



**Decision Notice**  
**Capitan, Coolidge-Parker, Ranger Station Allotments**  
**U.S. Forest Service**  
**Tonto National Forest, Globe Ranger District**  
**Gila County, Arizona**

**Decision**

Based upon my review of Capitan, Coolidge-Parker, Ranger Station Environmental Assessment (EA), I have decided to implement Alternative 2 (Proposed Action), which authorizes carefully managed livestock grazing on a yearlong basis. I have also decided to increase the upper animal unit month (AUM) limit to 1,020 for Coolidge-Parker Allotment to match adjacent allotment (i.e., Ranger Station) suitable acres/AUM.

Timing, intensity, and frequency of conservative grazing will be managed to allow for increase in perennial forage plants. Timing and intensity of grazing in lower- and mid-elevation areas will be controlled in order to provide for physiological needs of remnant grass populations. When grazing adjustments are needed, they will be implemented through Annual Operating Instructions (AOI), which will adjust numbers so livestock use is consistent with current productivity and sufficient to obtain stated objectives based on monitoring. Total use at end of growing season on herbaceous forage plants (perennial grasses) will generally be conservative.

In high elevation pastures, no human disturbance or construction activities associated with livestock grazing operations will occur within Mexican spotted owl Protected Activity Centers for Capitan, Coolidge Parker, or Ranger Station Allotments during breeding season (March 1 through August 31). Utilization of key areas within these pastures will be considered critical areas for monitoring purposes in ponderosa pine/Arizona white oak and white fir/ Douglas-fir/ponderosa pine types.

Use of livestock will be dependent upon achieving and maintaining desired ecological conditions within allotments as defined in this alternative. Livestock stocking to upper AUM limits will not occur during periods such as, but not limited to, drought or poor range condition. As monitoring identifies surplus perennial forage, not essential to maintaining desired ecological conditions, additional livestock stocking may increase toward, but not exceed, upper AUM limit as authorized through AOI. Authorizations will be:

- Capitan Allotment - 395 AUM up to 2,830 AUM
- Coolidge-Parker Allotment – 415 AUM up to 1,020 AUM
- Ranger Station Allotment – 324 AUM up to 624 AUM

**Improvements - Mountain Pasture (Coolidge-Parker Allotment)**

Sawmill Tunnel Spring (STS): Because existing spring-works at STS have limited utility as a livestock water development, they will be replaced with closed spring-works including a nearby wildlife drinker. New spring-works will be resistant to damage by wildlife and people. Water

will be gravity-fed to a wildlife friendly water trough near Six Shooter Canyon and then down-slope to a mid-slope water trough location.

Squaw Spring-Pinal Creek pipeline and water troughs: Pipeline will be constructed with up to four livestock water troughs. It will begin at Squaw Springs; extend to a cement storage tank near Upper Pioneer Pass Recreation Area, and then parallel Pinal Creek downstream to Mountain/West Harvey Pasture boundary fence.

Bear Paw Spring (BPS): BPS needs a new water trough and spring works and perhaps a supplemental water supply. Water from Squaw Spring – Pinal Creek Pipeline may be used as a supplemental water source for BPS.

Pioneer Pass (Lower Corral) Improvement: Livestock corral (100 ft. x 100 ft.) will be constructed with 200-250 feet of low-standard access from FR-112 to lower corral. Water trough and storage tank from lower East Mountain Trailhead will be moved to this site. Lower Corral is for temporarily holding livestock for management, which could temporarily gather and hold livestock for such things as transportation, medical attention, etc.

Pinal Peak Range Improvement: Livestock corral (100 ft. x 100 ft.) will be constructed in borrow pit with a twenty-five foot wide livestock trailing lane (lane) cleared between corral and recreation area/mountain pasture fence (~500 ft.). Within lane, understory vegetation will be cleared so livestock can be trailed from Pinal Peak Corral into Mountain Pasture. During grazing years, cattle will be trucked to Pinal Peak Corral and turned-out into Coolidge-Parker Mountain Pasture.

### **Improvements - Mountain Pastures (Ranger Station and Coolidge-Parker Allotment)**

Ridge Pipeline: Using water from Squaw Spring, Ferndell Spring overflows, or other sources, plastic pipe will run along major ridgelines and place multi-use water troughs in appropriate places.

### **Improvements - Antive Pasture (Coolidge-Parker Allotment)**

Watering facility: Four troughs with above ground pipeline will replace existing stock tanks. Cattle will be managed by turning water off at locations where forage has been utilized.

