

Decision Notice for Hicks-Pikes Peak Allotment Grazing Authorization U.S. Forest Service, Tonto National Forest Globe Ranger District - Gila County, Arizona

Based upon my review of the Hicks-Pikes Peak Allotment Grazing Authorization Environmental Assessment (EA), I have decided to implement the Proposed Action alternative, which authorizes up to 800 head of adult livestock yearlong and up to 1,100 yearlings for seven months for the duration of this authorization. It also authorizes the construction of range infrastructure to allow additional management flexibility and better livestock distribution. This decision follows current guidance from Forest Service Handbook 2209.13, Chapter 90 (Grazing Permit Administration; Rangeland Management Decision making) and was developed using adaptive management, in accordance to CEQ guidance: "Adaptive management, when included in the NEPA analysis, allows for the agency to take alternate mitigation actions if mitigation commitments originally made in the NEPA and decision documents fail to achieve projected environmental outcomes".¹

Specifically, I have decided to implement the following, organized into five components: authorization, range improvements, monitoring, response to monitoring, and livestock management practices and mitigations for other resources:

Authorization

The Globe Ranger District of the Tonto National Forest proposes to authorize livestock grazing on the Hicks-Pikes Peak Allotment under the following terms:

Proposed yearly maximum authorized use will vary between 650 to 800 adult cattle year-long. Adult cattle may include cows with calves, non-lactating cows, bulls, or horses used to manage the allotment. Additionally, 700 to 1100 weaned calves up to 18 months of age (yearlings) will be authorized for up to any 7 months within a 12 month period. Yearlings can be any cattle that meet the above criteria, regardless if they are born on the allotment or purchased elsewhere. Table 1 shows the proposed term grazing permitted number of cattle for the Hicks Pikes Peak Allotment.

¹ White House Council on Environmental Quality Issues Mitigation and Monitoring Guidance under NEPA, January 14, 2011

Table 1: Proposed Term Grazing Livestock Numbers

Class of Livestock	Begin Date	End Date	Permitted Number of Livestock
Adult cattle (cows with calves, non-lactating cows, bulls, horses to manage allotment)	March 1	February 28	800
Yearlings (cattle weaned calves and up to 18 months of age)	November 1	May 31	1,100

Initial stocking levels would begin with currently authorized livestock numbers which are 326 adult cows grazed yearlong and 511 yearlings grazed for any 7 months within a 12 month period. As range improvements are installed, or as conditions on the allotment allow, authorized numbers may be increased up to the proposed maximum stocking numbers as listed in Table 1. Any annual adjustments will be planned and authorized by the Globe District Ranger, not to exceed the maximum permitted number of livestock. Factors affecting annual authorized livestock numbers may include precipitation, pasture rotation, forage production, current range conditions (i.e. forage and growing conditions), water availability, resource monitoring and permittee needs².

The northern allotment boundary currently follows the Salt River and extends across the Salt River near Pinal Creek, which partially makes up Lower Shute pasture, and continues to the allotment boundary with the Sedow Allotment. On most of this edge, the Salt River is not a sufficient boundary, which would allow cattle to easily cross the river during low flows. Where the allotment extends across the Salt River, it would be ineffective to fence these areas due to the variation in Salt River stream flows. If cattle were to cross the Salt River during low flows, it would mean cattle would easily find access to neighboring allotments off the Globe Ranger District. Hicks-Pikes Peak livestock will not be authorized to cross the Salt River, onto other Forest Service administered lands, and a drift fence will be installed to keep cattle off the river. An existing fence will keep cattle from accessing Pinal Creek.

Grazing System

Grazing through a rotational system, either deferred or rest-rotation grazing, which will allow plants the opportunity for growth or regrowth. Until necessary range improvements, such as fences and water developments, are installed on the allotment, grazing will continue under the current modified deferred grazing strategy. As new pastures are defined with new fences, and water developments are constructed, incorporating rest into each years' grazing plan will become possible. Figure 1 shows the proposed pasture configuration³. Adult cattle will be managed in three different herds and yearlings will be managed in a separate herd. Bulls may also be separated and run independently for part of the year.

² More information can be found in the Monitoring and Response to Monitoring sections of this chapter.

³ Pasture boundaries shown in the map are approximate. Physical boundaries may vary depending on best locations for fences or locations of natural features or other resources.

