural resources that were observed from cultural resource surveys and whether grazing under each alternative would affect the cultural resources in the allotment in a similar manner. This impact is then considered in context of the integrity of the cultural resource sites present and whether grazing under each alternative would affect the integrity of these cultural resources [PR 106, p. 16; 108, pp. 98-100].

Mr. Ryberg claims the contractor noted “a great amount” of livestock activity on the sites they visited. A review of the report shows that the contractor never used the term “great amount” to describe the livestock activity. The contractor visited a sample of the sites in the allotment, and while noting there was evidence of cattle in the form of hoof prints, dung and bedding areas, the contractor determined that there were “no adverse effects” to the sites [PR 108, p. 98; PR 100, p. 69]. The photographs of each site appear to confirm that there is not a “great amount” of livestock activity [PR 100, pp. 23-68; PR 34, pp. 16-61]. The Cultural Resources Clearance Report also discusses the grazing history of the Forest and the allotment, and notes that the grazing utilization is below the historical numbers and below the 35 percent guideline which has resulted in favorable range conditions in the Angell Allotment [PR 34, pp. 5-10]. The analysis acknowledges that there will be effects, but the effects are not adverse.

The research noted by Mr. Ryberg, as well as those reports referred to in the specialist’s report indicate that cattle can have an effect on archaeological sites. However, the research does not suggest that cattle grazing will have an effect in all cases, nor that the effects will always be adverse. The fact that the number of cattle on this allotment will average one cow for every 122 acres (51,701 acres divided by 425 cattle) [PR 34, p. 63] and is below the 35 percent guideline [PR 34, p. 10] suggests the likelihood that grazing will adversely affect a site is low. The Forest analyzed the effects of grazing [PR 108, pp. 98-100; PR 100, pp. 3-4; PR 34, pp. 11-62] and inspected a sample of sites to see if they were being impacted. The sites in the sample are those located in areas most heavily used by cattle, and sites that are most sensitive to effects from cattle [PR 100, pp. 7-8]. The analyses found that there will be effects caused by cattle grazing, but the effects do not alter the qualities of the sites that make them eligible for the National Register, and are therefore “not adverse.” This analysis is consistent with Appendix H “Standard Consultation Protocol for Rangeland Management” in the Region’s First Amended Programmatic Agreement Regarding Historic Property Protection and Responsibilities [PR 8, pp. 61-67].

ISSUE 2: The draft decision violates the Forest Plan.

Contention 2a: Mr. Ryberg contends that the heritage specialist is not authorized to change the determination of effects from “no effect” which is the current forest plan standard, to “no adverse effect” which is recommended in the next Forest Plan revision. He states that the Forest Supervisor has a duty to follow the current Forest Plan, which calls for the Forest Service to “strive to achieve a ‘No Effect’ determination.

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Response: Nowhere in the project record does it state that the heritage specialist can or will change the Forest Plan. The Heritage Specialist's Report notes the plan discrepancy, and points out that the current Plan calls for a "no effect" while the project will have a "no adverse effect," and points out that the change in effect is recommended in the next Forest Plan Revision [PR 100, p. 12].

The Angell Allotment draft decision includes specific design criteria and resource protection measures to avoid effects to cultural resources, such as management practices including salting and water trough placement. Practices that tend to concentrate livestock (and wild ungulates) will be located away from known cultural resources. Any new construction would also first require an archaeological survey and full site avoidance. Both of these measures in the decision are thought to meet Forest Plan guidance to strive for a no effect determination.

Although not specifically pointed out by Mr. Ryberg, there is an issue with the Plan, which states that the agency should *strive* for a "no effect" determination; yet a "no adverse effect" determination was made under the National Historic Preservation Act at the project level. The rationale provided in the project record is largely absent, except in the cultural resource report, which refers to language in the next Forest Plan Revision. Rather than supporting a conclusion that the project is in conformance with the Forest Plan as stated in the FONSI and Appendix G of the Environmental Assessment, this explanation references management direction, which has yet to be approved through the decision-making process.

