Decision Notice and

Finding of No Significant Impact

Grazing Authorization for Greenback Allotment

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

Decision and Reasons for the Decision

Background

This decision authorizes continued livestock grazing and select improvements for the Greenback allotment on the Tonto Basin Ranger District of the Tonto National Forest in Gila County, Arizona. The allotment includes lands designated as management area 6J and 6H by the Tonto National Forest Land Management Plan (LMP). The allotment is located north of Roosevelt Lake in the Sierra Ancha Mountains.

The purpose of the action is to document existing environmental conditions and to develop a livestock management strategy that provides for achieving desired conditions on the allotment. This decision is needed to comply with the requirements of the Rescissions Act of 1995 (PL 104-19) and the National Environmental Policy Act as well as with Forest Service policy.

Management practices proposed for the allotment are described in the Environmental Assessment (EA) for the Greenback Allotment (2007). It analyzes and discloses the anticipated effects of the proposed action (cattle grazing with new pasture divisions plus goat grazing) and three alternatives, including No Action/No Grazing, current management, and a revised cattle grazing alternative with no goat grazing. It also describes specific mitigation and monitoring requirements that will be implemented as part of the proposed action. The EA is available for review at the Tonto Basin Ranger District office in Roosevelt, Arizona and at the Tonto National Forest Supervisor's office in Phoenix, Arizona.

Decision

It is my decision to implement Alternative D, adaptive management of livestock grazing, on the Greenback Allotment. The action will continue to authorize grazing using an adaptive management strategy. The components of the decision include:

1. Management Strategy

Duration and timing of grazing: Use on the allotment will be authorized year-long using a deferred rotation grazing strategy to ensure that each pasture receives periodic rest and that no pastures are grazed at the same time of year in consecutive years. Re-grazing of pastures during the same grazing year is not planned and will not be authorized unless there is a clear resource benefit. The sequence and timing of pasture moves will be set annually and adjusted through the use period based on monitoring of range readiness, ecological condition, and forage utilization. Pasture move dates will be flexible during the grazing year based on the same criteria.

Intensity of grazing: Forage utilization will be managed at a level corresponding to light to moderate intensity in order to provide for grazed plant recovery, increases in herbage production and retention of herbaceous litter to protect soils. Holechek's review of numerous grazing intensity studies identifies light to moderate grazing as 30-40% average use of primary forage species based on pasture-wide utilization averaged over time (Holechek, et al, 2004). Consistent patterns of utilization in excess of moderate intensity would be used as a basis to modify management practices or reduce livestock numbers in subsequent grazing years.

For riparian areas, guidelines for use are as follows: *obligate riparian tree species*-limit use to <50% of terminal leaders (top 1/3 of plant) on palatable riparian tree species accessible to livestock (usually <6 feet tall); *deergrass*-limit use to <40% of plant species biomass when total herbaceous canopy cover near the greenline is less than 50%; *emergent species (rushes, sedges, cattails, horsetail)*-maintain six to eight inches of stubble height during the grazing period. The goal of the deergrass utilization guideline is primarily to provide residual vegetation for stream channel protection, and secondarily to protect plant vigor. Emergent vegetation is supported by perennial surface or subsurface water, and has high potential for regrowth following grazing. The goal of the emergent species guideline is to provide physical protection to the stream channel.

Administrative actions necessary to implement the decision: The following administrative actions will be used to implement the NEPA-based decision to authorize grazing.

- **Permit Issuance** A new 10-year term grazing permit will be issued for the allotment for up to 285 head of cattle (bulls, cows) year-long, with up to 157 head of yearling cattle carr over permitted from January through May. Using adaptive management, actual numbers of livestock may vary within this limit during each grazing season based on the class of livestock, duration of use, and current resource conditions. This allotment is currently managed as a cow/calf operation. Initial stocking rates will be for 14 head; the number the permittee is currently grazing. This stocking rate is based on recent production and composition surveys and current conditions on the allotment and assumes proper livestock distribution
- **Allotment Management Plan (AMP)** A new allotment management plan will be developed for the Greenback allotment and will become Part 3 of any grazing permits issued under the proposed action. The AMP will identify specific goals

and objectives of management, management strategies, range improvements, and monitoring requirements. The AMP will incorporate an adaptive management strategy to identify numbers of livestock, pasture rotations, and the length of time animals will graze on the allotment annually based on resource conditions and management objectives for the Greenback allotment.