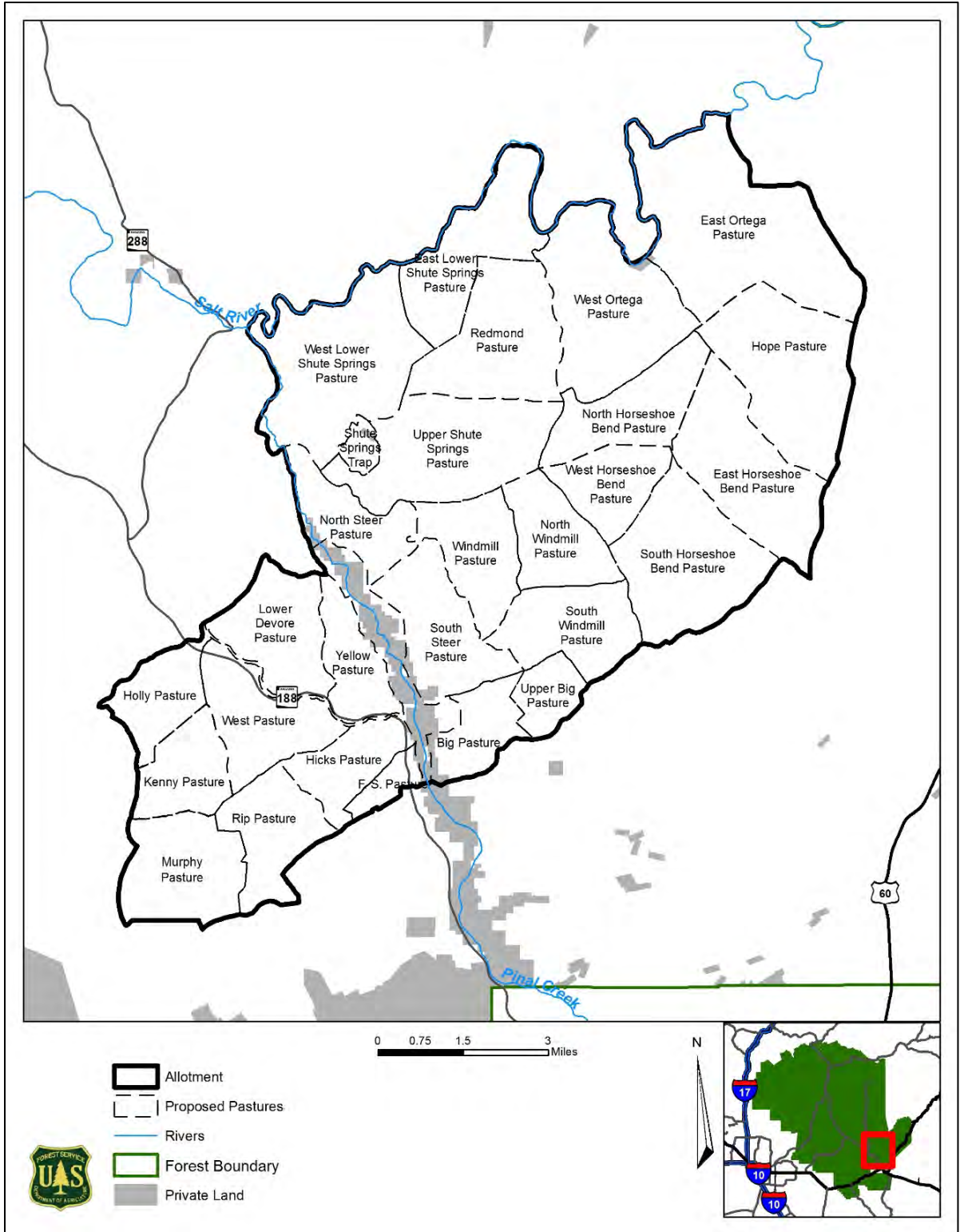


Figure 1: Proposed Pasture Configuration

Until fencing is established in each Unit, cattle will be rotated through three units, as described below.