We instruct the District Ranger to prepare additional documentation to explicitly clarify how the project meets Forest Plan management direction in relation to cultural resource protection. If the elements of the draft decision are substantially changed, a revised EA will be prepared in compliance with the Council on Environmental Quality regulations at 40 CFR 1500-1508, agency National Environmental Policy Act (NEPA) regulations at 36 CFR 220, and the public comment and objection provisions of 36 CFR 218.

Contention 2b: Mr. Ryberg contends that the monitoring scheme, which calls for monitoring utilization in all 12 pastures yearly, will never be accomplished. He argues that the Forest does not and has not conducted that kind of monitoring on its allotments, and will not do so in the future, and relying on this fantasy monitoring plan to meet Forest Plan requirements is arbitrary and capricious [Objection, p. 4].

Response: Mr. Ryberg contends that the Forest will not implement the level of monitoring called for in the EA and DN; however, he mischaracterizes what he calls the "monitoring scheme." He also misinterprets the utility of utilization monitoring as though a certain utilization level is a management objective. The EA clearly indicates how monitoring data and other information will be used to inform management adjustments that may be needed to respond to changing resource conditions, variations in forage production, availability and ground cover [PR 108, pp. 42-43]. In addition, the EA also outlines how the selected alternative is consistent with Forest Plan Direction, including monitoring requirements [PR 108, pp. 151-156]. The project record contains numerous documents representing a rich history of monitoring on the Angell Allotment dating back to the 1950s [PR 1, 12-15, 18, 30, 35, 44], a summary of which is provided in the Range

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Specialist Report [PR 137, pp. 20-28], all of which indicates the capacity of the Forest to implement an appropriate monitoring plan.

CONCLUSION

With the exception of the Forest Plan consistency issue discussed in Contention 2a of the response to the objection filed by Western Watersheds Project, we find the District Ranger's rationale for this project is clear and the reasons for the project are logical and in accordance with relevant laws, regulations, policy, and the direction contained in the Coconino Forest Plan.

By copy of this letter, we are instructing the District Ranger to prepare additional documentation to clarify how the project meets Forest Plan management direction in relation to cultural resource protection. If this results in substantial changes to the elements of the draft decision, a revised EA must be prepared in compliance with the Council on Environmental Quality regulations at 40 CFR 1500-1508, agency National Environmental Policy Act (NEPA) regulations at 36 CFR 220, and the public comment and objection provisions of 36 CFR 218.

My review constitutes the final administrative determination of the Department of Agriculture; no further review from any other Forest Service or USDA official of my written response to these objections is available [36 CFR 218.11(b)(2)].

Sincerely,


FOR SCOTT RUSSELL
Acting Forest Supervisor

cc: Margaret Van Gilder, Mike Elson, Debrah Mollet, Jeremy Haines, Gary Hase, Mandy Roesch

Western Watersheds Project Letter



United States
Department of
Agriculture

Forest
Service

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Date: July 10, 2015

Erik Ryberg
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Dear Mr. Ryberg,

This letter is in response to the objections filed on the Angell Allotment Environmental Assessment (EA), Finding of No Significant Impact (FONSI), and Draft Decision Notice (DN) released by District Ranger Mike Elson (Responsible Official), Flagstaff Ranger District, Coconino National Forest. We have read the objections and reviewed the project record and EA, including the environmental effects. My review of the objections was conducted in accordance with the administrative review procedures found at 36 CFR 218, Subparts A and B.

PROJECT OVERVIEW

Under the selected alternative (Alternative 3, Proposed Action), a term grazing permit will reauthorize up to a maximum of 2,350 animal unit months (AUMs) which is the equivalent of 425 head of cattle for approximately five and a half months. The selected alternative continues and expands the use of adaptive management by identifying specific scenarios and the possible management responses. The Forest has the option to use either a deferred rotation or deferred rest-rotation grazing system. These options will allow for management adjustments depending on conditions and monitoring data. In late spring and early summer a moderate seasonal utilization (21-50%) will be used, and in the late summer and early fall seasonal utilization would be managed at the conservative level (30-40%). Utilization levels for the Angell Allotment would be managed at the conservative level (30-40%). The actual grazing period within each pasture will depend on current growing conditions and the need to provide for plant recovery following grazing.

