



United States Department of Agriculture

Miller Pasture Water Pipeline Project

Final Decision Notice and Finding of No Significant Impact

**Kaibab National Forest
Coconino County, Arizona**



Forest Service

**Kaibab
National Forest**

**Williams
Ranger District**

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Final Decision Notice and Finding of No Significant Impact Miller Pasture Water Pipeline Project

**Williams Ranger District
Kaibab National Forest
Coconino, Arizona**

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USDA Forest Service

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For Electronic Documents, Visit:

http://www.fs.fed.us/nepa/nepa_project_exp.php?project=50864

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Introduction

The Miller Pasture Water Pipeline Extension area is located on the Williams Ranger District, Kaibab National Forest (KNF)—within the Miller Pasture of the Ebert Allotment—southeast of Valle, Arizona. The legal description of the project area is: T25N R3E Section 1, 12, &13, Gila and Salt River Baseline and Meridian, Coconino County, Arizona.

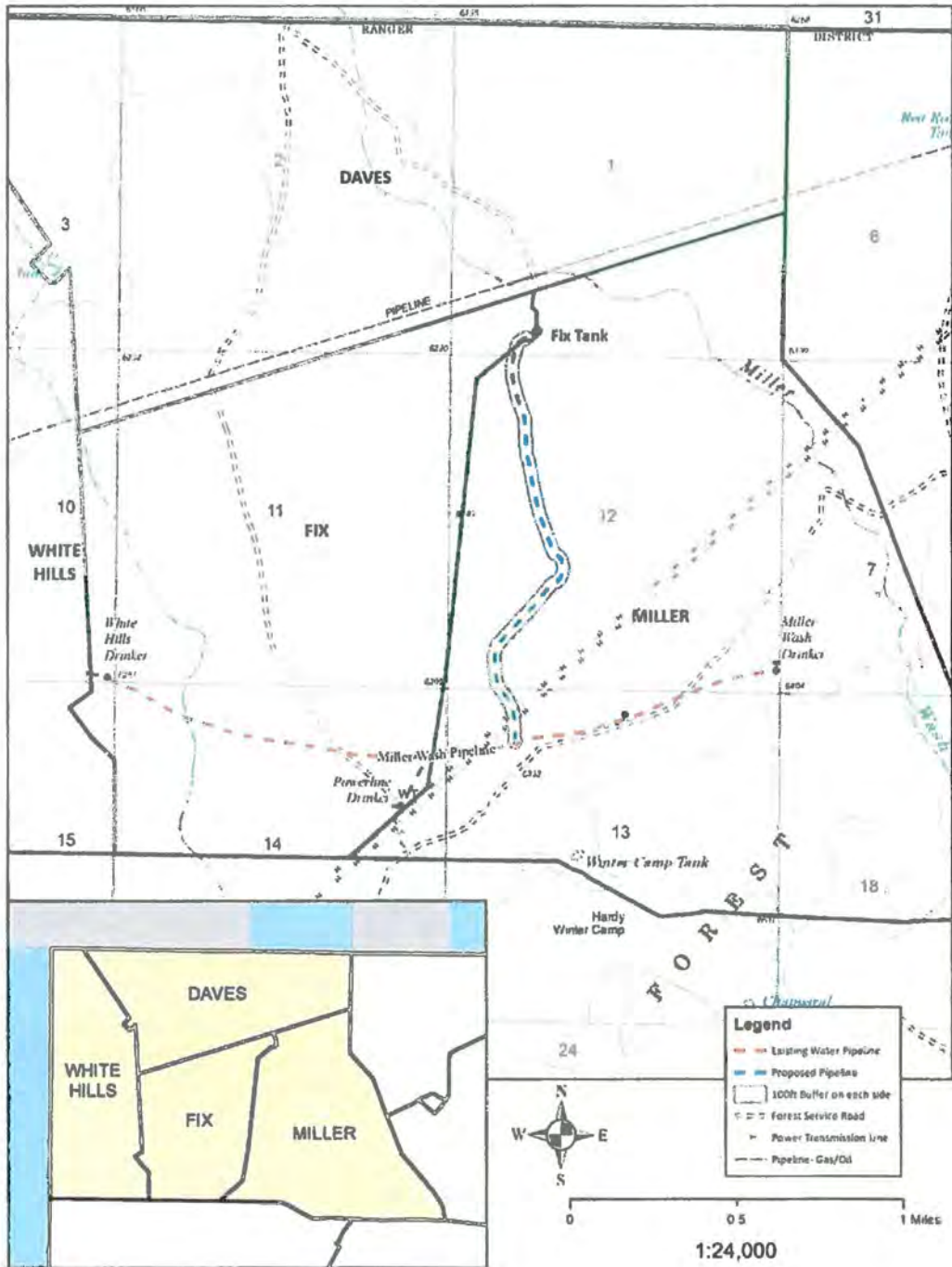
The Ebert Allotment is managed under a Term Grazing Permit. The current 10-year Term Grazing Permit (#07895) is for 100 cow/calf pairs and 4 horses from November 1 to April 30 per the 1991 Grazing Categorical Exclusion (CE). The Ebert Allotment (5,410 acres) is made up of four pastures including: Miller (1,628 acres), Daves (1,589 acres), White Hills (1,235 acres), and Fix (958 acres). Livestock are managed through a rest rotation management system, where at least one pasture has an entire year to grow without being grazed. The scheduling of pasture use varies from year to year, dependent, in part, on that year's precipitation and pasture conditions, and the previous years' utilization. The current season's pasture rotation and scheduled on/off dates are outlined in the Annual Operating Instructions (AOI). Adaptive management techniques which include changing pasture on/off dates, pasture rotation, and authorized number of livestock are used to help meet desired conditions on the allotment.