- **Ortega Unit:** One adult cattle herd will graze in North Horseshoe Bend, East Horseshoe Bend, Hope, East Ortega, and West Ortega pastures. West Ortega pasture will not be grazed until a drift fence is constructed to prevent livestock from accessing the Salt River (see proposed structural range improvement F2). Pastures may be grazed with up to 300 head of livestock.
 - West Ortega pasture will be grazed between August 1 and April 30th.
 - East Ortega pasture will be grazed between August 1 and April 30th.
 - When West Ortega pasture is constructed, this smaller pasture will allow rotational or deferred grazing, and the potential to split the herd.
- **Windmill Unit:** One adult cattle herd will graze in North Windmill, South Windmill, South Horseshoe Bend, West Horseshoe Bend, Upper Shute, East Lower Shute, West Lower Shute, and Redmond pastures. Both Lower Shute pastures will not be grazed until a drift fence is constructed to prevent livestock from accessing the Salt River (see proposed structural range improvement AF4). Pastures may be grazed with up to 250 head of livestock.
 - Windmill pasture will be split into three pastures: North, South, and Main pastures.
 - Horseshoe Bend pasture will be split into East, West, North, South pastures.
 - Upper Shute will be split into two, with the other pasture named Redmond.
 - Lower Shute pasture will be split into two pastures; East Lower Shute and West Lower Shute. Both Lower Shute pastures will be grazed between August 1st to April 30th.
 - As Lower Shute pasture is split, these smaller pastures will allow rotational or deferred grazing, and potential to split the herd.
- **Pikes Peak Unit:** Adult cattle herd will graze in Holly, Rip, Kenny, West, Lower Devore, Murphy, and Hicks pastures.
- **Pinal Unit:** Yearlings will graze in North Steer, South Steer, Upper Big, Yellow, Windmill, and Lower Big pastures. Bulls may be separated from the Hicks or Pikes Peak Unit and graze in the Pinal Unit as pastures are available.
 - Yearlings will graze in the Pinal Unit from November through May 1.
 - Bulls may be separated from other Units and placed in pastures, when available, and will be counted as part of the up to 800 head of livestock authorized.
 - Livestock will not access Pinal Creek.

Annual operating instructions will specify pasture rotation schedules each year and include timing, livestock numbers, and duration. A rotation schedule will be developed with the permittee and incorporated into the allotment management plan to provide an estimate of grazing schedules. This schedule can be altered annually and authorized in the Annual Operating Instructions by the District Ranger.

Vegetation Utilization

Grazing will be managed to achieve long-term goals in pasture key areas and ensure allowable vegetation use thresholds are not exceeded (Table 2).

Table 2: Allowable Vegetation Use Thresholds

Vegetation	Use Threshold
Upland herbaceous	30-40 percent of current year's growth
Upland browse	50 percent of current year's growth
Riparian herbaceous	Limited to 50 percent of plant species biomass and maintain 6 to 8 inches of stubble height of species like deergrass
Riparian woody	Limited to 50 percent of leaders browsed on upper one third of plants up to 6 feet tall*

*The Forest Plan limits use to 20 percent of tree and shrub annual production by volume. The 50 percent of leaders browsed was chosen as a surrogate guideline in place of percent volume because volume is an extremely difficult parameter to assess on an annual basis. The method used for determining percent of leaders browsed is an expedient and repeatable sampling technique. Mathematical relationships between the number of twigs browsed and the percent of current annual growth removed have been established in previous studies (Stickney 1966).

Range Improvements

Existing Structural Improvements

Existing range improvements on the Hicks Pikes Peak allotment are listed in Appendix D and depicted along with proposed improvements in (Figure 2). Maintenance of these improvements will be assigned to the grazing permit holder and will be maintained to standards in the Forest Service Structural Range Improvement Handbook (Forest Service Handbook 2209.22 R3). Additional maintenance standard details will be included in the Allotment Management Plan. Not all improvements were constructed or maintained to current standards. As improvements are reconstructed, they will be rebuilt to new standards (i.e. wire spacing). Existing improvements will not need to be modified until reconstruction is needed. As range improvement inspections occur, if it is determined some level of repair is necessary for functionality or safety, these improvements will be prioritized prior to implementing new projects. Occasional off-system road travel to inspect or maintain these improvements will be authorized. Where no road exists to reach a specific improvement, a route has been designated for this use. Off-road vehicle use by the grazing permit holder is discussed further in the Livestock Management Practices and Mitigation for Other Resources section.

Proposed Structural Improvements

Structural range improvements will be constructed in order to facilitate livestock distribution throughout the allotment and assist in achieving the desired conditions and management objectives set forth in this analysis.

It is not necessary for the proposed additional water developments to be completed in a specific order or timeframe. The following improvements are identified to be installed within the first two

years following a decision on this project. These improvements have heritage resource surveys completed⁴. (Table 3 and Figure 2).