The selected alternative also includes the construction of pipelines, troughs, and water lots that would help improve livestock distribution, allotment management and increase adaptive management options.

ADMINISTRATIVE REVIEW PROCESS

The legal notice for the objection filing period was published on April 3, 2015. Timely objections were received from the following eligible groups:

- Katherine Davis, Center for Biological Diversity #15-03-04-0001-O218
- Erik Ryberg, Western Watersheds Project #15-03-04-0002-O218



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The regulations at 36 CFR 218 provide for a pre-decisional administrative review process in which the objector provides sufficient narrative description of the project, specific issues related to the project, and suggested remedies that would resolve the objection (36 CFR 218.8). The regulations also allow for parties to meet in order to resolve issues. The record indicates that both objectors were sent an email on May 21, 2015 inviting them to meet with the Forest Supervisor and District Ranger to discuss their objections. Both objectors declined to meet.

The Responsible Official and we have reviewed the project in light of the issues presented in the objections. A discussion of the issues follows.

ISSUE REVIEW – CENTER FOR BIOLOGICAL DIVERSITY (CBD)

Issue 1: The draft decision violates the National Environmental Policy Act (NEPA).

Contention 1a: Ms. Davis contends the Forest Service fails to provide a rational basis for the pronghorn effects determination. The EA and project record contain no evidence or information to support the claims that “the overall effects of the proposal are not expected to result in a change in forest-wide pronghorn antelope population trends.” No information linking moderate or conservative grazing levels to sufficient pronghorn forage is presented to back up the Forest Service’s conclusion that “this level of management would maintain sufficient herbaceous forage for pronghorn.” Ms. Davis contends the Forest Service’s conclusion that the project will have minimal impact to grassland habitat and maintain viability of pronghorn is arbitrary and capricious since it relies not on facts, but merely on assertions lacking factual support [Objection, pp. 1-2].

Response: Pronghorn is analyzed as part of the EA because it is identified in the Coconino Land Management Plan (LMP) as a management indicator species (MIS) for early and late seral grasslands. As an MIS, the standard of review is set by case law in the 9th Circuit Court of Appeals. Specifically, the Forest can analyze effects to habitat as a proxy for the species as long as a relationship between habitats and populations is established. The effect to habitat is that of both quantity (i.e., is the habitat converted to some other vegetation type), or quality of habitat for the species in question. Because the MIS were selected to represent forest-wide conditions under the forest plan, the analysis is that of project effects to forest-wide habitat.

The Wildlife Specialist Report [PR 98, pp. 33-39] incorporates habitat and population data on pronghorn from the forest-wide MIS report. The analysis then determines effects to both habitat quantity and quality, as required by the 1982 planning rule and relevant case law [PR 98, pp. 36-37]. The amount of habitat affected forest-wide is provided on page 35. The information presented provides a reasoned basis for the conclusion of effects to pronghorn and is consistent with existing requirements. This information is summarized in the EA [PR 108, pp. 88-93].

Contention 1b: Ms. Davis contends the Forest Service fails to properly assess cumulative effects for pronghorn. The Forest Service did not actually apply the cumulative effects boundary to the analysis provided for each alternative in the EA. There is no discussion of the cumulative impacts for forest-wide pronghorn populations or grassland habitats from the alternatives presented. The Forest Service also fails to provide a rational basis for its finding that “Alternative

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3 would result in no change in habitat quantity, but a small increase...in habitat quality for pronghorn antelope.” There is no discussion of how drought and livestock grazing would cumulatively impact pronghorn habitat within the project area, nor is there discussion of how the adaptive management strategy employed by this project would actually respond to or limit the impact of drought. Also, there is no information provided to support the assertion that range improvements will increase the quality of pronghorn habitat. Ms. Davis concludes that the determination that cumulatively, the selected alternative would result in no change in habitat quantity, a small increase in habitat quality, and no impact on pronghorn viability, are not reasonable or rational conclusions based on the information presented in the EA [Objection, pp. 3-4].

