



Decision Notice and Finding of No Significant Impact for the Blackjack, Hickey and Pleasant Valley allotments of the Stateline Range NEPA Project

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

Introduction

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

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

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

Purpose and Need for Action

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

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

The purpose for this project is to:

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

This need for this project is to:

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

Decision and Reasons for the Decision

This decision is for the Blackjack, Hickey, and Pleasant Valley allotments. Based upon review of the final environmental assessment and associated project record, I have decided to approve the grazing management strategy described under **Alternative 2 – Proposed Action** for these allotments. The proposed action alternative was incrementally adjusted and modified throughout the environmental assessment process to incorporate mitigation measures and to respond to comments, identified issues and needs.

Areas Excluded from Livestock Grazing

The allotment boundary for the Hickey allotment will be redrawn to remove Bird Trap and the San Francisco pasture from the allotment and exclude them from livestock grazing. (EA pg. 22).

On the Pleasant Valley allotment, the San Francisco pasture and portions of the Mesquite Flat and Left Prong pastures will be closed to livestock grazing, including the San Francisco River, Dix Creek, approximately ½ mile of the lower section of Right Prong Dix Creek and approximately 4 miles of Left Prong Dix Creek. (EA pg. 18).

Although these areas will be excluded from livestock grazing, no enclosure or fence is 100 percent effective. Therefore, they will be monitored as needed for the presence of livestock. If livestock are observed in these areas, Forest Service personnel will take action to address excess use (if the owner of the livestock is a national forest permit holder) or unauthorized use (if the owner of the livestock is not a national forest permit holder) in accordance with Code of Federal Regulations (CFR), Forest Service handbook direction, or both.

Additional fencing for these areas may be added in the future, as necessary, to continue excluding livestock use. Should additional fencing be needed, both biological and cultural clearances will be completed prior to implementation. (EA pg. 15).

Pleasant Valley Allotment

As described below, most of the Pleasant Valley allotment will be divided between the Blackjack and Hickey allotments. The remainder of the Pleasant Valley allotment, including the San Francisco pasture and portions of the Mesquite Flat and Left Prong pastures, will remain with the Pleasant Valley allotment. No term grazing permit will be issued for the remainder of the Pleasant Valley allotment and it will be closed to livestock grazing.

Of the 2,177 animal unit months (AUMs) currently associated with the Pleasant Valley allotment, 900 AUMS will be assigned to the Blackjack allotment and the remaining 1,277 AUMs will be retired. (EA pg. 17-18).

Blackjack and Hickey Allotments

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

Authorizations

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

Table 1. Permitted numbers and season of use for the Blackjack and Hickey allotments.

Allotment	Permitted Numbers	Season of use
Blackjack	400 cattle and 15 horses, up to 5,016 AUMs	Yearlong, except the Coal Creek pastures are restricted to November 1 to March 1, and the Mesquite Flat will typically be used in the fall.
Hickey	405 cattle and 8 horses, up to 4,975 AUMs	Yearlong

AUMs = animal unit months

Standards Applicable to Each Allotment

The following standards apply to each allotment covered by this decision.

Grazing Management

The chosen alternative consists of an adaptive management strategy that provides flexibility to adapt management to changing circumstances.

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

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

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

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

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

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

Forage Utilizations Standards

Forage utilization standards will be set at:

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

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

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

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

Range Improvements

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

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

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

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

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

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

Allotment Management Plans

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

Annual Operating Instructions

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

- the number and class of livestock, and the timing and duration of use for the current season;
- the planned sequence of grazing in pastures on the allotment(s), and the monitoring criteria that will be used to make changes;
- structural and nonstructural improvements to be constructed, reconstructed, or maintained and who is responsible for these activities;
- allowable use or other standards to be applied and followed by the permittee to properly manage livestock;
- monitoring for the current season that may include, among other things, documentation demonstrating compliance with the terms and conditions in the grazing permit, consultation, and the allotment management plan.

Allotment-Specific Direction

In addition to the direction described above for each allotment, the term grazing permits will include direction for individual allotments as described below. (EA pg. 18-23).