Table 3: Proposed Structural Range Improvements anticipated to be installed within the First Two Years

Identifier	Description	Pasture
W2	An above ground water line running from existing Lower Mud Spring with approximately 1.5 miles of above ground water line with 1 trough, 1 storage tank and a corral.	West Ortega
F2	Install a drift fence near the Salt River to provide a barrier to keep cattle from accessing the river.	West Ortega

⁴ More information about these heritage resource surveys can be found in the Heritage Resources section of the EA.

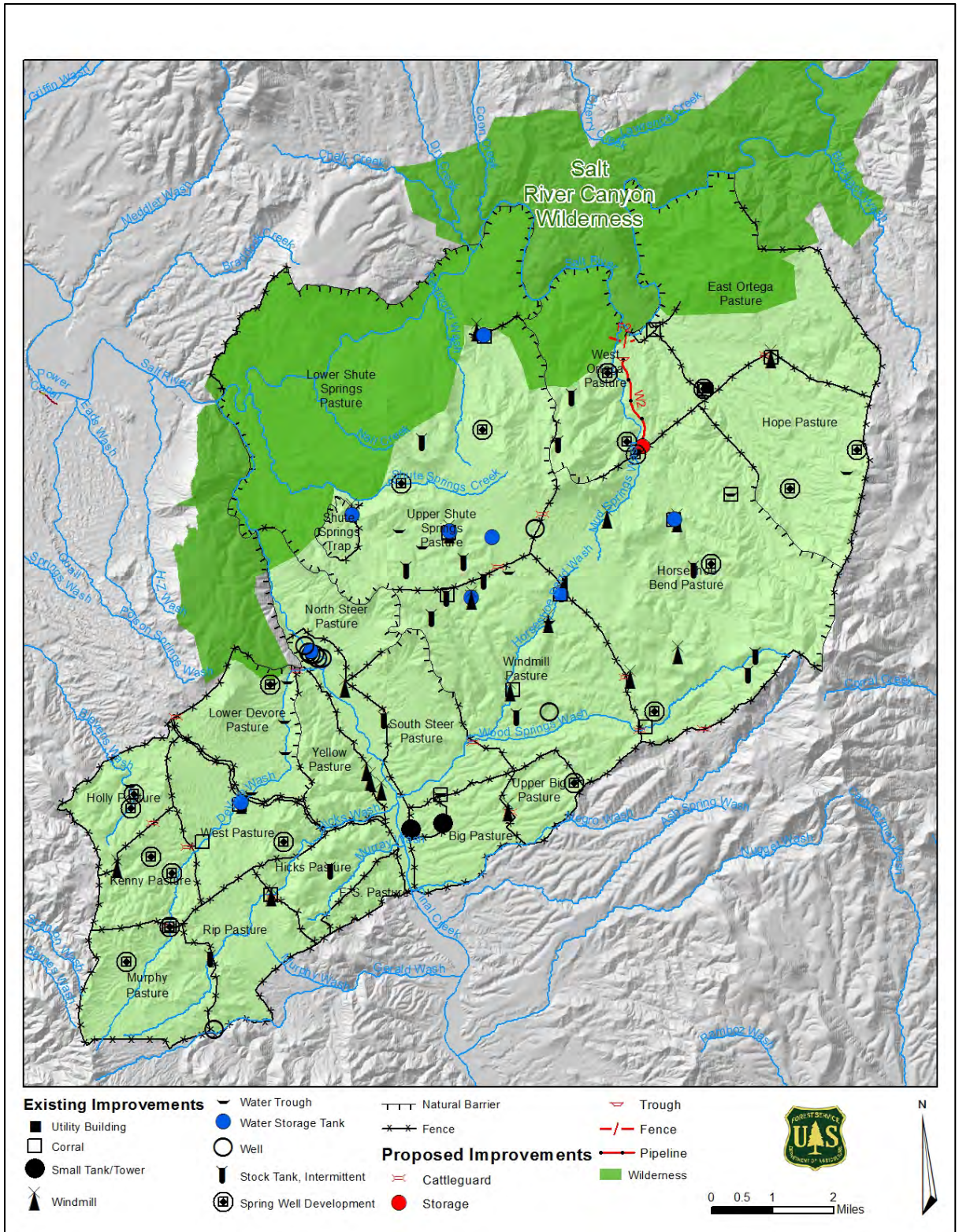


Figure 2: Range Improvements anticipated to be Installed within the First Two Years (in red)