- **Annual Operating Instructions (AOI)** The Tonto Basin Ranger District will prepare annual operating instructions each year in cooperation with the permittee. Those instructions will include numbers and class of livestock, timing and duration of use for the year, pasture rotation schedule, monitoring criteria, structural and non-structural improvements to be constructed or maintained, and utilization standards.

2. Improvements

Currently, there are few interior fences and much rugged terrain on the Greenback Allotment. This has led to poor livestock distribution and resulted in resource concerns in the past. Structural range improvements proposed for improved livestock distribution on the Greenback allotment include 6.5 miles of fencing in combination with natural barriers to create 12 pastures, as identified in the attached map. Two of the pastures being created are riparian pastures and will be used infrequently, and one of the pastures is a holding pasture for use during livestock gathering. Fencing to create the riparian pastures containing Salome Creek and Oak Creek are considered priority projects and will require completion before stocking rates begin to increase. Stocking rates will also be partially determined based on completion of all other proposed fences.

A pipeline (approximately ½ mile) and two watering facilities will also be constructed in the Dinner Creek pasture. All water developments will be designed and maintained to provide wildlife with safe access to drinking water. Funding for all improvements is being provided through the Environmental Quality Incentives Program (EQIP) with Natural Resources Conservation Services and the Livestock and Crop Conservation Grant Program in cooperation with the permittee. Forest Service range betterment funds could also be used if available. A need for additional improvements may be identified during the life of this decision, and those improvements would be addressed in separate decisions where appropriate.

3. 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 at reducing potential negative environmental impacts. They are consistent with applicable LMP standards and guidelines and the terms, conditions, and conservation measures of the Biological Assessment completed for the Greenback grazing allotment. Implementation of these practices in combination with adaptive management strategies is intended to avoid adverse environmental impacts.

- **Soil, Water and Vegetation** The objective is to mitigate effects of livestock grazing and facility construction through the use of Best Management Practices (FSH 2509.22) and adaptive management. Practices include, but are not limited to, the following:

  Utilization of key upland herbaceous forage species will be managed to achieve the goal of light to moderate grazing. The objective is to protect plant vigor, provide herbaceous residue for soil protection, and to increase the herbage producing ability of forage plants. A utilization guideline of 30-40% use of key species will be used to achieve this objective.

  Practices to achieve proper distribution will be implemented, including herding, salting, and water distribution. Salt or other supplements will be placed ¼ to ½ mile from water and those locations will be moved annually. Hay or bulk feed is not allowed on Forest lands.

- **Wildlife** The objective is to mitigate impacts to wildlife from livestock grazing and from disturbance associated with the construction of range facilities.

  All water developments will include wildlife access and escape ramps.

  All proposed range facilities will be surveyed for threatened, endangered, or sensitive species prior to any ground-disturbing activities. Facilities will be designed and constructed to have no adverse effects on listed species.

- **Riparian Resources** The objective is to minimize potential negative impacts to riparian areas which provide important wildlife habitat and watershed stability.

  Key riparian areas on the allotment were identified within Greenback Creek, Oak Creek, Salome Creek, Big Cherry Creek, and Little Cherry Creek. In order to achieve desired conditions in Oak Creek, the reach will be fenced to exclude livestock use until woody and herbaceous riparian vegetation is re-established.

  A fence on the Salome Wilderness boundary will be constructed prior to use of that portion of the allotment to create a riparian unit. This unit will be used infrequently and utilization guidelines for riparian areas will be implemented when use occurs.

  Pastures containing identified key reaches on Greenback Creek, Big Cherry Creek, and Little Cherry Creek will be monitored during the grazing season, while use is occurring. If proper use levels as defined in the Environmental Assessment are met during the grazing season, livestock will be moved or re-distributed away from those key reaches.

- **Heritage Resources** The objective is to protect historic and prehistoric heritage sites from impacts caused by range improvement projects or livestock concentration.