Corral: a small corral of about one-tenth acre will be built on northern end of Antive Pasture. Purpose of corral is for branding or to cull out sick animals, when needed for medical attention.

### **Improvements - West Harvey Pasture (Coolidge-Parker Allotment)**

Pipeline: Above ground pipeline will be run from East Harvey windmill to an existing pipeline in West Harvey pasture. Three troughs will be installed.

Gap stock tank cattle guard will replace wire gate.

### **Improvements - 66 Pasture (Coolidge-Parker Allotment)**

Cattle guard will replace wire gate at allotment boundary.

## Management Practices

Management practices include measures to reduce or avoid resource impacts that may result from this decision. These measures have been used in previous decisions and have been found to be effective in reducing potential negative environmental impacts. They are consistent with applicable land management planning standards, guidelines, conditions, and conservation measures of Biological Assessment completed for allotment. Implementation of these practices, in combination with adaptive management strategies, is intended to avoid adverse environmental impacts.

### • Soil, Water, and Vegetation

Objective is to mitigate effects of livestock grazing and facility construction through use of Best Management Practices (Forest Service Handbook (FSH) 2509.22) and adaptive management (FSH 2209.13). Practices include, but are not limited to:

- Providing for physiological fitness of remnant perennial grass through conservative grazing.
- Achieving proper distribution through riding and herding, salting, and water distribution. Salt, or other supplements, will not be placed any closer than one-quarter mile from water, unless closer location is agreed to in Allotment Management Plan (AMP) due to insufficient space, and will be moved as directed in AOI.
- Following National Forest System Invasive Species Management policy (Forest Service Manual (FSM) 2900).

### • Wildlife

Objective is to mitigate impacts to wildlife from livestock grazing and from disturbance associated with construction of range facilities. Practices include, but are not limited to:

- Including wildlife access and escape ramps in all water developments.
- Surveying for threatened, endangered, or sensitive species prior to any ground-disturbing activities of proposed structural range improvements and these facilities will be designed and constructed in a way that will not adversely affect listed species.
- Conservative grazing that will be implemented across allotment to protect watershed and minimize downslope effects.
- Following recommendations in EA displayed in Chapter 3, Wildlife, Desired Condition.

### • Riparian Resources

Objective is to minimize potential negative impacts to riparian areas and associated uplands which provide important wildlife habitat and watershed stability. Practices include, but are not limited to:

- Following recommendations in EA displayed in Chapter 3, Hydrology/Riparian, and Desired Condition for livestock use in riparian areas.
- Restricting livestock use in riparian areas during and after climatic events such as drought or flooding to support limiting physical impacts to alterable streambanks and greenlines, minimize annual impacts to seedling and sapling riparian woody species, and maintaining herbaceous vegetation along streambank or greenline.

- **Heritage Resources**

Objective is to protect historic and prehistoric heritage sites from impacts caused by range improvement projects or livestock concentration. Practices include, but are not limited to:

- Conducting an archeological survey, by certified personnel, before new range improvements are constructed or older improvements are modified. Survey must be approved by forest archeologist before implementation.
- Relocating improvements, if heritage sites exist, so sites are not affected.
- Not salting within or adjacent to identified heritage sites.

- **Recreation Resources**

Objective is to protect recreation sites and trails from impacts caused by range improvement projects or livestock concentration. Practices include, but are not limited to:

- Not constructing range improvements within one-quarter mile of improved recreation sites or trails.
- Constructing and maintaining range improvements to meet visual quality objectives appropriate to Management Area 2D (1985 Tonto National Forest Plan, as amended (Forest Plan)).
- Excluding livestock from improved recreation and residential sites and facilities through approved positive control (i.e., fencing, etc.) or “virtual fencing” methods that are regularly maintained and meet visual quality objectives appropriate to Management Area 2D (Forest Plan).

- **Adaptive Management**

Adaptive management (FSH 2209.13) is a tool that uses documented results of management actions to continually modify management in order to achieve specific objectives. Practices include, but are not limited to:

- A proposed action that is designed to provide sufficient flexibility for responding to changing circumstances.
- Monitoring that indicates whether or not desired conditions are being achieved. Adaptive management will be used to modify management such as:
  - Modifying specific number of livestock authorized annually.
  - Adjusting dates for grazing.
  - Changing class of animal.
  - Modifying pasture rotations.
- Changes that will not exceed limits for timing, duration, or frequency as defined in term grazing permit.
- Implementing adaptive management through AOL.
- Using monitoring to identify range improvement needs.
- Applying further interdisciplinary review if circumstances are beyond scope of this EA

- **Monitoring**

Objective of monitoring is to determine if management is properly implemented and actions are effective at achieving or moving toward desired condition. Practices include, but are not limited to:

- Monitoring conducted as specified in FSH 2209.13-Grazing and Administration Handbook, Chapter 90 and R3 Supplement.
- Creating a monitoring strategy that will tie accomplishment of specified riparian objectives and desired conditions identified in EA (Chapter 3, Hydrology/Riparian) to grazing strategies outlined in AMP and AOI.

