

Decision Notice and Finding of No Significant Impact for the Diamond Rim Grazing Analysis Project

USDA Forest Service
Payson Ranger District
Tonto National Forest
Gila County, Arizona

Introduction

A review of a previous proposed action, that was a comprehensive project including the analysis of fuels and fire, wildlife and grazing on the Diamond Rim Allotments, was internally conducted and found to have too large a scope. Since the main focus is to authorize grazing, a new project was initiated and authorized by the Payson District Ranger on January 28, 2015. The purpose and need for the new project, the Diamond Rim Grazing Analysis, is to reauthorize livestock grazing using adaptive management strategies, as guided by Forest Service Handbook (FSH) 2209.13, Chapter 90, targeted to move ecosystems toward desired conditions as described in the Forest Plan.

An environmental assessment (EA) has been prepared to determine whether the proposed action of authorizing continued livestock grazing would significantly affect the quality of the human environment and thereby require the preparation of an environmental impact statement to disclose the effects. Preparing the EA has fulfilled agency policy and direction to comply with the National Environmental Policy Act (NEPA). The EA documents the analysis of two alternatives; 1) No Action/No Grazing/No Improvement Projects and 2) The Proposed Action to meet the purpose and need.

Project Location

The project area is located northeast of Payson, Arizona within the Payson Ranger District, Tonto National Forest, Arizona (EA, Figure 1). The Diamond Rim Grazing Allotments are accessible by Arizona State Routes 87 and 260.

Decision and Reasons for the Decision

Based upon my review of the alternatives, my decision is to implement Alternative 2, the proposed action, which will renew livestock grazing authorizations on five allotments as detailed in Chapter 2 of the Final EA. This includes maintaining currently permitted numbers of 619 animal units with 40 head of yearling carryover, equivalent to 10,050 animal unit months. This includes improvements necessary to ensure continued proper distribution of grazing impacts and mitigations necessary to address wildlife, recreational and heritage resource concerns. The Diamond Rim grazing allotments will be managed as one operational unit in order to achieve resource objectives and management goals.

The No Action/No Grazing/No Improvement Projects Alternative (No Grazing-Alternative 1) was not selected because it does not meet the mission of the Forest Service or achieve the goals necessary to move ecosystems toward desired conditions as described in the Forest Plan.

When compared to the No Action/No Grazing/ No Improvement Projects alternative, the selected alternative will accomplish reauthorization of grazing on the Diamond Rim Allotments using an adaptive management strategy on lands suitable for grazing and in a manner that is consistent with the goals, objectives, standards and guidelines of the Forest Plan. The selected alternative is consistent with other multiple use goals and objectives. (*Multiple use Sustained Yield Act of 1960, Wilderness Act of 1964, Forest and Rangeland Renewable Resources Planning Act of 1974, Federal Land Policy and Management Act of 1976, National Forest Management Act of 1976*) The selected alternative makes forage available to a qualified livestock operator from land suitable for grazing consistent with land management plans (*FSM 2203.1; 36 CFR 222.2 (c)*) and provides for contributions to the economic and social well-being of people by promoting stability for communities that depend on range resources. (*FSM 2202.1*)

The Diamond Rim grazing allotments will be managed using a rotational grazing system. The arrangement of allotments generally favors the use of high elevation range (above 5,500 feet) in warmer months and low elevation range (approximately 3,200 to 5,000 feet) in colder months. Pasture movements within an allotment and a season will be based on utilization levels, growing conditions and the need to provide planned rest and vary the season and intensity of pasture use to eliminate the development of use patterns. Grazing intensity will be managed to allow for the physiological needs of the vegetation. Distribution of grazing impacts will be assessed on a continuing basis to determine where specific improvements/strategies may be useful to adaptively manage and achieve the desired result. Herbaceous forage utilization would be set at a conservative utilization level, approximately 30-40% of current year growth on key perennial species, measured at the end of the growing season. This will allow for the physiological requirements of vegetative growth and reproduction and ensure progress towards meeting desired conditions previously identified for each allotment. This would also provide for adequate soil cover during the winter months.

If monitoring indicates desired resource conditions are not being achieved or progress toward desired conditions is not being met, there are actions that would be used to modify management. Such actions include adjusting the specific numbers of livestock, dates for grazing, class of animal or pasture rotations. No adjustments would exceed limits for timing, intensity, duration or frequency as described in the implemented action. Necessary adjustments would be implemented through Annual Operating Instructions (AOI). In addition to adjustments based on current productivity and resource conditions, the AOI would include mitigation measures and management practices to avoid or minimize effects to wildlife, soil and water quality. Modifications to the AOI may be implemented at any time throughout the grazing season in response to unforeseen environmental concerns such as drought, fire, flood and management and livestock operational concerns.