Blackjack Allotment

A term grazing permit will be issued for 400 cattle and 15 horses for up to 5,016 animal unit months. However, authorized use will not exceed 4,116 animal unit months until the Maverick Tank and Brushy Canyon water developments and the Dix Creek fence are installed and based upon monitoring results.

The Blackjack allotment boundary will be redrawn to incorporate the Dix Mesa, Dix Saddle, Lightning Mesa, and most of the Mesquite Flat pasture from the Pleasant Valley allotment into the Blackjack allotment. Red Tank Trap will be shared between the Hickey and Blackjack allotments.

The allotment boundary change will remove the San Francisco pasture, Dix Creek, the lower half-mile section of Right Prong Dix Creek, and the lower 4-mile portion of Left Prong Dix Creek from being in an allotment and these areas and sections of streams will be excluded from livestock use.

Season of use will continue to be yearlong, using a deferred-rest-rotation schedule, except the two Coal Creek pastures are restricted to a season of use between November 1 and March 1. Also, Mesquite Flat pasture will typically be used in the fall.

The Lightning Mesa and Mesquite Flat pastures will not be authorized to be grazed until a fence is installed to exclude livestock from Dix Creek, the lower half-mile section of Right Prong Dix Creek, a 4-mile portion of Left Prong Dix Creek, and to better ensure exclusion of livestock on the San Francisco River.

Also, the Lightning Mesa pasture will not be used until both an approximate 0.8 mile allotment boundary fence between the Blackjack and Hickey allotments is installed along Red Tank Canyon and a ¼ mile fence is installed across the upper end of the Left Prong Dix Creek exclusion area near Dix Saddle.

Motorized access - The following routes will be added as maintenance level 2 National Forest System roads to assist with more effective management of the resource and to access range improvements. They will be open to the public.

- The road along Coal Creek, north of Highway 78, in T4S, R32E, Sections 5, 8, and 9 and the connecting road approximately 0.8 miles in length to Line Tank #7035 in T4S, R32E, Section 4.
- The road to The Junipers Mesa, approximately 3.4 miles in length, starting at the junction of Martinez Ranch Road 212 and Highway 78 in T4S, R32E, Section 17 NW and continuing north to The Junipers Mesa in T3S, R32E, Section 31.

Table 2. Blackjack allotment improvements (improvements will be installed as needed and as funding allows)

Pasture	Improvement Name	Blackjack Allotment Description and Location
Mesquite Flat	Dix Creek fence	Install a fence and cattleguard on the south side of Left Prong Dix Creek, T3S, R31E, Sections 9 and 10. This fence must be installed prior to using the Lightning Mesa and Mesquite Flat pastures and prior to exceeding 4,116 animal unit months.
Mesquite Flat	Water development	From the existing Red Tank Well, extend a pipeline to the north ¼ mile and add a storage tank and trough in T3S, R31E, Section 20 and continue north approximately 1 mile to a 2nd trough with a lateral line extending to Mesquite Flat Tank in T3S, R31E, Section 16.
Mesquite Flat	Water lot fence	Install a water lot fence around Mesquite Tank.
Lightning Mesa	Left Prong Dix Creek fence	Install a ¼-mile fence across Left Prong Dix Creek in T3S, R31E, Section 23. This fence must be installed prior to using the Lightning Mesa pasture.
Lightning Mesa	Boundary fence	Install an approximate 0.8-mile allotment boundary fence along Red Tank Canyon between the Hamilton Mesa and Lightning Mesa pastures in T3N, R31E, Sections 21 and 28. This fence must be installed prior to using the Lightning Mesa pasture and is also included for the Hickey allotment below.
Dix Mesa	Cattleguards	Install two cattleguards on the Martinez Ranch Road (National Forest System Road 212) in T3S, R31E, Section 10 SE and Section 23 N 1/2.
Dix Mesa	Water lot fence	Install a water lot fence around Dix Mesa Tank and move the pasture boundary fence approximately ¼ mile to the west end of the mesa in T3S, R31E, Section 10 SE.