  Before any new range improvements are constructed, an archaeological survey by certified personnel will be conducted to determine the presence or absence of any sites. The survey must then be approved by the Forest Archaeologist before implementation of the project. If it is determined that a site exists, the improvement must be located in such a way that it does not affect the site.

  No salting will occur within or adjacent to identified heritage sites

- **Wilderness Values** The objective is to comply with standards and guidelines set forth in the Salome Wilderness Implementation Plan (1985). The plan stipulates that wilderness lands will be managed to maintain permitted use within forage capacity, and that range improvements will be minimal.

4. Monitoring The objective of monitoring is to determine whether management is being properly implemented and whether the actions are effective at achieving or moving toward desired conditions.

Effectiveness monitoring includes measurements to track condition and trend of upland and riparian vegetation, soil, and watersheds. Monitoring would be done following procedures described in the interagency technical reference and the Region 3 Rangeland Analysis and Training Guide. These data are interpreted to determine whether management is achieving desired resource conditions, whether changes in resource condition are related to management, and to determine whether modifications in management are necessary. Effectiveness monitoring would occur at least once over the ten-year term of the grazing authorization, or more frequently if deemed necessary.

Implementation monitoring would occur at any time during the grazing year and would include such things as inspection reports, forage utilization measurements, livestock counts and facilities inspections. Utilization measurements are made following procedures found in the Interagency Technical Reference and with consideration of the Principles of Obtaining and Interpreting Utilization Data on Southwest Rangelands (PR 61). Riparian monitoring techniques are described in Riparian Area Management Utilization Guidelines (Grove, McBride 2002).

Key areas are described in "Sampling Vegetation Attributes" (Interagency Technical Reference, 1996) as indicator areas that are able to reflect what is happening on a larger area as a result of on-the-ground management actions. A key area should be a representative sample of a large stratum, such as a pasture, grazing allotment, wildlife habitat area, herd management area, watershed area, etc., depending on the management objectives being addressed by the study. Proper selection of key areas requires appropriate stratification.

While monitoring techniques as described above would be conducted in key areas, these would not be the sole locations for gathering information from the grazing allotment to make decisions about the timing, intensity, duration, or frequency of livestock grazing in a given grazing season. The overall condition of the allotment and such things as distribution patterns or rangeland improvement conditions could be assessed at any given time to help make those decisions.

The permittee will be encouraged to participate in all monitoring activities. Records of actual use and movement dates will be kept by the permittee and provided to the District range staff at the annual operating instructions meeting each year.

Adaptive Management

Adaptive management (FSH 2209.13, Ch. 90) is a tool that uses documented results of management actions to continually modify management in order to achieve specific objectives. The proposed action is designed to provide sufficient flexibility to adapt management to changing circumstances. If monitoring indicates that desired conditions are not being achieved, adaptive management decisions would be used to modify management. Such changes may include administrative decisions such as the specific number of livestock authorized annually, specific dates for grazing, class of animal or modifications in pasture rotations. Such changes would not exceed the limits for timing, intensity, duration and frequency as defined in the term grazing permit. Adaptive management would be implemented through annual operating instructions, which would adjust livestock numbers and the timing of grazing so that use is consistent with current productivity and is meeting management objectives.

Adaptive management also includes monitoring to determine whether identified structural improvements are necessary or need to be modified. In the case that changing circumstances require physical improvements or management actions not disclosed or analyzed herein, further interdisciplinary review would occur. The review would consider the changed circumstances and site-specific environmental effects of the improvements in the context of the overall project. Based on the results of the interdisciplinary review, the District Ranger would determine whether correction, supplementation or revision of the EA is necessary in accordance with Forest Service Handbook Direction at FSH 1909.15(18) and FSH 2209.13(96.1), or whether further analysis under NEPA is required.

Reasons for the Selection

The proposed action best meets the purpose and need and achieves desired conditions in the following ways:

1. The proposed action is consistent with the management objectives and direction for Management Areas 6J and 6H as identified in the Tonto National Forest Land Management Plan.