Existing range improvement infrastructure must be brought up to agency standards prior to installing any new developments. An exception to this would be if a particular improvement is beyond its useful life. Such improvements would be removed, modified or replaced as determined by district range specialists. The effects of adding or reconstructing range improvements in the future are disclosed in the EA. As the need for reconstructed or new improvements arises, required clearances (archaeological, biological) would be conducted on a site specific basis.

Resource protection measures include those for wilderness areas, wildlife and heritage resources. Livestock grazing is provided for in wilderness areas as long as wilderness values are maintained and resources are protected. The *Wilderness Act of 1964* defines requirements for actions in wilderness areas, including grazing. Wildlife access must be maintained for water developments and fencing must be constructed/maintained to provide for safe wildlife passage. Protection measures for heritage resources include surveys prior to ground disturbing practices, where none have been previously

conducted, and relocation/redesign of proposed improvements to avoid impacts on heritage resources. Fencing/exclosure of livestock away from sensitive properties or resources and periodic monitoring of protective measures to ensure effectiveness are protective to heritage resources.

Other Alternatives Considered

In addition to the selected alternative, one other alternative was considered. A comparison of these alternatives can be found in the EA, Chapters 2 and 3.

Alternative 1- No Action/ No Grazing/No Improvement Projects

Under the No Action/ No Grazing/No Improvement Projects alternative, term grazing permits on all Diamond Rim Grazing allotments would be cancelled, reducing permitted AUMs to zero (0) for a period of no less than ten years following guidance in *36 CFR 222.4* and *Forest Service Manual (FSM) 2231.62*. Existing improvements no longer functional or not needed for other purposes would be evaluated for continued usefulness and removed as necessary. Allotment exterior boundary fences would be assigned to neighboring permittees for maintenance. Continued maintenance of existing water developments may be adversely affected. FSH Chapter 90 regulations require that a 'No Grazing' alternative must be evaluated in any range NEPA analysis.

Public Involvement and Scoping

The Diamond Rim Grazing Analysis Project was authorized on January 28, 2015. As presented in the introduction, the need arose after a failed NEPA analysis and an internal review that resulted in the refocusing the project. Range personnel worked with the permittee and a variety of specialists to develop the new proposed action. The proposed action and Draft EA were provided to the public and other agencies for comment during scoping on April 15, 2015. Twelve individuals provided 141 separate comments on the Draft EA. Seven of the twelve commenters represented agencies and groups.

Using the comments from the public, other agencies, advocacy groups and tribes, the interdisciplinary team identified several areas where clarification regarding the presentation of the proposed action and the effects of the proposed action was needed.

Finding of No Significant Impact

The following is a summary of the project analysis to determine significance, as defined by Forest Service Handbook 1909.15_05. "Significant" as used in NEPA requires consideration of both context and intensity of the expected project effects.

Context means that the significance of an action may be analyzed in several contexts (i.e. local regional, worldwide), and over short and long time frames. For the Proposed Action and the No Grazing Alternative the context of the environmental effects is based on the analysis in the Final EA. The effects of this site-specific proposed action and the significance of the effects are limited to the local level. This project is limited in scope and duration. The project was designed to minimize environmental effects through adaptive management, mitigations and resource protection measures. For the proposed action and alternatives the context of the environmental impacts is based on the environmental analysis in the final EA.

Intensity refers to the severity of the expected project impacts and is based on information and analysis in Chapter 3 of the Final EA. Intensity is defined by the 10 factors identified in 40 CFR 1508.27(b). My finding of no significant impact is based on the context of the project and the results of the evaluation of effects using the 10 factors.

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

Both beneficial and adverse effects were analyzed in Chapter 3 of the Final EA. My finding of no significant impact is neither the result of balancing beneficial and adverse impacts nor biased by beneficial impacts of the proposed action.

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

Authorizing grazing and managing allotments, including the maintenance of range improvements, is of limited scope not expected to present hazards to workers or the public. Management practices are expected to be conducted in a safe manner that provide no additional risks. No significant impacts on public health and safety were identified.

- 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.**

As identified in the heritage resources section of Chapter 3 of the Final EA, many historic resources and sites exist. The Proposed Action includes monitoring, management and mitigation practices to protect unique resources. The action will not adversely impact any resources considered to have unique characteristics.