## **Decision Rationale**

Purpose and need for this proposed action is to authorize livestock grazing in a manner that moves resource conditions toward Forest Plan objectives and desired conditions.

Where livestock grazing is consistent with other multiple use goals and objectives there is Congressional intent to allow grazing on suitable lands. These allotments contain lands identified as suitable for domestic livestock grazing in Forest Plan and continued domestic livestock grazing is consistent with goals, objectives, standards, and guidelines of this Forest Plan.

Three alternatives were developed and analyzed. Alternative 1 is a No Action/No Grazing alternative. Suitable grazing land, with water and feed resources, is contained within these three allotments. Three families are sustained, at least in part, by monetary rewards livestock bring to these families at an annual livestock sale each spring. Gila County also receives payment in lieu of taxes to support county operations when grazing occurs on public land.

With forest resources capable of supporting livestock grazing and its ability to sustain families and reduce county burden of a high percentage of non-taxable federal land within county boundaries this alternative is inconsistent with Forest Service policy (FSM 2202.1 and 2203.1).

Alternative 3 proposes an upper AUM grazing increase to 1,550 in Coolidge-Parker Allotment based largely on a proposal to increase AUM grazing limit to 1,550 in the 1980s. This proposed increase in AUM was not granted. However, it was concluded that this allotment, at that time, could support an AUM capacity of 898. Other allotment upper AUM grazing limits (i.e., Capitan and Ranger Station Allotments) do not change across alternatives 2 and 3.

There are two compelling arguments for not increasing the upper AUM grazing limit in Coolidge-Parker to 1,550. First, is contained in allotment history. Second, includes site (i.e., elevation, vegetation, lack of disturbance, soil, and climate) conditions.

1. Allotment history

Allotment history indicates that prior to 1985; Parker and Coolidge Allotments received grazing activity since 1917 as separate allotments. Parker Allotment suitable acres in the 1960s were reported as being in poor-to-very poor condition with an estimated AUM capacity of 180. Furthermore, in the 1960s Coolidge Allotment upper AUM grazing limit was 830. By the 1970s, a production and utilization study for Coolidge Allotment indicated AUM capacity to be 354 due

to poor-to-very poor rangeland. In a 1980s follow-up production and utilization study, with above average rainfall, AUM capacity for Coolidge Allotment was still approximately 350.

In the 1980s, these two allotments were combined into one Coolidge-Parker allotment that began with an upper AUM grazing limit of 779. Today, thirty years later, with additional rangeland improvements, the upper AUM grazing limit is still 779. A ten head trial increase in 2011 temporarily raised the upper AUM grazing limit to 899 with no appreciable negative impact.

In the 2000s, environmental quality incentives program dollars were invested in Coolidge-Parker Allotment to improve grazing utilization. These infrastructure features encourage livestock to utilize perennial grasses across a broader area than in allotments without these improvements.

Under today's premise that grazing should be controlled in order to provide for the physiological needs of remnant perennial grass populations a upper AUM grazing limit of 1,550 is unfounded. It is unfounded because decades of consistently poor-to-very poor rangeland condition (i.e., deleterious impacts to soil, change in vegetation richness and evenness through past overgrazing, etc.) may take many additional decades to improve unless disturbance and more aggressive beneficial rangeland practices are applied beyond conservative grazing and additional water developments.

## 2. Site (i.e., elevation, vegetation, lack of disturbance, soil, and climate) conditions

Northern aspect of Pinal Mountains displays altitudinal zonation with mixed conifer/oak/brush (e.g., Douglas-fir, white fir, ponderosa pine, mixed oaks, chaparral, etc.) above 5,500 feet, mixed oaks, juniper, mahogany, catclaw acacia, and chaparral intermixed with sparse perennial mixed grasses between 5,500 and 4,300 feet, and catclaw acacia/false mesquite shrubland with occurrences of perennial grasses below 4,300 feet.