Additional Infrastructure

In addition to the structural range improvements listed above, additional infrastructure may be constructed, if needed, in the future. The effects of adding any additional infrastructure such as fencing or waters to achieve resource objectives in the future are disclosed in and tiered to this environmental analysis. No additional analysis for these improvements will be required, with the exception of appropriate Heritage clearances, if the improvements fall within the sideboards listed below. Heritage clearances for both the improvement and the access to the improvement will be obtained before implementation of any future improvements. Existing improvements will be considered for reconstruction or removal prior to installation of new improvements. District Ranger will authorize construction of any new range improvements through a permit modification.

Sideboards for Additional Infrastructure

Improvements may be authorized as necessary to achieve desired conditions without additional environmental analysis within the following specifications:

- All new range improvements constructed within one quarter mile of the Upper Salt River will be constructed beyond the Foreground, the nearest visible area from the Upper Salt River, up to one quarter mile. and verified at the physical site of construction. No improvements will be built within 100 feet of the Upper Salt River.
- New range improvements in the Salt River Canyon Wilderness⁵ will be constructed with non-reflective materials.
- In areas with a visual quality objective (VQO) of preservation, or retention, new pipelines will be buried or placed out of sight of a casual forest observer where practicable.
- When traveling off road to range improvements outside of the Salt River Canyon Wilderness, the permittee will use a variety of routes, especially as they exit system roads, so as not to create new unauthorized routes that may be mistaken by other motorized users as authorized routes.
- Motor vehicle and or ATV/UTV access to range improvement sites will be on existing roads where practicable. Off-road vehicle use by pickup, trailer, ATV, UTV, or motorcycle needed to transport materials or machinery to maintain or inspect structural range improvements (fences, corrals, pipelines, wells, windmills, storage tanks, water delivery systems, troughs, earthen tanks) assigned in Part 3 of the term grazing permit as the permit holder's responsibility for maintenance is authorized. Existing routes or the shortest, most direct route to the improvement must be used and new route construction (i.e. blading a path) is not allowed without additional authorization. Cross-country motorized travel is not allowed when conditions are such that cross-country travel would cause unacceptable natural and/or heritage resource damage.
- Disturbance to obligate riparian vegetation should be minimized including but not limited to willows, cottonwoods, and sycamores.

⁵ A minimum requirements analysis may be utilized when considering new activities and instances authorizing non-conforming uses in designated wilderness. A minimum requirements analysis (MRA) is generally used when land managers are considering a use prohibited by Section 4(c) of the Wilderness Act of 1964. Other guidelines for constructing range infrastructure in Wilderness Areas can be found in the Congressional Grazing Guidelines (H. Rep. No. 617, 96th Cong. 1st Session 11 (1979)).

- New spring developments and redevelopments should employ the strategies outlined in Rangeland Water Developments at Springs: Best Practices for Design, Rehabilitation, and Restoration General Technical Report 405: Rangeland water development at springs: Best Practices for Design, Rehabilitation, and Restoration.
- New well developments should not occur within 300 feet of riparian ecological response units determined using TEUI data.
- New or reconstructed infrastructure should not be located within floodplains or within 300 feet of water resource features (e.g., perennial and intermittent streams, springs, wetlands, and riparian areas), except where necessary for stream crossings or to provide for resource protection to avoid the long-term adverse impacts associated with the occupancy and modification of floodplains and water resource features.
- Natural spring developments and their surrounding riparian vegetation are important winter stop over areas for migratory birds and provide important habitat for many riparian dependent species. Exclosure fences built in the vicinity of these areas should be built between at least one quarter and one half acres around the natural spring to maintain the riparian vegetation, where possible, and comply with Forest Service Policy (Forest Service Handbook 2526.03).
- When additional water supplies are necessary, existing infrastructure that could provide the supply should be evaluated for repairs or improvement prior to developing new sources of supply.