2. The proposed action best achieves the mission of the Tonto National Forest Land Management Plan by providing for grazing of domestic livestock while providing for wildlife and fish habitat using conservative grazing strategies and adaptive management.
3. The proposed action provides for the maintenance and addition of range improvements to improve livestock distribution and provide water to wildlife. Improved livestock distribution will help increase vegetative cover to protect soils and watershed health.
4. The proposed action will provide an adaptive management framework that will allow the Forest and grazing permittee to adapt management to changing resource conditions.

Other Alternatives Considered

In addition to the selected alternative, I considered three other alternatives. A description of these alternatives may be found in Chapter 2 of the EA for the Greenback Allotment. A comparison of their effects may be found in Chapter 3 of the EA for the allotment.

Alternative A (Proposed Action): This alternative was the permittee's proposal and would have authorized up to 285 adult cattle yearlong, up to 157 yearlings 5 months of the year, and 600 Spanish goats yearlong on the allotment. Cattle would have been grazed using a deferred rotation system and adaptive management to move through pastures created with proposed fences and would have included a new pipeline and water troughs. The goats would have been grazed in an existing pasture separate from the cattle rotation, using adaptive management and paddocks created with electric fencing in a "wagon wheel" configuration.

This alternative was not selected because current research supports the conclusion that native bighorn sheep populations are at risk of contracting serious, often fatal, diseases from domestic sheep and goats (Chapter 9, project record and pages 33-35 of the EA). The Biological Assessment accompanying the EA for the Greenback allotment (Ch. 15, project record) and data from Arizona Game and Fish (Ch. 9, project record) demonstrated that established native bighorn sheep populations exist within 4 to 6 miles of the project area and are capable of traveling long distances. Confirmed and unconfirmed sightings of bighorn sheep have occurred both on and near the project area. Goat grazing on the allotment and native bighorn sheep populations was identified as significant issues through the scoping process and draft EA comment period for this analysis when several concerned citizens and wildlife advocacy groups spoke out against the action.

Alternative B (No Action, No Livestock): Cattle currently grazing on the allotment would be removed and no further grazing by domestic livestock would be permitted on the Greenback Allotment. Structural range improvements would be removed from the allotment at Agency discretion.

This alternative was not selected because it does not meet the intent of the Tonto National Forest's Land Management Plan (LMP), which provides for the authorization of livestock grazing on lands determined to be suitable for grazing. Lands within Management Area 6J and 6H have been identified as suitable for grazing in the LMP (Ch. 9, project record).

Alternative C (Current Management): This alternative would have authorized the continued grazing of livestock on the allotment at the numbers identified in the selected alternative. Fences would have been constructed to create two riparian pastures but no other new interior pastures would have been created on the Greenback Allotment. Surplus fencing in the Goat pasture would be removed and that pasture would be incorporated into the cattle rotation schedule.

The alternative was not selected because it did not adequately address the distribution issues that exist on the allotment. Rugged terrain and sparse water sources would place unreasonable expectations on the permittee for managing cattle to minimize potential negative resource impacts to upland and riparian areas of concern (Ch. 3, EA).

Public Involvement

The proposed action for the Greenback allotment was developed by the permittee in conjunction with District range personnel and with the Gila County Cooperative Extension Director in the fall of 2006. An Interdisciplinary (ID) team was formed in December 2006 to collect the necessary information and met to address resource issues throughout the analysis process. A project initiation letter was sent to Tonto NF specialists to solicit their involvement (December 2006) and comments for natural resource issues on the Greenback allotment. A scoping letter was sent to all interested parties listed on a current District mailing list, including other forest permittees, Tribal, State and Federal agency personnel, wildlife, agricultural, and environmental interest groups, and neighboring parties (January 2007). At this same time, the Schedule of Proposed Actions was updated to reflect the most current dates for the analysis. Additionally, a notice seeking comments was posted in local newspapers and on the Tonto NF website and on local community bulletin boards (January 2007). 15 people responded with comments which were analyzed for significant issues by the ID Team. Those 15 people plus some additional requestors also had an opportunity to comment on the draft EA (August 2007) before the decision was signed, and those comments were used to amend the EA where appropriate. The permittee was given Applicant Status to review the Biological Assessment before it was sent to US Fish and Wildlife Service for concurrence (October 2007).