Pasture	Improvement Name	Blackjack Allotment Description and Location
Rattlesnake East	Water development	Install a well near Rattlesnake Spring and National Forest System Road 215 in T4S, R31E, Section 20 NE. Extend a pipeline approximately 0.5 miles northwest to a storage tank and trough in Section 17 SW, then continue west approximately 0.5 miles to a trough in Section 18 SE. Extend a second line approximately 1.2 miles east to a trough in Section 21 NE.
Rattlesnake East	Water development	Extend a pipeline east approximately 0.4 miles from a well on the permittee's private land in T4S, R31E, Section 26 NE to a storage tank and trough on National Forest System lands in T4S, R31E, Section 25 NW.
Rattlesnake West	Brushy Canyon water development and corral	Install a well and corral east of Chalk Peak where National Forest System Road 8365 crosses the canyon in T4S, R31E, Section 19 NW, and extend a pipeline southwest approximately 0.5 miles to a storage tank and trough in T4S, R30E, Section 24 SW. This improvement must also be installed prior to exceeding 4,116 animal unit months.
Rattlesnake West	Water development	Repair and modify the existing trick tank east of Mulligan Peak in T4S, R30E, Section 21 SE and an existing wildlife guzzler in T4S, R30E, Section 23 to create wildlife troughs and separate livestock troughs.
Rattlesnake West	Corral	Install a small corral in T4S, R30E, Section 22 SW.
Beefeater	Maverick Tank water development	This improvement must also be installed prior to exceeding 4,116 animal unit months. Install a well near Maverick Tank in T4S, R32E, Section 7 to supply water to two pipelines. One pipeline will extend northwest approximately 3.1 miles, following a two-track road to Middle Tank in T3S, R31E, Section 35 NW. This pipeline will include a storage tank and approximately three troughs. Also, two lateral lines may extend to existing wildlife guzzlers in T4S, R31E, Section 1 and T3, R31E, Section 35. The second pipeline will extend southeast crossing Big Lue Canyon and continue north across The Junipers Mesa to two storage tanks and approximately three troughs in T4S, R32E, Sections 5 and 8, and T3S, R32E, Section 31. A portion of Middle Tank may be fenced off to provide water and habitat for frogs and other wildlife.
Beefeater	Corral	Install a corral and wing fences on The Junipers Mesa in T4S, R32E, Section 8 NW.
White Peaks	Fence	Install a 0.75-mile fence in T4S, R31E, Section 22 E 1/2 from White Peaks northeast to the existing pasture division fence.

Table 3. Blackjack allotment improvements that are no longer needed and will be removed unless otherwise noted

Pasture	Improvement Name	Description and Location
Coal Creek and Beefeater	Fence #3076	Remove a portion of the 1.5-mile Coal Creek/Beefeater fence #3076, starting at Big Lue Ranch in T4S, R32E, Section 18 and continuing northeast to Section 8 NW.
Coal Creek and Maverick	Fence #3077	Remove a portion of the 3.5-mile Coal Creek/Maverick fence #3077 starting at T4S, R32E, Section 20 NW by Old Collett Tank and continuing north to Section 8 SE.
Beefeater	Fence #3082	Remove the 2.6-mile interior boundary fence #3082 on the west side of The Junipers Mesa along Big Lue Canyon from T4S, R32E, Section 5 SW and continuing northwest to T3S, R32E, Section 30 SW.
Beefeater	Juniper Corrals #3088	Juniper Corrals #3088 in T4S, R32E, Section 5 SW will be removed from the term grazing permit and the permittee will no longer be responsible to maintain it, but it will not be physically removed.
White Peaks	Fence #3081 and a portion of fence #3083.	White Peaks pasture fence #3081 in T4S, R31E, Sections 22 and 23 and a portion of fence #3083 from White Peaks south to the national forest boundary in T4S, R31E, Sections 21 and 22 will be removed.
Maverick	Blackjack Tank	Blackjack Tank in T4S, R32E, Section 32 SE NW will be left as is, removed from the term grazing permit, and the permittee will no longer be responsible to maintain it.