Table 4 through Table 6 and Figure 3 identify additional infrastructure that may be installed in the future, beyond the two years following a decision for this project. These projects, as depicted in Figure 3, are not the exact locations and only identify a general location for additional infrastructure. These additional projects, as well as others, will be designed following the sideboards above

Table 4: Proposed Additional Infrastructure - Fencing

Identifier	Description	Pasture
AF6	Fence to split pasture into East and West Lower Shute pastures. A minimum tools analysis may be required to authorize fence construction in designated wilderness areas.	Lower Shute
AF4	Install a drift fence near the Salt River and Pinal Creek to provide a barrier to keep cattle from accessing the river. A minimum tools analysis may be required to authorize fence construction in designated wilderness areas.	Lower Shute
AF5	Fence to split pasture into four individual pastures: North, South, East, and West Horseshoe Bend pastures.	Horseshoe Bend
AF7	Fence to split pasture into Upper Shute and Redmond pastures.	Upper Shute
AF8, AF9	Fence to split pasture into Main, North, and South Windmill pastures.	Windmill

Table 5: Proposed Additional Infrastructure - Cattleguards

Identifier	Description	Pasture
CG1, CG13, CG16	Cattleguard	Kenny/West, Kenny/Holly, Kenny/Murphy
CG3	Cattleguard	Hope/Ortega
CG5	Cattleguard	Upper Big/Big
CG7	Cattleguard	Windmill new pasture split
CG9	Cattleguard	Upper Shute Spring new pasture split
CG10	Cattleguard	Upper Shute Springs/Ortega
CG8, CG11, CG12, CG18	Cattleguard	Windmill/Upper Shute Springs Windmill/Horseshoe Bend
CG14	Cattleguard	South Steer/Horseshoe Bend
CG15	Cattleguard	Rip/Hicks
CG17, CG20	Cattleguard	Lower Devore/Yellow Lower Devore allotment boundary
CG2, CG4, CG6, CG19	Cattleguard	Horseshoe new pasture splits, Horseshoe Bend/Ortega, Horseshoe Bend Allotment Boundary

Table 6: Proposed Improvements - Water Developments (Springs, troughs, storage tanks) and Corrals

Identifier	Description	Pasture
AW10	Install a corral	Yellow
AW11	An above ground water line, trough, and corral.	Big
AW12	An above ground water line running from Cement Spring to a new trough.	Upper Big
AW13	An above ground water line running from Procopio Spring to a new trough and storage tank.	Windmill
AW14	An above ground water line running from Apache Spring to a new trough.	Horseshoe Bend
AW15	An above ground water line running from	Horseshoe Bend

Identifier	Description	Pasture
	Little Brewster Spring to a new trough and storage tank	
AW16	In Section 26, extend a water line and install a new trough.	Horseshoe Bend
AW17	In Section 36, extend a water line and install a new trough.	Horseshoe Bend
AW18	Add another water line and new trough	Horseshoe Bend
AW19	An above ground water line running from Brush Spring to a new trough and storage tank	Horseshoe Bend
AW20	In Section 23, extend a water line and install a new trough.	Hope
AW21	In Section 11, extend a water line and install a new trough.	Hope
AW22	An above ground water line running from Grapevine Spring to a new trough and storage tank.	Hope
AW24	An above ground water line running from Lower Grapevine Spring to a new trough and storage tank	Ortega
AW25	Extend a water line and install a trough from Horse Spring.	Horseshoe Bend
AW26	Install an above ground water line along Forest Road 219 to a new trough.	Horseshoe Bend
AW27	Install an above ground waterline to a new trough and storage tank.	Horseshoe Bend, Upper Shute
AW29	Install a new storage tank at Wood Spring.	Windmill
AW30	Install an above ground waterline to a new trough and storage tank	Upper Shute
AW31	Add an additional above ground waterline from AW30 and two troughs.	Upper Shute
AW32	Install a new storage tank and trough from Shute Springs.	Upper Shute
AW33, AW34	Install a new above ground water line and troughs.	Upper Shute, Lower Shute
AW5	Install a corral, storage tank, trough with an above ground water line, and drill a well near Murphy Spring.	Murphy
AW6, AW7, AW8, AW9	Install a new above ground water line and troughs.	Rip, Hicks, Yellow