The EA summarizes allotment vegetation as consisting "of shrub-dominated vegetation types." The EA also identifies one change that is likely to occur because of this shrub-dominated vegetation type as a "reduction of fire frequency and intensity." Without disturbance (i.e., fire, mechanical, and/or herbicide treatments) this shrub-dominated vegetation will continue to result in sparse perennial grasses.

Approximately 60 percent of soils are in satisfactory condition and generally found where dense vegetation canopy protects them. This generally corresponds to higher elevations where conifers, oaks, and chaparral occur. This protective canopy also limits opportunity for perennial grasses to establish and grow. However, the remaining 40 percent of soils are not as protected and are classified as either impaired or unsatisfactory. These latter soils are generally found within semidesert grasslands, catclaw thickets, and areas dominated by false mesquite at lower elevations. Soils with these vegetation characteristics have experienced excessive erosion in the past.

Climate is predicted to become warmer and dryer through time. Climate along with drought will affect vegetation response and growth regardless of grazing activities. Possible effects of warmer and drier climate include reduction in vegetation richness and evenness, and increased soil erosion through reduced soil stability related to loss of soil moisture and increase in precipitation intensity.

Considering these five site conditions together, reveals the limited amount of herbaceous perennial vegetation within these allotments and the narrow range of opportunities available to improve these amounts without employing more aggressive means (i.e., disturbance events, short duration-high intensity grazing, etc.) beyond conservative grazing and additional water developments. Therefore, under the premise that grazing will be controlled (i.e., conservative use) in order to provide for physiological needs of remnant perennial grass populations, an upper AUM grazing limit of 1,550 is again unfounded. It is unfounded because only a remnant of perennial grass is available for grazing until disturbance, such as fire, returns and remains. Even when fire returns, it is unlikely that these ecosystems will be able to support an upper AUM grazing limit of 1,550 due to these poor soil conditions.

Alternative 2 proposes an upper AUM grazing limit of 779 for Coolidge-Parker Allotment. Other allotment (i.e., Capitan and Ranger Station Allotments) upper AUM grazing limits (i.e., 2,830 and 624, respectively) do not change across alternatives 2 and 3. However, I am increasing the upper AUM grazing limit to 1,020 in Coolidge-Parker Allotment. These grazing levels are supported both through historical use trends and site conditions. Therefore, Alternative 2 (Proposed Action) is selected with an upper AUM grazing level in Coolidge-Parker Allotment increased to 1,020.

This AUM increase to Coolidge-Parker Allotment is warranted to reduce the suitable acres/AUM disparity between Ranger Station and Coolidge-Parker Allotments. Currently, these two allotments have similar vegetation types and proportions; however, Ranger Station has a suitable acres/AUM ratio of 6, while Coolidge-Parker has a ratio of 8. An upper AUM grazing limit of 1,020 approximates a suitable acres/AUM ratio of 6 and accounts for the increased total acres Coolidge-Parker Allotment (i.e., 6,580 acres) has over Ranger Station Allotment (i.e., 4,024 acres).

While the focus of this EA is to reauthorize livestock grazing and reduce activity impacts to forest resources, there may be opportunities to improve forest resources to the point that increasing herd sizes can be considered at some future point in time. The natural resources of greatest concern for improving grazing are soils, forage, and riparian areas. While increasing the number of stock tanks to improve distribution of livestock and reduce impacts on riparian areas is notable; this alone does little to improve soil condition, forage richness, or evenness.

EA identifies desired conditions that include increasing cover of native herbaceous plants overall and increasing foliar canopy cover, basal area, and perennial grass vigor in grasslands. Direction to reach desired watershed conditions of satisfactory or better includes vegetation management as well. By referencing EA figure 1: Vegetation map with allotment and pasture boundaries along with desired condition information in EA chapter 3 it appears that conditions with inadequate vegetative cover and less than satisfactory watershed conditions occur in lower elevations (i.e., below 4,500 feet) with gentler slopes not dominated with manzanita or other overstory brush and tree species. Within this zone there is also a modest chance of success along with a reduced risk of damaging soil (i.e., Antive, Exchange, 66, Home, City Well, Hayes (Capitan and Ranger Station) pastures) with management practices identified in appendix D, Forest Plan. To meet desired conditions, potential goals will include, but not limited to, an increase of perennial grass abundance in dimensions of percent soil cover and pounds per acre to improve and protect soil while improving herd condition, and perhaps provide a more consistent herd size at or below upper AUM levels, as well. Objectives will include, but not be limited to,

increasing soil organic matter to reduce soil erosion and increase soil water holding capacity. This in turn will provide an environment for improving perennial grass richness and evenness.