Response: Based on comments received on the Draft Version of the Angell Allotment EA, several additions and revisions were made to the Wildlife Section. For all sections, the spatial and temporal scale of the cumulative effects analysis was clearly defined. Additionally, more detail was added in the cumulative effects section regarding improvements in pronghorn indicator habitat on the Forest, including fence modification and grassland restoration. The EA and Wildlife Specialist Report analyze cumulative effects for pronghorn [PR 108, pp. 91-93 and PR 98, pp. 37-39] and conclude that “Despite the small increase in quality of pronghorn habitat as a result of new range improvements, the potential impacts of livestock grazing and associated activities under Alternative 3 combined with past, present and reasonably foreseeable future projects on the allotment would not result in any additional effects to the quality or quantity of pronghorn habitat.” As noted above, since MIS are associated with the forest plan the area for which the analysis occurs is limited to the forest plan boundary.

Issue 2: The draft decision violates the National Forest Management Act (NFMA).

Contention: Ms. Davis contends the Forest Service fails to insure viability of pronghorn. The evidence presented in the EA regarding pronghorn population, habitat quality, and conditions forest-wide indicate that pronghorn populations may remain stable, but could also decline, and that many of the reasons for their decline or instability are in fact related to livestock grazing, the underlying activity that would be permitted by this project. Ms. Davis concludes that the Forest Service has failed to meet its obligation to ensure the viability of pronghorn on the Coconino National Forest through its management of this allotment [Objection, pp. 4-5].

Response: Please see the response to Contention 1a above.

We find that the EA and project record adequately disclose the effects of the proposed livestock grazing activities on pronghorn antelope. The Forest has met its obligation to ensure the viability of pronghorn on the Forest.

ISSUE REVIEW – WESTERN WATERSHEDS PROJECT (WWP)

Issue 1: The draft decision violates the National Environmental Policy Act (NEPA).

Contention 1a: Mr. Ryberg contends the project requires an EIS because it risks significant, irreparable harm to cultural resources that are unique and precious. Statements in the response to comments that the archaeological sites in the area are not unique or rare are false and offered without any support [Objection, pp. 1-2].

Response: The Heritage Specialist Report, Cultural Resource Clearance Report, Contractor's Report, EA and FONSI all concluded that the project will not have significant impact to cultural resources. While there may be important historic or prehistoric resources within the project area, the analysis determined that livestock activities are not resulting in adverse effects to cultural resource sites [PR 34, pp. 5-63; PR 106, p. 15].

The effects of cattle were analyzed in the EA and found to be "not adverse" [PR 108, pp. 98-100]. The Heritage Specialist Report describes the sites in the project area [PR 100, pp. 5-7], and the sampling strategy used to select sites most likely subject to impacts from cattle grazing [PR 100, pp. 7-8]. An on-the-ground inspection of those resources was undertaken, and indicated that effects were not adverse [PR 100, p. 9; PR 34, p. 63]. The sites in the sample are those located in areas most heavily used by cattle, and sites that are most sensitive to effects from cattle [PR 100, pp. 7-8]. The Contractor's report, appended to the specialist's report, found the effects to the sites inspected were not adverse [PR 100, p. 69]. The FONSI also notes that the effects will not be adverse [PR 107, p. 13]. The Cultural Resource Clearance Report contains the same conclusion [PR 34, p. 63]. Many of the sites in the area are ancestral to the Hopi Tribe [PR 100, p. 4; PR 106, p. 16]. The Hopi Tribe agreed that the effects would not be adverse [PR 61, p. 2]. The State Historic Preservation Officer (SHPO) was consulted and concurred that the effects to cultural resources would not be adverse [PR 107, p. 13] (also see the IS&A form attached to the Clearance Report [PR 34, p. 1]). An Environmental Impact Statement is needed only if there are significant effects to the quality of the human environment. The fact that the project will not have adverse effects on cultural resources indicates that an EIS would not be necessary based on potential effects to cultural resources.