Hickey Allotment

The permitted numbers will remain the same at 405 cattle and 8 horses for up to 4,975 animal unit months. Permitted season of use will continue to be yearlong utilizing a deferred-rest-rotation system to provide for periodic spring and summer growing season rest.

The allotment boundary will be changed to add the Hamilton Mesa, Pleasant Valley, and Johnnie pastures from the Pleasant Valley allotment to the Hickey allotment. The Red Tank Trap will be shared between the Hickey and Blackjack allotments.

The Hamilton Mesa pasture from the Pleasant Valley allotment will not be used until an approximate 0.8-mile allotment boundary fence between the Blackjack and Hickey allotments is installed along Red Tank Canyon.

The allotment boundary will also be changed to remove the San Francisco pasture and Bird Trap from the Hickey allotment.

Motorized access - The following route will be added as a maintenance level 2 National Forest System road to assist with more effective management of the resource and to access range improvements. It will be open to the public.

- The existing two-track road from National Forest System Road 215 near Red Tank Well in T3S, R31E, Section 20 SW and continuing southwest approximately 0.7 miles to Johnnie Tank (EA pg. 22).

Table 4. Hickey allotment improvements (improvements will be installed as needed and as funding allows)

Pasture	Improvement Name	Hickey Allotment Description and Location
Hamilton Mesa	Boundary fence	Install an approximate 0.8-mile allotment boundary fence along Red Tank Canyon between the Hamilton Mesa and Lightning Mesa pastures in T3N, R31E, Sections 21 and 28. This fence must be installed prior to using the Hamilton Mesa pasture and is included for the Blackjack allotment above.
Sunset and Silver Basin	Cave Spring and Silver Basin Tank	Install a water lot fence around two water sources: 1. Cave Spring (#3246) in T4S, R 30 E., Section 11 NE, between the Sunset and Silver Basin pastures. 2. Silver Basin Tank (#3241) in T4S, R 30 E., Section 12 SE.
Sunset	Limestone Gulch Spring, Sunset Spring, and Hickey Spring.	Install a water lot fence around three water sources: 1. Limestone Gulch Spring (#3103) in the southwest corner of the allotment in T4S, R30E, Section 16 SW. 2. Sunset Spring (#3713) in the Sunset pasture in T3S, R30E, Section 35. This fence may cross Trail #311. 3. Hickey Spring (#3245) in T3S, R30E, Section 26 NW.
Rattlesnake Gap and Hamilton	Rattlesnake Tank #1.	A portion of Rattlesnake Tank #1 (#3254) may be partially fenced or otherwise modified; for example, completely fencing it and installing a stand pipe and pipeline to a nearby trough to provide water and habitat for frogs and other wildlife.
Hamilton	Red Tank Well pipeline extension #1	Install a trough at Hamilton Corrals (#3453) and extend the pipeline 0.25 miles to Hamilton Tank (#3438) in Section 28 SW; continue south approximately 1.25 miles and install a storage tank and trough at the pasture division fence in T3S, R31 East, Section 32 SE.
Johnnie and Hickey	Red Tank Well pipeline extension #2	Extend a pipeline from Red Tank Well (#3457), west approximately 2 miles, following the two-track road to Johnnie Tank (#3456) and Curly Tank (#3440) and continuing to the ridge top in T3S, R31E, Section 19 NE with solar panels, and pumps to accommodate the elevation change. From Section 19, extend two lateral lines: one to the northwest approximately 0.75 miles to a trough at Snake Ridge Tank (#3251) and corrals (#3938) in the adjacent Section 18 and one north approximately 1.7 miles to a trough at Piñon Salt Ground Tank #1 (#3252) and corrals in Section 8 SE. It is estimated there will be 2 storage tanks and 5 troughs on this system.
Pleasant Valley	Red Tank Well pipeline extension #3	Extend a pipeline from the existing storage tank along National Forest System Road 215 in T3S, R31E, Section 29 NW approximately 1.2 miles southwest to an open ridge in Section 30 SW to a storage tank and trough in the Pleasant Valley pasture.