Therefore, in developing AMPs, I direct district Rangeland Management Specialists, in conjunction with allotment permittees, to develop site specific scientific means, within direction contained within Forest Plan, this EA, and within Forest Service and permittee budgets to institute strategies that will improve grazing conditions through activities such as increasing soil organic matter and improving perennial grass richness and evenness within the Antive, Exchange, 66, Home, City Well, Hayes (Capitan and Ranger Station) pastures. It is expected that information in Allotment Management Plans will include strategies that are specific enough to assure goal attainment.

Improving perennial grass richness will likely involve use of off-site plant products (Forest Plan, Appendix D). It is my recommendation that any plant products used to achieve AMP goals should be native and weed-free so efforts to achieve goals are not thwarted by increased effort to remove unwanted or invasive plant species. In addition, National Forest Invasive Species Management Policy should be followed in this regard (FSM 2900).

Research is on-going and has deliberated on many questions pertaining to rangelands and grazing operations. Publications such as *Grazing Management Processes and Strategies for Riparian-Wetland Areas* (Wyman et al. 2006) are a synthesis of results of many research efforts and are useful for solving grazing issues within and beyond riparian-wetland areas. It is recommended that research publications, such as the example listed, be consulted when attempting to improve rangeland conditions.

Of course, monitoring is vital to success. Any strategy or goal identified in the AMP must be accompanied with a method of determining its level of success. If a strategy or goal appears to be unsuccessful then adaptive management must be applied to improve implementation.

## **Public Involvement**

The proposed action was developed in conjunction with permittee. An interdisciplinary team was formed to collect necessary information and met to address resource issues throughout the analysis process. A project initiation letter was sent to Tonto National Forest specialists to solicit their involvement and comments for natural resource issues on allotments.

The proposal was listed in Schedule of Proposed Actions on February 3, 2003. A scoping document was sent to the public on November 24, 2003, along with a public notice published as a general article in *Arizona Silver Belt* on December 17, 2003. The purpose of this document and notice was to describe proposed action to any interested/affected parties, and solicit comments from those who may have concerns with proposed action. Proposed Action was sent to the following: 12 individuals, 19 private organizations, 16 tribal officials, 7 state/county officials, 1 federal agency and 3 congressional delegates. From these scoping activities, 4 letters were received. The Forest performed a content analysis on this information and information gained through internal scoping. Comments received and content analyses are located in the Project Record.

Interdisciplinary team members separated issues into two groups: significant and non-significant issues. Significant issues were defined as those directly or indirectly caused by implementing the proposed action. Non-significant issues were identified as those: 1) outside the scope of the



proposed action; 2) already decided by law, regulation, Forest Plan, or other higher level decision; 3) irrelevant to the decision to be made; or 4) conjectural and not supported by scientific or factual evidence. There were no significant issues identified by comments received.

## **Finding of No significant impact (FONSI)**

After considering the environmental effects described in EA, I have determined that these actions will not have a significant effect on quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of action.
2. No significant effects on public health and safety are identified. The scope of grazing authorization is limited to implementation of managed livestock grazing and installation and maintenance of structural range improvements using hand techniques or light equipment. These actions are not expected to present significant hazards to workers or public.
3. There are no known unique characteristics associated with allotments. Project will not adversely affect parks, prime farm land, wetlands, wild and scenic rivers, or other resource considered to have unique characteristics.
4. Effects on quality of the human environment are not likely to be highly controversial. The environmental analysis process has documented expected environmental effects from proposed action and alternatives. These effects were discussed in chapter 3 of the EA, and proposed action has been designed and mitigated to address issues raised. Analysis reflects judgment and expertise of resource management professionals who have applied their knowledge to similar projects and are using best available science to support their conclusions. Proposed management practices are commonly used as described in agency directives (both Forest Service and other land management agencies) and in objectives of Forest Plan. While some public members are opposed to public land livestock grazing, this action is not highly controversial within context of National Environmental Policy Act of 1969.
5. Forest Service, as an agency, has considerable experience with types of activities proposed for implementation, specifically livestock grazing and management on Forest land. Effects analysis shows effects are not uncertain, and do not involve unique or unknown risk.
6. Proposed action is not likely to establish a precedent for future actions with significant effects. All future actions will be analyzed through a NEPA process and will be independent of the specific nature of this action on allotments.
7. Cumulative effects of this proposed action were analyzed in EA and are described in chapter 3. They were determined to not be significant.
8. Proposed action will not have significant adverse effects on districts, sites, highways, structures, or other objects listed in, or eligible for, listing in National Register of Historic Places. Proposed action will not cause loss or destruction of significant scientific, cultural, or historic resources. While numerous historic and prehistoric sites exist on allotments, mitigation measures for structural improvements and management practices will ensure that those sites are not significantly impacted by livestock grazing or associated practices.