The purpose of this Environmental Assessment (EA) was to analyze the potential effects of activities proposed in this project on natural and cultural resources of the KNF and determine whether these effects may significantly impact the quality of the human environment. By preparing this EA, the KNF is fulfilling Forest Service policy and direction to comply with the National Environmental Policy Act (NEPA).

Additional documentation, including specialist reports, correspondence, and public comment letters, can be found in the project record maintained by the Kaibab National Forest. These records are available for public review pursuant to the Freedom of Information Act (FOIA) (5 U.S.C. 552).

This Decision Notice and Finding of No Significant Impact outlines the components of my decision to implement the Miller Pasture Water Pipeline Extension on Ebert Allotment on the Williams Ranger District of the Kaibab National Forest, the rationale for this decision, how the public was involved in developing the project, findings required by other laws and regulations, and a Finding of No Significant Impact (FONSI) based on my consideration of the analysis contained within the EA in the context of the significance factors described in the Council on Environmental Quality's (CEQ) *Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act* (40 CFR 1500-1508). The expected implementation date for actions are authorized by the final decision.

Figure 1-1. Approximate location of the Miller Pasture Water Pipeline Extension.



Decision and Reasons for the Decision

I have reviewed the Miller Pasture Water Pipeline Extension Project EA and the supporting analyses located in the project record and fully understand the environmental effects disclosed there. I have also considered the comments submitted during public scoping for this project.

Decision

Based on the analysis described in the EA, it is my decision to implement Alternative 2 (Proposed Action) (EA, pgs. 11-26). My reasons for the decision are based on the purpose and need for the Miller Pasture Water Pipeline Extension Project (EA, pgs. 8-9), which includes the following:

- A need to provide a more reliable water source to the Miller, Fix and White Hills Pastures while discontinuing regular use of Forest Service Road (FSR) 87 to protect resources.
- The road currently used for hauling livestock water is of a minimal design standard. As a result, frequent traffic tends to damage the road through rutting and compaction that can concentrate and redirect surface water flows. Eroded sediments can be transported directly to ephemeral stream channels where the road crosses ephemeral drainages. Installation of the Miller Pasture Water Pipeline Extension will reduce traffic for hauling water on this road, thereby reducing resource damage to soils, water quality, and watershed condition.
- The existing water system consists of one storage tank accessible only by FSR 87, a water pipeline extending through Miller, Fix and White Hills Pastures, and three drinkers, one for each of the aforementioned pastures. The drinkers in Fix and White Hills Pastures are the only water sources for those pastures. Typically, even during wet years, reliable water sources and water distribution through the pastures are limited, and during times when FSR 87 is impassable cannot be delivered to the storage tank and dispersed to the appropriate pastures. This may result in the inability to graze livestock in Fix and White Hills Pastures due to lack of water, and a reduction in the distribution of livestock in Miller Pasture as the water sources for this pasture decrease from two to one.