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect 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. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.
2. No significant effects on public health and safety were identified. The scope of the grazing authorization is limited to the implementation of managed livestock grazing and the 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 the public.
3. There are no known unique characteristics associated with the allotment. The project will not adversely affect parks, prime farm lands, wetlands, wild and scenic rivers, or other resources considered to have unique characteristics (see EA, Chapter 3).
4. The effects on the quality of the human environment are not likely to be highly controversial. The environmental analysis process has documented expected environmental effects from the proposed action and alternatives. These effects were discussed in Chapter 3 of the EA, and the proposed action has been designed and mitigated to address the issues raised. The analysis reflects the judgment and expertise of resource management professionals who have applied their knowledge to similar projects and are using the best available science to support their conclusions. The management practices proposed are commonly used practices as described in agency directives (both Forest Service as well as other land management agencies) and in the objectives of the Tonto National Forest LMP. While some members of the public are opposed to public lands livestock grazing, this action is not highly controversial within the context of the National Environmental Policy Act.
5. The Forest Service as an agency has considerable experience with the types of activities to be implemented, specifically livestock grazing and management on Forest lands. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA, Chapter 3).
6. The action is not likely to establish a precedent for future actions with significant effects. All future actions will be analyzed through the NEPA process and be independent of the specific nature of this action on the Greenback grazing allotment.
7. The cumulative effects of the action were analyzed in the EA and are described in Chapter 3. They were determined not to be significant.
8. The action will have no significant adverse effects on districts, sites, highways, structures or other objects listed in or eligible for listing in the National Register of Historic Places (Chapter 3, pages 32-33 of the EA). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources. While numerous historic and prehistoric sites exist on the Greenback allotment, mitigation measures for structural improvements and management practices will ensure that those sites are not significantly impacted by livestock grazing or associated practices on the allotment.
9. The 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 (Chapter 3, pages 28-31 of the EA). Informal consultation with the US

Fish and Wildlife Service has resulted in concurrence with this conclusion (date here). Management practices have been incorporated into the action to avoid effects to listed species.

10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. All applicable laws and regulations were considered in the EA. The action is consistent with the Tonto National Forest Land Management Plan (see EA, Chapter 1).

Findings Required by Other Laws and Regulations

This decision to continue livestock grazing on the Greenback allotment is consistent with the intent of the forest plan's long term goals and objectives as described in the Tonto National Forest LMP, pages 19, 22 (as amended), 24, and 41. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for desired conditions as described in Chapter 1 of the EA.

The action will not impair land productivity (see EA, Chapter 3) and is therefore consistent with the Multiple Use Sustained Yield Act.

The action conforms to the terms of the Endangered Species Act through consultation and concurrence of no significant impact from the US Fish and Wildlife Service.

Greenback Creek and its tributaries serve as corridors for migration of birds within and through the Tonto National Forest. No designated Important Bird Areas occur within the action area, so there is no violation of Executive Order 13186 (Neotropical Migratory Birds).

This decision does not impose disproportionately high adverse human health or environmental effects on minority or low-income populations (see EA, pages 33-34) and is therefore not a violation of Executive Order 12898 (Environmental Justice).

Implementation Date

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

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The appeal must be filed by US mail or hand-delivered to the Appeal Deciding Officer, Gene Blankenbaker, Forest Supervisor, at the following address: 2324 East McDowell Road, Phoenix, Arizona 85006. The appeal may also be faxed to the Forest Supervisor's attention at (602) 225-5295. Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the Payson Roundup, the newspaper of

record. Attachments received after the 45-day appeal period will not be considered. The publication date in the Payson Roundup, newspaper of record, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