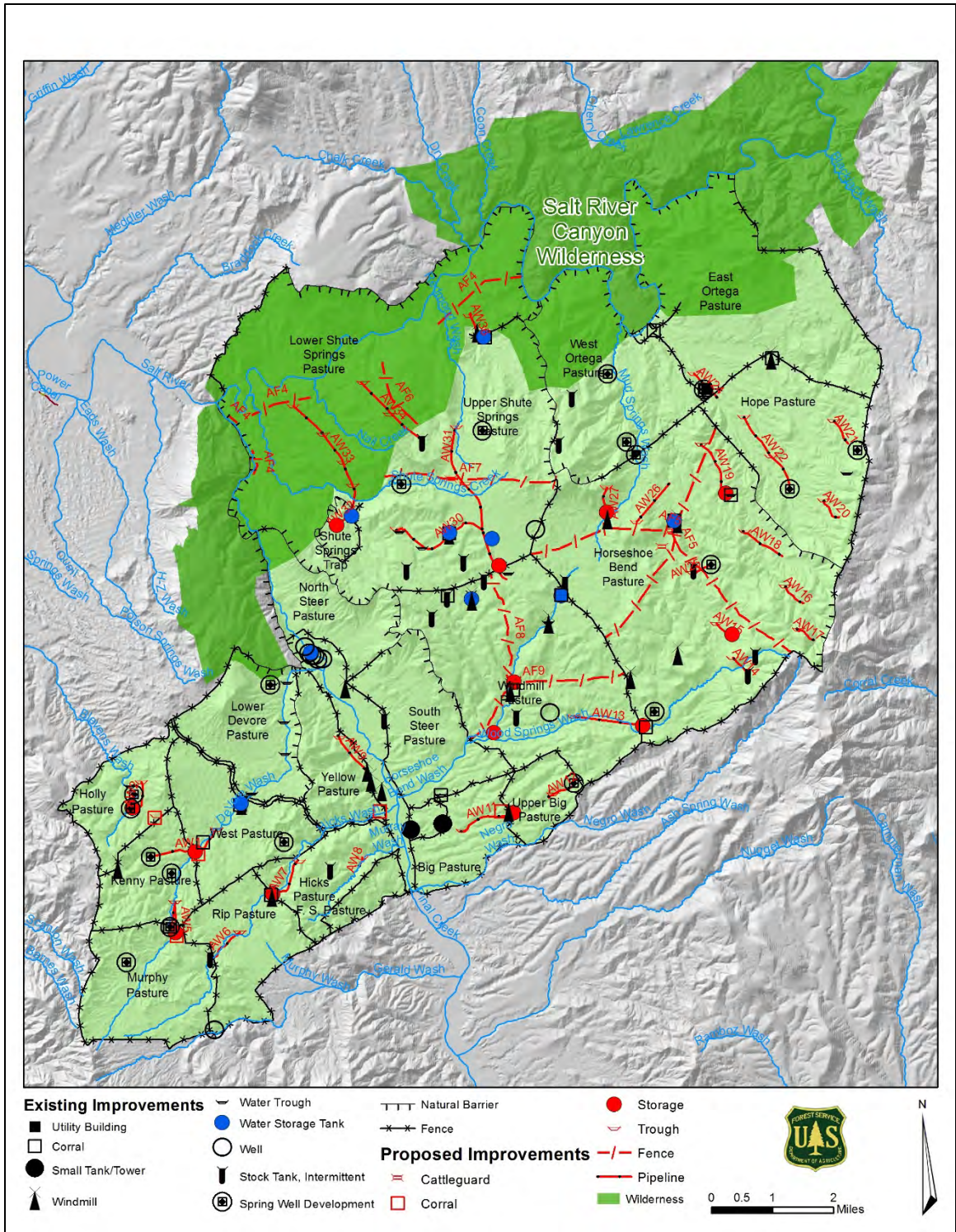


Figure 3: Possible Locations of Additional Future Infrastructure (in red)

Range Improvement Design Features and Specifications

All existing and new improvements will follow design features from the Forest Service Structural Range Improvement Handbook (Forest Service Handbook 2209.22 R3) or the most current Forest

Service policy and Best Management Practices. At the time of this analysis, these design features are as follows:

Springs

- All spring source facilities and headboxes should be adequately protected (i.e. buried or encased) or fenced.
- Headboxes will be constructed of concrete, metal, treated wood or other durable material. Initial pipeline, inside the box, should be fitted with a tee to prevent debris from entering the pipe.
- Horizontal wells must contain a shut off valve and reducer. Entire exterior of the well can be earth covered to prevent freezing. Care should be taken to ensure sufficient water remains at the spring source to support riparian and aquatic resources dependent on the spring.