Alternative Selected (Proposed Action)

The Williams Ranger District, KNF, proposes the construction of an approximately 1.5 mile water pipeline extension to the existing Miller Pasture Water pipeline. The potential area of surface disturbed by the equipment operation will be approximately 12 feet wide and 1.5 miles long for a total of 2.2 acres of disturbance. To ensure that the pipeline can be placed in an alignment which minimizes resource impacts, construction may occur within a 200 foot buffer. The water pipeline would extend north from the existing pipeline that runs from east to west. In order to place the pipeline in the ground the permittee will be using a bulldozer to dig 30-36 inches by 3 feet wide below the ground to prevent the pipeline from freezing during cold periods. After the trench has been established, the 1 ½" diameter HDPE Polyethylene pipe will be placed into the trench by attaching the pipeline to the backend of the bulldozer to allow for an effective way to lay the pipeline in the trench and then buried. The grazing permittee would provide all the labor and supplies for the proposed improvement. Upon completion of this project the water pipeline would be added to the list of structural range improvements which is part of the Term Grazing Permit under ownership of the Forest Service. The permittee would assume the responsibility for maintenance. The proposed action would result in a more reliable water supply to the existing drinkers, allowing for more consistent use of Fix and White Hills Pastures and adaptive management of the allotment, and help keep livestock distribution in Miller Pasture consistent throughout the grazing season. More flexibility for adaptive management and consistent livestock distribution would help move range resources towards desired conditions outlined in the Ebert Allotment CE and the Kaibab National Forest Land and Resource Management Plan (LRMP) (2014). Improved condition of upland vegetation and an increase in the reliability of a water source would also benefit wildlife. Implementation of the proposed action would decrease the amount of traffic on the FSR 87 for hauling water minimizing resource damage to soils, water quality, and watershed condition.

Design Criteria Included in Decision

All design criteria, listed in the EA, (EA, pg. 10) under Alternative 2 (Proposed Action) will be included in this decision for resource protection. The design criteria are as follow:

1. Surveying for rare, narrow and endemic, and Forest Service Sensitive plant species within the pipeline buffer and flagging any found populations. Flagging the known populations would allow for the pipeline to be designed to bypass them.
2. All equipment would be cleaned and inspected prior to entering Forest Service lands for protection against invasive plants. Project area will also be surveyed prior to installation for invasive plants and after the pipeline extension is installed. Areas of known invasive species populations may be avoided by heavy equipment prior to project start date.
3. Slash will, also, be placed in areas of disturbance after the pipeline is installed to prevent soil erosion and allow for plant recovery within the disturbed area.
4. Junipers along the pipeline will be cut by FS personnel, if needed, to prevent creating a larger disturbance by pushing over trees with a bulldozer.
5. Pinyon pine will be retained for wildlife habitat in the process of installing the pipeline.
6. In order to protect the pipeline during road maintenance after installation, the pipeline will be marked with a sign on either side of the road, outside the road prism, to help prevent potential damage.
7. During the process of the project, the Rangeland specialist will monitor the area to ensure that the permittee is following the information provided in the AOI.
8. Should any previously unidentified cultural materials be discovered during project implementation, work must cease immediately and the South Zone Archaeologists must be contacted to initiate the consultation process as outlined in the Advisory Council on Historic Preservation Regulations (36 CFR Part 800.13) (R2017030700015).

Alternatives Considered but Not Selected

I did not select Alternative 1 (No Action) because it would not meet the purpose and need as no installation of a water pipeline extension would occur and degradation of the road would continue to occur. Under the No Action Alternative FSR 87 would continue to be the only route to access the current pipeline system. This would result in a continual use of the road through various types of inclement weather conditions that would damage the overall road structure and lead to a continued deterioration of soil, vegetation, and hydrologic conditions in the immediate area.