Monitoring

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

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

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

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

Rationale for the Decision

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

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

- The proposed action alternative authorizes livestock grazing in a manner that maintains or improves project area resource conditions and achieves the objectives and desired conditions described in the forest plans.
- It will provide long-term management direction on grazing through allotment management plans, including the permitted numbers and class of livestock, season of use, facilities associated with livestock grazing, allowable forage utilization levels, and associated permit clauses.
- This alternative provides an adaptive management framework that will allow the national forests personnel and grazing permittees to adapt management to changing resource conditions. The permitted numbers reflect the range of variability that affects capacity on the allotments, and the proposal allows for timely adjustments in authorized use.
- This decision brings the term grazing permits into compliance with the requirements of the Rescissions Act of 1995 (Public Law 104-19).
- It allows for the maintenance and/or improvement, or both of current satisfactory resource conditions and allows for those areas in unsatisfactory conditions to move toward desired conditions.
- As disclosed in the “Soil and Watershed Condition” section of the environmental assessment: (EA pg. 47-53).
 - ◆ Stable to slightly upward trend is expected, with some localized, short-term impacts to soil stability. Soils in satisfactory condition are expected to remain that way or improve, impaired soils should slightly improve, and inherently unstable soils are expected to remain in that state.

- ◆ Water quality is expected to remain at or improve towards acceptable levels. Localized, short-term effects to water quality are anticipated, but water quality is expected to remain stable or improve to acceptable levels but not to the point where the impaired waters would be removed from the 303(d) list.
- ◆ Riparian reaches are expected to remain satisfactory or move towards desired conditions.
- As disclosed in the “Rangeland Resources” section of the environmental assessment: (EA pg. 36-42).
 - ◆ Overall, rangeland resources are expected to remain static or move toward desired ground cover, resulting in satisfactory conditions and meeting desired conditions.
 - ◆ There is little risk of the selected alternative contributing to the spread of noxious weeds.
 - ◆ Permitted numbers will decrease by 1,277 animal unit months on the Pleasant Valley allotment.
- As disclosed in the “Wildlife” section of the environmental assessment: (EA pg. 57-75).
 - ◆ This alternative is not likely to jeopardize the Mexican gray wolf and would either have no effect or it may affect but is not likely to adversely affect, modify, or destroy other listed threatened or endangered species or their habitat.
 - ◆ This alternative is not likely to cause a trend to Federal listing or loss of viability of any sensitive species.
 - ◆ For migratory birds, no measurable negative effects at the population level are expected.
- For cultural resources, this alternative is not expected to have adverse effects. (EA pg. 77-78).
- Livestock grazing activities will continue to contribute to the social, economic, and cultural diversity and the stability of the adjacent rural communities. (EA pg. 91-93).
- It is unlikely the positive or negative effects this alternative may have on climate change would be measurable. The adaptive management component of this alternative is expected to increase the ability to adapt and respond to climate change. (EA pg. 89).
- This decision provides the basis for an allotment management plan and annual operating instructions which, among other things, will help enforce the exclusion of livestock from the San Francisco River, Dix Creek, the lower ½ mile section of Right Prong Dix Creek, and approximately 4 miles of Left Prong Dix Creek. (EA – multiple locations).

Other Alternatives Considered

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

Alternative 1: No Action (No Grazing)

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

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

Public Involvement and Consultation

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

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

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

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

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

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

On July 3, 2019, a 45-day opportunity was provided to review and object to the final environmental assessment a draft decision notice (DDN) and finding of no significant impact (FONSI), for

the Stateline Range NEPA project. Legal notices were published in the newspapers of record (Silver City Daily Press and Copper Era) and information was posted on the Forest's web sites. Six objections to the DDN/FONSI were received and were reviewed by the Forest Supervisors of each Forest in accordance with the administrative review procedures found at 36 CFR 218, Subparts A and B. On September 16, 2019, one objector was notified that it was determined that their objection did not meet the requirements of 36 CFR 218.8(d) and was therefore set aside from further review.