9. Proposed action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the *Endangered Species Act of 1973*. Informal consultation with the U.S.D.I. Fish and Wildlife Service has resulted in concurrence with this conclusion. Management practices have been incorporated into proposed action to avoid effects to listed species.
10. Proposed action will not violate Federal, State, or local laws or requirements for protection of environment. All applicable laws and regulations were considered in EA.

## Findings Required by Other Laws and Regulations

Decision to continue livestock grazing on these allotments is consistent with intent of Forest Plan. Project was designed to be in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for desired conditions in chapter 3 of EA.

Proposed action will not impair land productivity and is therefore consistent with *Multiple Use Sustained Yield Act of 1960*.

Proposed action conforms to terms of *Endangered Species Act of 1973* through consultation and concurrence of no significant impact from the U.S.D.I. Fish and Wildlife Service (October 18, 2012).

This decision does not impose disproportionately high adverse human health or environmental effects on minority or low-income populations and is therefore not a violation of *Executive order 12898* (Environmental Justice)

FONSI and EA were considered. I determined these actions will not have a significant effect on the quality of the human environment, and an Environmental Impact Statement will not be prepared.

## Administrative Review (Appeal) Opportunities

This decision is subject to appeal pursuant to regulations at 36 CFR 215. Individuals or organizations who provided comment, or otherwise expressed interest in the proposed action during the comment period, may appeal. Interest expressed or comments provided on this project prior to or after close of the comment period do not have standing for appeal purposes. Appeal must be filed (regular mail, fax, email, hand-delivery, express delivery, or messenger service) with the appropriate Appeal Deciding Officer. Submit appeals to: Appeal Deciding Officer Neil Bosworth, Forest Supervisor, Tonto National Forest Supervisor's Office, 2324 E. McDowell Road, Phoenix, AZ 85006, (602) 225-5295 (fax). If hand delivered, the appeal must be received at the above address during business hours (e.g., Monday through Friday, 8:00 am to 4:30 pm), excluding holidays. Electronic appeals may be submitted to: [appeals-southwestern-tonto@fs.fed.us](mailto:appeals-southwestern-tonto@fs.fed.us) (.doc, .rtf, or .txt formats only). The appeal must have an identifiable name attached or verification of identity will be required. Names and address of appellants will become part of the public record. A scanned signature may serve as verification on electronic appeals.

Appeals, including attachments, must be in writing, fully consistent with 36 CFR 215.14, and filed (e.g., postmarked) within 45 days following the date this notice is published in the Silver Belt newspaper. This publication date is the exclusive means for calculating the time to file an



appeal. Those wishing to appeal this decision should not rely upon dates or timeframes provided by any other source.

The permittee or eligible applicant may appeal this decision under 36 CFR 251. A Notice of Appeal must be consistent with 36 CFR 251.90 and filed simultaneously with the Appeal Reviewing Officer and Deciding Officer within 45 days from the date of this decision. Appeals (under category 251) should be sent to: Appeal Reviewing Officer Neil Bosworth, at the address or e-mail inbox listed above, and Project Deciding Officer Richard Reitz, at 7680 Six Shooter Canyon Road, Globe, AZ 85501. The Deciding Officer is willing to meet with permit applicants or holders to hear and discuss any concerns or issues related to this decision. This decision may be implemented during an appeal, unless the Reviewing Officer grants a stay under 251.91.

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from close of appeal filing period. When appeals are filed, implementation may occur on, but not before, 15<sup>th</sup> business day following date of last appeal disposition.

**Implementation Date**

If no appeals are filed within the 45-day time period following signing of this decision, implementation may occur on, but not before, 5 business days from close of appeal filing period. When appeals are filed, implementation may occur on, but not before, 15<sup>th</sup> business day following date of last appeal disposition.

**Contact**

For additional information concerning this decision, contact: Richard Reitz, District Ranger, Globe Ranger District at (928) 402-6200.

Richard Reitz  
District Ranger

04 / 09 / 2013  
Date

Enclosures: USFWS Letter of Concurrence, Final Environmental Assessment (disc)

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