Public Involvement

Public involvement for the Miller Pasture Pipeline Extension project began on February 15, 2017, with the scoping period. The Arizona Daily Sun newspaper published the scoping notice for the public on February 14. During this scoping period there were a total of five comments, most of which were in support of the project. There were no issues or concerns identified during scoping. There were a few clarification questions presented by the public—who was paying for the pipeline, would wildlife have access to the water, what will happen to the HDPE pipe in the ground, and will there be inspections of the project during and after implementation to ensure that the permittee is cleaning up after themselves. Any questions asked during the scoping period regarding the project have been further explained in the EA. Organizations that commented during the scoping period include Coconino Sportsmen's and 22 organizations in the Arizona Sportsmen for Wildlife Conservation. This draft Environmental Assessment was available for formal public review for a period described in a cover letter and legal notice providing interested parties with information on the review process. The legal notice to comment was

posted in the Arizona Daily Sun on May 2, 2017 initiating the comment period on May 3, 2017. During the comment period we received one comment from Arizona Sportsmen for Wildlife Conservation in support of the project. The Legal Notice for the objection period showed in the Arizona Daily Sun one June 14, 2017 initiating the objection period on June 15, 2017. The project did not receive objections during the allowable objection period.

Tribal Consultation

The following tribes were consulted during the development of this project:

- Havasupai Tribe
- Hopi Tribe
- Hualapai Tribe
- Kaibab Band of Paiute Indians
- Navajo Nation
- Pueblo of Zuni
- Yavapai-Prescott Indian Tribe

The tribes were notified by email, as well as the EA was available for discussion during the quarterly coordination meeting. No replies were received.

Finding of No Significant Impact

After consideration of the environmental effects described in the EA and supporting documentation, I have determined that the selected actions will not individually or cumulatively have a significant effect on quality of the human environment. I based this determination on the context and intensity of impacts (40 CFR 1508.27). Thus, an Environmental Impact Statement (EIS) will not be prepared. I based my findings on the following:

The Context of the Actions

This decision is part of the ongoing effort by the Forest Service to improve grazing conditions throughout the Forest. The EA documents that any effects resulting from implementing this decision will be minor and not significant because of the mitigations outlined in this decision.

The Intensity of the Actions

The following discussion addresses the significance factors set forth in 40 CFR 1508.27.

1. *Beneficial and adverse impacts:*

Mitigations and management requirements designed to reduce the potential for adverse impacts were incorporated into the proposed action (i.e. standards and guidelines outlined in the Kaibab National Forest Land and Resource Management Plan, 2014). These mitigations and management requirements would minimize or eliminate potential adverse impacts caused by ground disturbance activities. All analyses prepared in support of this document considered both beneficial and adverse effects, but all effects determinations were made on the basis of only adverse effects. None of the potential adverse effects of the proposed action would be significant.

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

This project will have no degree of effect on public health or safety.

3. *Unique characteristics of the geographic area:*

There are no parklands, wild and scenic rivers, or ecologically critical areas within the project area. The project area is located completely outside designated wilderness, as well as Inventoried Roadless areas, therefore there will not be an impact to these areas.

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

Based on comments from the public and the analysis of effects by an Interdisciplinary team of Forest Service employees, there are no significant effects expected to be highly controversial to the quality of the human environment from implementing alternative 2 (proposed Action).

5. *Degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks:*

There are no highly uncertain, unique or unknown risks that could effects the human environment related to the project area. Installation of water pipelines in allotments is a common practice in the Forest Service. There is no risk of installing this water pipeline (EA, pg. 9).

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 Miller Pasture Water Pipeline Extension Project is a site-specific project that does not set precedence for future decisions with significant effects or present a decision in principle about future considerations.

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

A cumulative effect is the consequence on the environment that results from the incremental effect of the action when added to the effects of other past, present, and reasonably foreseeable future actions. A cumulative effects analysis was completed separately for each concerned resource area. None of the analyses found potential for significant adverse cumulative effects (EA, pgs. 13-27).

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

A Cultural Resource survey was conducted November 16, 2016 by Weintraub, Kaibab National Forest Archaeologist, and others. There were no cultural resources other than two isolated occurrences that have been fully recorded and are considered not significant. The project meets the criteria of No Effect pursuant to the 2004 Amended Programmatic Agreement between Forest Service Southwestern Region (R3) and the Arizona, New Mexico, Oklahoma and Texas State Historic Preservation Offices and the Advisory Council on Historic Preservation Should any previously unidentified cultural materials be discovered during project implementation, work must cease immediately and the South Zone Archaeologists must be contacted to initiate the consultation process as outlined in the Advisory Council on Historic Preservation Regulations (36 CFR Part 800.13) (R2017030700015).

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:*

There are no federally listed threatened or endangered wildlife or plant species or habitat that are known to occur within the project area, therefore there are no impacts.