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

Tribal

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

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

U.S. Fish and Wildlife Service Consultation

On April 29, 2019, formal consultation was initiated with the U.S. Fish and Wildlife Service, Arizona Ecological Services Office (USFWS) for the Blackjack and Hickey allotments (Consultation # AESO/SE 02EAAZ00-2019-F-0975). (PR# 403).

On May 16, 2019 and on June 3, 2019, comments were received from U.S. Fish and Wildlife Service personnel.

On June 27, 2019, the final biological assessment was sent to the U.S. Fish and Wildlife Service. On September 5, 2019, the Apache-Sitgreaves NFs submitted additional information related to the proposed action. (PR# 415).

On December 12, 2019, the USFWS issued a Biological Opinion (BO) concurring with the Apache-Sitgreaves NFs' determinations (PR# 427) based on full implementation of the project as follows:

May affect, likely to adversely affect for the threatened Chiricahua leopard frog and the endangered Gila chub and their designated critical habitat.

May affect but not likely to adversely affect the threatened Mexican spotted owl, the endangered loach minnow, the endangered spikedace, and the endangered southwestern willow flycatcher and their designated critical habitats as well as the threatened narrow-headed gartersnake, and the threatened western yellow-billed cuckoo.

Not likely to adversely modify or destroy proposed critical habitat for the narrow-headed gartersnake and the western yellow-billed cuckoo.

Not likely to jeopardize the experimental, non-essential populations of the Mexican wolf.

For the Chiricahua leopard frog, approx. 47 acres of critical habitat occurs on the Blackjack allotment in the Coal Creek pasture and approx. 245 acres occur on the Hickey allotment in the Hamilton pasture and around the Rattlesnake pasture tanks. Surveys are to be conducted twice each year between March and October to determine presence or infer absence of Chiricahua leopard frogs.

The Biological Opinion includes an incidental take statement for Chiricahua leopard frogs. The incidental take limit is the loss of all Chiricahua leopard frogs in one stocktank. Incidental take of Chiricahua leopard frogs will be considered exceeded and re-initiation of consultation required if more than one stock tank population (current or newly established) is lost for three consecutive years as a result of the implementation of the Blackjack and Hickey Allotment Management Plans (BO pg. 31).

The USFWS does not anticipate the proposed action will incidentally take any Gila chub (BO pg. 32).

The Biological Opinion lists eight terms and conditions for Chiricahua leopard frogs (BO pg. 33-34) as well as five conservation recommendations for Chiricahua leopard frogs and one conservation recommendation for Gila chub (BO pg. 35).

State Historic Preservation Office

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

Finding of No Significant Impact

I have evaluated the effects of the project relative to the definition of significance established by the Council on Environmental Quality regulations (40 CFR 1508.13). The environmental assessment and the documentation included in the project record have been reviewed. After considering the context and intensity of the environmental effects, I have determined the selected alternative will not have a significant effect on the quality of the human environment. Thus, no environmental impact statement will be prepared. The rationale for this finding follows the Council on Environmental Quality definition of significance cited above.

Context

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

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

There are currently twenty-two allotments on the Clifton Ranger District. The three allotments covered by this decision account for approximately 14 percent of the number of allotments and 13 percent of the land area on the Clifton Ranger District. The seven allotments analyzed in the Stateline Range NEPA project account for approximately 32% percent of the number of allotments and 24% of the land area on the Clifton Ranger District.

Intensity

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

The following factors were considered to evaluate intensity:

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

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

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

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

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

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

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

No significant effects on public health and safety were identified. The scope of the grazing authorization is limited to implementation of managed livestock grazing and possible installation and maintenance of structural range improvements. There are inherent risks

associated with these activities, but they are not expected to present significant hazards to workers or the public.

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

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

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

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

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

Wilderness: A wilderness area is defined as “an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions.”