It should be noted that, contrary to the statement of Mr. Ryberg, the response to comments acknowledges that there may be important historic or prehistoric resources within the project area and acknowledges that the site density in the Angell Allotment is high [PR 106, p. 15]. The clearance report and specialist's report also clearly describes the sites in the project area [PR 34, pp. 11-13; PR 100, pp. 5-7]. The response to comments correctly notes that the archaeological site density is similarly high in most pinyon/juniper dominated landscapes on the Coconino National Forest. The response goes on to correctly note that in general, these archaeological site types and their density are not discrete to the Angell Allotment area [PR 106, p. 16].

Contention 1b: Mr. Ryberg contends it is obvious that there will be "effects" to the cultural resources; these effects were reported by contractor Logan-Simpson, which noted a great amount of livestock activity on many of the sites they visited, even though they chose to report to the Forest Service that the impacts were not significant. He argues that all studies he is aware of that investigated the impacts of livestock grazing on cultural resource sites showed that livestock do indeed impact those sites and concludes that the science does not support the findings of the Forest Service, that this project will be benign to the archaeological resources on the allotment. NEPA requires that the science used be accurate and thorough; it is arbitrary and capricious to

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rely on a study that is 180 degrees opposed to everything else that has been published [Objection, pp. 2-4].

Response: Mr. Ryberg had also made this comment in his comments on the draft EA [PR 87, pp. 2-3]. Based on his comments, the analysis in the EA now provides more specific data regarding livestock grazing impacts to cultural resources that were observed from cultural resource surveys and whether grazing under each alternative would affect the cultural resources in the allotment in a similar manner. This impact is then considered in context of the integrity of the cultural resource sites present and whether grazing under each alternative would affect the integrity of these cultural resources [PR 106, p. 16; 108, pp. 98-100].

Mr. Ryberg claims the contractor noted “a great amount” of livestock activity on the sites they visited. A review of the report shows that the contractor never used the term “great amount” to describe the livestock activity. The contractor visited a sample of the sites in the allotment, and while noting there was evidence of cattle in the form of hoof prints, dung and bedding areas, the contractor determined that there were “no adverse effects” to the sites [PR 108, p. 98; PR 100, p. 69]. The photographs of each site appear to confirm that there is not a “great amount” of livestock activity [PR 100, pp. 23-68; PR 34, pp. 16-61]. The Cultural Resources Clearance Report also discusses the grazing history of the Forest and the allotment, and notes that the grazing utilization is below the historical numbers and below the 35 percent guideline which has resulted in favorable range conditions in the Angell Allotment [PR 34, pp. 5-10]. The analysis acknowledges that there will be effects, but the effects are not adverse.

The research noted by Mr. Ryberg, as well as those reports referred to in the specialist’s report indicate that cattle can have an effect on archaeological sites. However, the research does not suggest that cattle grazing will have an effect in all cases, nor that the effects will always be adverse. The fact that the number of cattle on this allotment will average one cow for every 122 acres (51,701 acres divided by 425 cattle) [PR 34, p. 63] and is below the 35 percent guideline [PR 34, p. 10] suggests the likelihood that grazing will adversely affect a site is low. The Forest analyzed the effects of grazing [PR 108, pp. 98-100; PR 100, pp. 3-4; PR 34, pp. 11-62] and inspected a sample of sites to see if they were being impacted. The sites in the sample are those located in areas most heavily used by cattle, and sites that are most sensitive to effects from cattle [PR 100, pp. 7-8]. The analyses found that there will be effects caused by cattle grazing, but the effects do not alter the qualities of the sites that make them eligible for the National Register, and are therefore “not adverse.” This analysis is consistent with Appendix H “Standard Consultation Protocol for Rangeland Management” in the Region’s First Amended Programmatic Agreement Regarding Historic Property Protection and Responsibilities [PR 8, pp. 61-67].

ISSUE 2: The draft decision violates the Forest Plan.

Contention 2a: Mr. Ryberg contends that the heritage specialist is not authorized to change the determination of effects from “no effect” which is the current forest plan standard, to “no adverse effect” which is recommended in the next Forest Plan revision. He states that the Forest Supervisor has a duty to follow the current Forest Plan, which calls for the Forest Service to “strive to achieve a ‘No Effect’ determination.