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

The proposed action would not threaten a violation of Federal, State, or local law, or requirements imposed for the protection of the environment. The proposed action is consistent with the National Environmental Policy Act (NEPA), National Forest Management Act (NFMA), Endangered Species Act (ESA), Clean Water Act, the National Historic Preservation Act (NHPA), Multiple-Use Sustained-Yield Act, and the Kaibab National Forest Land and Resource Management Plan (USDA Forest Service 2014).

Conclusion

After considering the environmental effects described in the EA and specialist reports, I have determined that Alternative 2 (Proposed Action) 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 will not be prepared.

Findings Required by Other Law, Regulation, and Policy

The planning and decision making process for this project was conducted in accordance with all applicable laws, regulations, policies, and plans. Shown below is a partial list of Federal laws and executive orders pertaining to project-specific planning and environmental analysis on Federal lands. This project is consistent with the following:

Forest Plan Standards and Guidelines

The Miller Pasture Water Pipeline Project is designed to make progress toward desired conditions outlined in the Kaibab National Forest Plan. The project is consistent with the Forest Plan.

National Forest Management Act

The National Forest Management Act (NFMA) of 1976, as amended, requires development of land and resource management plans and governs administration on National Forests. As described above, this project complies with the Kaibab National Forest Plan and thus NFMA.

National Environmental Policy Act

The National Environmental Policy Act (NEPA) of 1969 requires Federal agencies to consider the environmental consequences of proposed actions and solicit input from State and local governments, Indian tribes, the public, and other Federal agencies during their decision making processes. The EA prepared for this project and this Decision Notice satisfy the environmental effects analysis requirement, and also describes the agencies and persons consulted in development and analysis of the project.

Clean Air Act

Chapter 3 of the EA analyzes the impact of this project on air quality. Although an increase in fugitive dust may occur because of actions authorized in this decision, it is not anticipated to result in any air quality violations.

Clean Water Act

Chapter 3 of the EA analyzes the impact of this project on water quality.

Migratory Bird Treaty Act and Executive Order #13186

Chapter 3 of the EA analyzes the effects of this project on migratory birds. This analysis concludes that actions associated with this project may impact individual migratory birds, but would not cause a trend towards Federal listing or affect the viability of the species.

Management Indicator Species

Chapter 3 of the EA analyzes the effects on this project on management indicator species. This analysis concludes that actions associated with this project may impact individuals of management indicator species, but would not cause a trend towards Federal listing or affect the viability of the species.

National Historic Preservation Act

Chapter 3 of the EA analyzes the effects of this project on cultural resources. The Kaibab National Forest determined that this project would have no adverse effect on cultural resources, and consultation with the Arizona State Historic Preservation Office concurred with this finding on November 16, 2016.

Executive Order 11990 (Wetland Protection)

This Executive Order (EO) requires all Federal agencies to avoid adverse impacts associated with destruction or modification of wetlands. There are no concerns with wetlands in the project area. There are no wetlands present in the project area.

Executive Order 11988 (Floodplain Management)

This EO requires all Federal agencies to avoid adverse impacts associated with the occupancy and modification of floodplains. No concerns were brought forward involving floodplain management. There are no floodplains present in the project area.

Executive Order 12898 (Environmental Justice)

This EO requires all Federal agencies to incorporate environmental justice into their mission. I have determined that this decision will not disproportionately affect minority or low-income populations.

Implementation Date

If no objections are filed within the 45-day time period, implementation can occur on, but not before August 3, 2017. When objections are filed, implementation may occur on, but not before, September 13, 2017 following the date of the objection disposition.

Copies of the Environmental Assessment and Contact for Further Information

Copies of the EA are available from the Williams Ranger District, 742 S. Clover Road, Williams, Arizona 86046-9122. Electronic versions of the EA as well as other related documents are available online at http://www.fs.fed.us/nepa/nepa_project_exp.php?project=50864. For additional information concerning this decision, contact Victoria Payne, Project Lead, at the Williams Ranger District at (928) 635-5600, or at the Williams Ranger District Office address listed above.

Responsible Official Signature

As the Responsible Official, my signature below certifies that I am the Agency employee who has the authority to make and implement the decision specified in this Decision Notice.



Arthur A Gonzales
Acting Williams and Tusayan District Ranger

8/7/17

Date