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

The proposed action includes management practices that are commonly used and mitigations that address issues raised in scoping and the analyses of specialists. While there is some opposition to livestock grazing and other uses of public lands this action is not controversial in the context of NEPA.

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

The Forest Service has considerable experience in implementing the activities proposed in this action. The environmental impacts are not uncertain for livestock grazing and management on Forest lands and no unique or unknown risk can be reasonably identified.

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

This action as detailed in Chapter 2 of the Final EA is unlikely to establish a precedent for future actions. All similar actions, with potential effects, would be analyzed through the NEPA process and would be independent of this site-specific action on the allotments.

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

Cumulative impacts are analyzed in Chapter 3 of the Final EA and disclosed for each resource area. These impacts were evaluated combining the impacts of the Proposed Action with other past, present and reasonably foreseeable future actions. Based on the information and analysis, no cumulatively significant impacts have been identified.

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

The Proposed Action, presented in Chapter 2 of the Final EA, would have no significant adverse effect on districts, sites, highways, structures or other objects listed or eligible for listing in the NRHP. While many historic/cultural sites exist on the allotments, monitoring, mitigation measures and management practices that are part of the Proposed Action will protect the sites and resources. A Cultural Resources Clearance Report (R 2010 12 95) concluded no adverse effect for the proposed action on heritage resources and recommended clearance for the project with the concurrence of the State Historic Preservation Officer.

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

Formal consultation/conference with the US Fish and Wildlife Service (USFWS) pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. § 1531-1544), as amended resulted in concurrence on November 17, 2017 with the conclusion in the Final EA (Chapter 3) of "May affect, likely to adversely affect the threatened Chiricahua leopard frog (*Lithobates chiricahuensis*) and "May affect but not likely to adversely affect" threatened Gila trout (*Oncorhynchus gilae*), Mexican spotted owl (*Strix occidentalis lucida*), and narrow-headed gartersnake (*Thamnophis rufipunctatus*) or Mexican spotted owl's designated critical habitat and the narrow-headed and northern Mexican (*Thamnophis eques megalops*) gartersnake's proposed critical habitat and its designated critical habitat. The USFWS' biological opinion is that the action, as proposed, is not likely to jeopardize the continued existence of the Chiricahua leopard frog and is not likely to destroy or adversely modify its designated critical habitat. The Forest Service will incorporate mitigations and measures provided through a biological opinion produced by the USFWS.

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

The Proposed Action is consistent with the Tonto National Forest Plan of 1985, National Forest Management Act, Clean Water Act, Endangered Species Act, National Environmental Policy Act and other laws and requirements with which the Forest Service must comply. The Final EA has considered all applicable laws and regulations for the protection of the environment and the proposed action will not violate any of these laws or requirements.

Conclusion

As the responsible official, I am responsible for evaluating the effects of the project relative to the definition of significance established by CEQ Regulations (40 CFR 1508.13). I have reviewed the project record and specialist reports and after considering the environmental impacts described in the EA, I have determined that the Proposed Action (Alternative 2) will not have significant effects on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement is not required and will not be prepared.

Findings Required by Other Laws and Regulations

National Forest Management Act (NFMA)

This decision to implement the Proposed Action (Alternative 2), that will authorize livestock grazing on five allotments, is consistent with the intent of the forest plan's long term goals and objectives. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for prescriptions and emphasis in Management Areas 4C, 4D and General Area 4F.

Administrative Review and Objection Rights

The analysis for the preparation of this Decision Notice/FONSI was conducted and completed under the authority of the Project-level Pre-decisional Administrative Review Process per 36 CFR 218, Subparts A and B.

On December 29, 2017, the legal notice for the beginning of the objection period for the Diamond Rim Grazing Analysis Project was posted in the *Payson Roundup Newspaper*. In this notice, the public was notified that a draft decision was made based on the environmental assessment conducted for the project and following the pre-decisional objection process per regulations at 36 CFR 218. No formal objections were filed.

Implementation

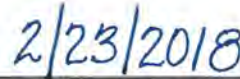
The implementation of the Proposed Action will occur based on this Decision Notice/FONSI.

When this document is signed, implementation of the Proposed Action can begin immediately.

For further information concerning the Diamond Rim Grazing Analysis Project, contact Jeff Sturla (jsturla@fs.fed.us) during normal business hours.



Debbie Cress
District Ranger
Payson Ranger District and Pleasant Valley Ranger District
Tonto National Forest



Date

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