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Response: Nowhere in the project record does it state that the heritage specialist can or will change the Forest Plan. The Heritage Specialist's Report notes the plan discrepancy, and points out that the current Plan calls for a "no effect" while the project will have a "no adverse effect," and points out that the change in effect is recommended in the next Forest Plan Revision [PR 100, p. 12].

The Angell Allotment draft decision includes specific design criteria and resource protection measures to avoid effects to cultural resources, such as management practices including salting and water trough placement. Practices that tend to concentrate livestock (and wild ungulates) will be located away from known cultural resources. Any new construction would also first require an archaeological survey and full site avoidance. Both of these measures in the decision are thought to meet Forest Plan guidance to strive for a no effect determination.

Although not specifically pointed out by Mr. Ryberg, there is an issue with the Plan, which states that the agency should *strive* for a "no effect" determination; yet a "no adverse effect" determination was made under the National Historic Preservation Act at the project level. The rationale provided in the project record is largely absent, except in the cultural resource report, which refers to language in the next Forest Plan Revision. Rather than supporting a conclusion that the project is in conformance with the Forest Plan as stated in the FONSI and Appendix G of the Environmental Assessment, this explanation references management direction, which has yet to be approved through the decision-making process.

We instruct the District Ranger to prepare additional documentation to explicitly clarify how the project meets Forest Plan management direction in relation to cultural resource protection. If the elements of the draft decision are substantially changed, a revised EA will be prepared in compliance with the Council on Environmental Quality regulations at 40 CFR 1500-1508, agency National Environmental Policy Act (NEPA) regulations at 36 CFR 220, and the public comment and objection provisions of 36 CFR 218.

Contention 2b: Mr. Ryberg contends that the monitoring scheme, which calls for monitoring utilization in all 12 pastures yearly, will never be accomplished. He argues that the Forest does not and has not conducted that kind of monitoring on its allotments, and will not do so in the future, and relying on this fantasy monitoring plan to meet Forest Plan requirements is arbitrary and capricious [Objection, p. 4].

Response: Mr. Ryberg contends that the Forest will not implement the level of monitoring called for in the EA and DN; however, he mischaracterizes what he calls the "monitoring scheme." He also misinterprets the utility of utilization monitoring as though a certain utilization level is a management objective. The EA clearly indicates how monitoring data and other information will be used to inform management adjustments that may be needed to respond to changing resource conditions, variations in forage production, availability and ground cover [PR 108, pp. 42-43]. In addition, the EA also outlines how the selected alternative is consistent with Forest Plan Direction, including monitoring requirements [PR 108, pp. 151-156]. The project record contains numerous documents representing a rich history of monitoring on the Angell Allotment dating

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back to the 1950s [PR 1, 12-15, 18, 30, 35, 44], a summary of which is provided in the Range Specialist Report [PR 137, pp. 20-28], all of which indicates the capacity of the Forest to implement an appropriate monitoring plan.


CONCLUSION

With the exception of the Forest Plan consistency issue discussed in Contention 2a of the response to the objection filed by Western Watersheds Project, we find the District Ranger's rationale for this project is clear and the reasons for the project are logical and in accordance with relevant laws, regulations, policy, and the direction contained in the Coconino Forest Plan.

By copy of this letter, we are instructing the District Ranger to prepare additional documentation to clarify how the project meets Forest Plan management direction in relation to cultural resource protection. If this results in substantial changes to the elements of the draft decision, a revised EA must be prepared in compliance with the Council on Environmental Quality regulations at 40 CFR 1500-1508, agency National Environmental Policy Act (NEPA) regulations at 36 CFR 220, and the public comment and objection provisions of 36 CFR 218.

Our review constitutes the final administrative determination of the Department of Agriculture; no further review from any other Forest Service or USDA official of my written response to these objections is available [36 CFR 218.11(b)(2)].

Sincerely,


FOR SCOTT RUSSELL
Acting Forest Supervisor

cc: Margaret Van Gilder, Mike Elson, Jessica Richardson, Gary Hase, Mandy Roesch, Jeremy Haines