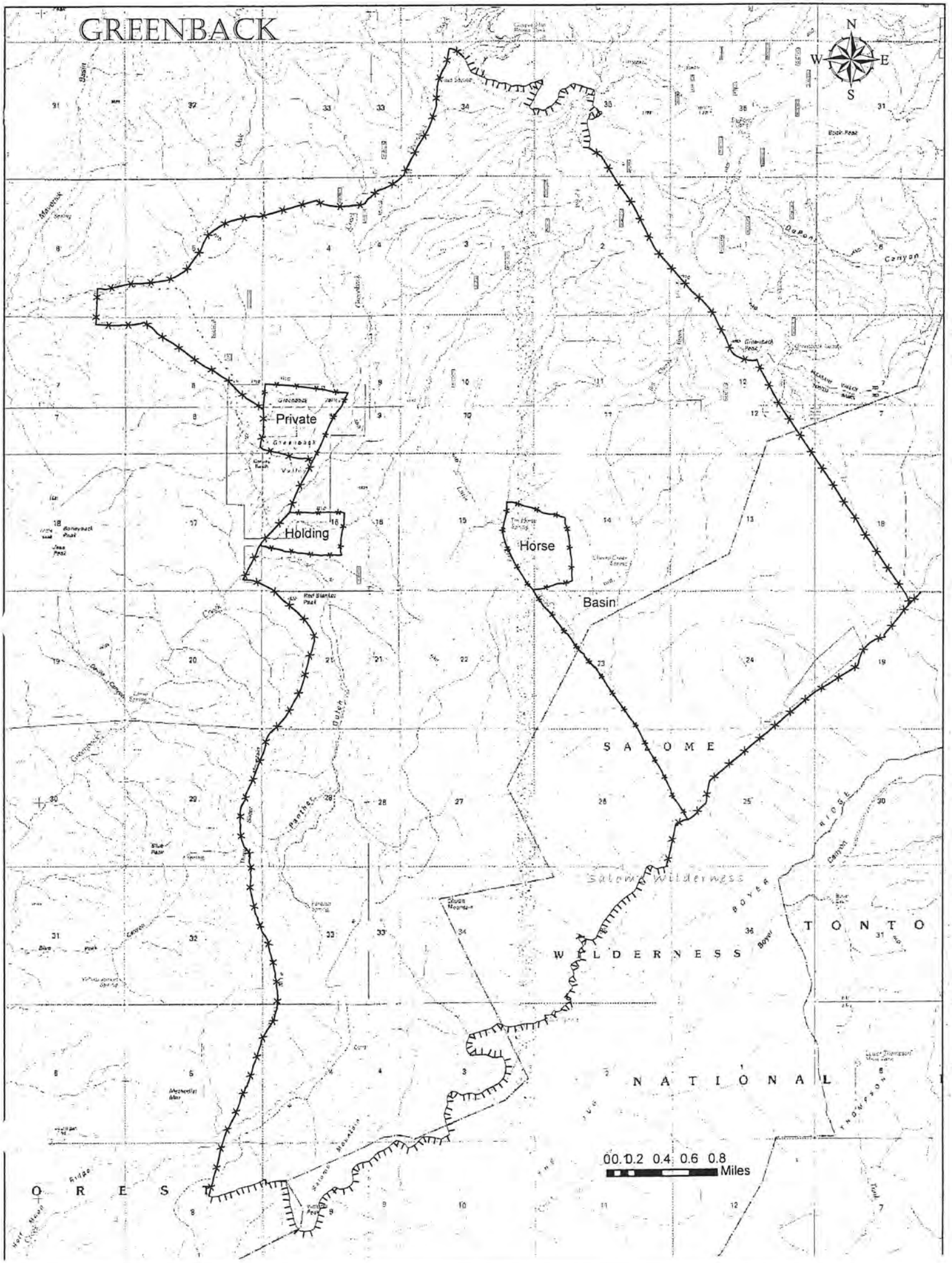
Individuals or organizations who submitted substantive comments during the comment period specified at 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14. Relative to issuance of the term grazing permit, a permittee may choose to appeal under the regulations listed at 36 CFR 251, Subpart C. The permittee must select which administrative review regulation (36 CFR 215 or 251) he or she will opt to use. Both cannot be used for the same appealed decision. An appeal by the permittee under the 36 CFR 251 regulations must be filed simultaneously with the Tonto National Forest Supervisor Gene Blankenbaker at the address above, and with District Ranger Gary Smith at HC02 Box 4800, State Highway 188, Roosevelt, Arizona 85545. The appeals must be filed within 45 days of the date of publication of legal notice in the Payson Roundup.