Wilderness characteristics that are mandated by law to be protected within wilderness or primitive areas include untrammeled, undeveloped, natural and solitude, or primitive and unconfined recreation. The grazing of livestock, where established prior to the effective date of the Wilderness Act, shall be permitted to continue.

Approximately 462 acres of the Hell Hole Wilderness Study Area occurs in the Maverick pasture of the Blackjack allotment. The selected alternative will not distract from wilderness values over current management. No new improvements are proposed within the wilderness study area. The selected alternative will not prohibit the wilderness study area from being designated as wilderness. (EA pg. 84-87).

Under the selected alternative, inventoried roadless areas will maintain their overall roadless characteristics (Recreation and Special Management Areas Report, p. 19-20 and Errata for the Final EA). This decision will not result in the construction or reconstruction

of roads within an inventoried roadless area. Water developments and fencing are consistent with the recreation opportunity spectrum classes and common on the grazing allotments but are not expected to occur as often in areas designated as primitive.

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

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

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

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

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

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

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

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

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

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

and across the national forests. It is likely the effects of implementing the selected alternative will be similar to the effects of past, similar actions.

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

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

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

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

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

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

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

Areas proposed for ground-disturbing activities have been, or will be, surveyed prior to construction, and all cultural resources or historic sites will be avoided. Proposed management activities are likely to maintain or improve vegetation cover and stable soils which would benefit cultural resources by reducing the visibility of sites and the movement of artifacts.

On March 7, 2019 the Apache-Sitgreaves NFs submitted two reports (FS# 2016-03-01-00084 and 2016-03-01-084B) to the Arizona State Historic Preservation Office covering

the analysis of the selected alternative including the Blackjack, Hickey and Pleasant Valley allotments. The Arizona State Historic Preservation Office concurred with a finding of “no adverse effect” on March 29, 2019.

Consultation with the New Mexico State Historic Preservation Office occurred on an allotment-by-allotment basis. Report FS# 2018-06-029 was submitted for the portion of the Blackjack allotment occurring in New Mexico. The New Mexico State Historic Preservation Office concurred with findings of “no adverse effect” on June 11, 2018.

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

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act. There are federally listed threatened or endangered species, their habitat, or both within the project area.

As stated above in the Decision Notice, formal consultation was initiated on April 29, 2019 with the U.S. Fish and Wildlife Service, Arizona Ecological Services Office and the final biological assessment was submitted on June 27, 2019 for the Blackjack and Hickey allotments. On December 12, 2019 the U.S. Fish and Wildlife Service issued a letter (Consultation # AESO/SE 02EAAZ00-2019-F-0975) concurring with the following determinations for the selected alternative:

- **May affect, likely to adversely affect** for the threatened Chiricahua leopard frog and the endangered Gila chub and their designated critical habitat.
- **May affect but not likely to adversely affect** the threatened Mexican spotted owl, the endangered loach minnow, the endangered spikedace, and the endangered southwestern willow flycatcher and their designated critical habitats as well as the threatened narrow-headed gartersnake, and the threatened western yellow-billed cuckoo.
- **Not likely to adversely modify or destroy** proposed critical habitat for the narrow-headed gartersnake and the western yellow-billed cuckoo.
- **Not likely to jeopardize** the experimental, non-essential populations of the Mexican wolf.

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

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

Findings Required by Other Laws and Regulations

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

The Wilderness Act: As described in item 3 above, approximately 462 acres of the Hell Hole Wilderness Study Area occurs in the Maverick pasture of the Blackjack allotment. Further information is included in the “Recreation and Special Management Areas” report (PR 361) and the “Special Management Areas” section of the environmental assessment (EA pg. 82-88). It is determined the selected alternative is in compliance with the Wilderness Act.

Endangered Species Act: See discussion under item 9 above.

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

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

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

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

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

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

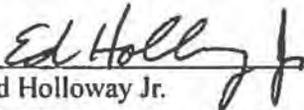
Implementation

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

Copies of the Decision Notice

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

Approved by:


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

January 27, 2020
Date

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