For additional information concerning this decision or the Forest Service appeal process, contact Gary Smith, District Ranger, Tonto Basin Ranger District at (928) 467-3200.

Gary Smith

Gary Smith
District Ranger
Tonto Basin Ranger District

Date January 14, 2008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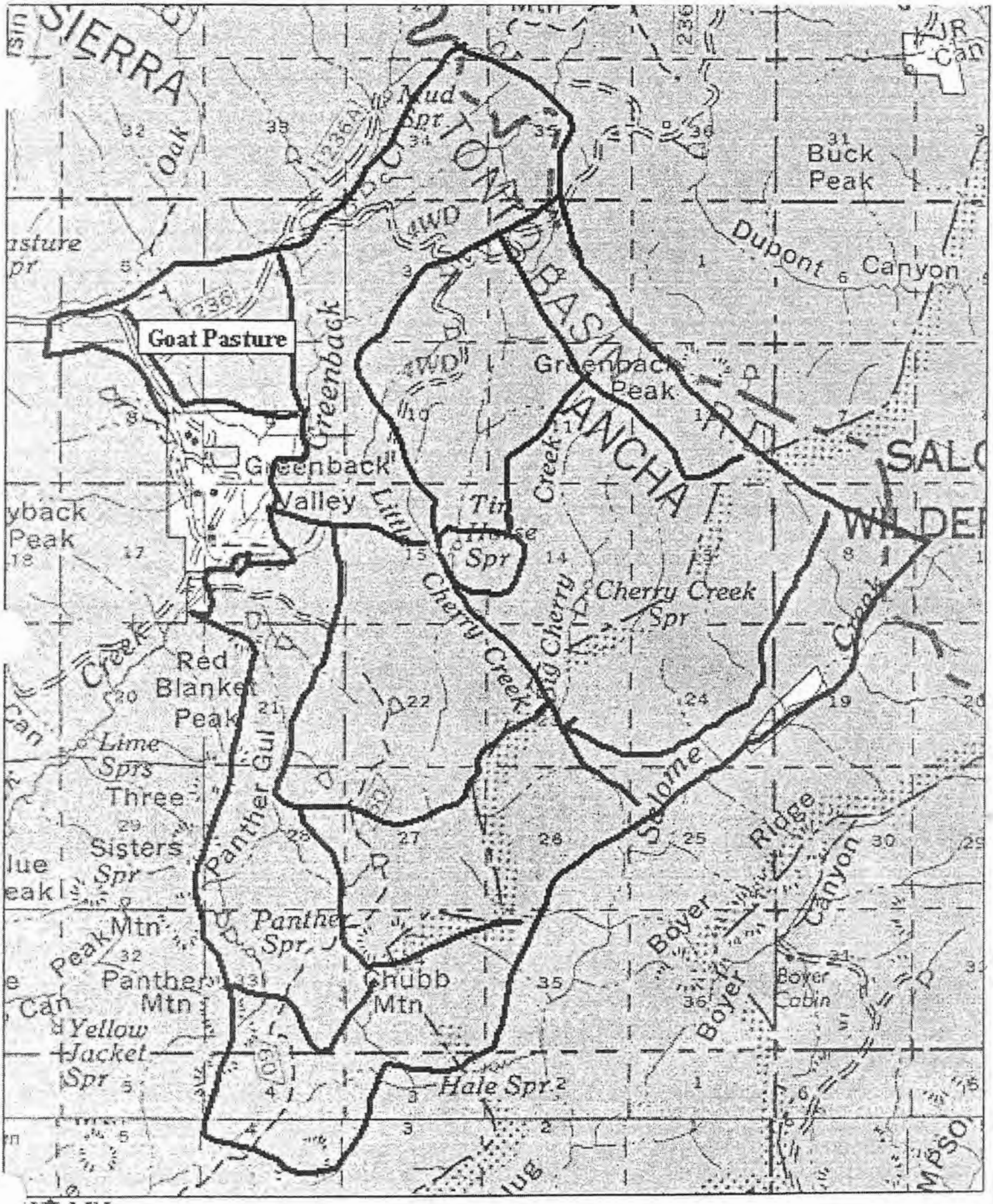

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