Pipelines

- Diameter of pipe should be large enough to carry the flow of the water development but not less than 1 inch.
- Inlet and outlet pipe are protected by anchoring to trough with a single post next to the vertical pipe and a brace or pole supporting the horizontal pipe. Inlet and outlet pipeline will be buried as much as possible for their protection.
- All above ground pipeline supported structures will be maintained to keep pipe at gradient and prevent sagging.
- Pipelines with air and drain valves will be covered with fine screen to prevent rodents and dirt from entering pipeline. Screens must be replaced as needed.
- Pipeline leaks will be repaired or damaged section will be replaced with materials similar to materials from original construction.
- Pipelines with valve cover boxes will be kept covered and repaired when needed.
- Sufficient water should remain at the spring source to provide for riparian and aquatic resources supported by the spring.
- Riparian and aquatic resources supported by springs should be protected from grazing by fencing.

Troughs and Storage tanks

- Troughs will be kept at heights that make them useable to livestock. Steel troughs should be kept off of the ground. Troughs which become elevated or uneven from trampling or erosion are periodically backfilled to maintain a useable height, authorization may be needed.
- Troughs and storage tanks should have float valves to maximize the volume of water remaining at the spring source to support aquatic and riparian habitat.
- Excess water in trough will be contained in an overflow pipe at least 50 feet away or nearest drainage. End of overflow pipe must be protected from trampling by livestock.
- New water developments will be constructed in uplands, at least 400 feet away from riparian areas, to encourage livestock use out of the bottoms.
- All existing or future water developments that have open tops (i.e. troughs, open top storage tanks) must have escape and access ramps. All escape ramps will be built of expanded metal or similar materials and extend to bottom of trough and sides (1985 Tonto Forest Plan). Ramp will be firmly secured to trough rim so it will not be knocked loose by animals. Access ramps will be constructed of durable material such as concrete

or metal. Slope will not exceed 45 degrees. Further design specifications may be required from “Water for Wildlife” by Taylor and Tuttle 2007.

- Where practical, leave water in troughs for wildlife when not in use by cattle.
- Troughs, storage tanks, and pipelines will be drained and cleaned periodically to prevent moss and debris buildup and damage from freezing.
- Poles, posts, and trough framing materials used in water development construction will be maintained, repaired, or replaced as needed.

Stock Tanks

- Stock tanks will be kept clear of debris, floating logs, dead animals, etc. Spillways will be cleaned and maintained to prevent washing out or becoming plugged. Rodent damage and damaging vegetation on dams will be reported to Forest officer.

Fences

- All broken wire will be spliced and repaired and re-stretched to keep tension. Wire splices will be made with 12 gauge size tie wire or type of wire used in initial construction.
- Broken or rotted posts, braces or stays will be replaced where needed to maintain wire tension.
- Top wire on all range fences should be kept at 42 inches in height, and bottom wire should be smooth and 18 inches above ground. General maintenance will adhere to original construction, unless required by Forest Official. Reconstruction will be to these outlined standards.

Gates

- Wire gate tension should be sufficient to prevent gate from sagging and still be easily opened and closed. Gate loops are made of smooth wire, not barbed wire.
- All new corral authorizations will include site specific construction specifications.

Corrals

- Broken or rotten sections of corrals will be replaced as needed to maintain useable condition.

General

- All improvement components (e.g., rusted out troughs, broken sections of pipe, wire etc.) replaced during maintenance or reconstruction will be removed from Forest and properly disposed of.
- Heavy equipment, or drill rigs, brought in from outside local area should be considered for weed washing prior to commencing work.

Monitoring

The objective of monitoring is to determine if management is being properly implemented and if the actions are effective at achieving or moving toward desired conditions. Monitoring activities may be carried out by the grazing permit holder (permittee) or the Forest Service either during or at the end of grazing season. Monitoring will consist of implementation and effectiveness

monitoring in key areas such as: allotment inspections, noxious weed treatments, riparian monitoring, photo-points, utilization height and weight, reading the range, and parker three-step.

Implementation monitoring

This type of short term monitoring determines whether standards and management practices, outlined in desired conditions, are currently implemented. For this type of monitoring to be successfully gathered, indicators should be collected approximately yearly and include such things as inspection reports, forage utilization measurements in key areas, livestock counts, and facilities and improvements inspections. Monitoring data will be collected in established key areas but may also include monitoring outside of key areas.

Effectiveness monitoring

Effectiveness monitoring tracks long-term condition and trend of upland and riparian vegetation, soil, and watersheds. Data will be evaluated in consideration with management practices to determine if management practices are effective toward meeting desired conditions. Examples of effectiveness monitoring indicators include, but are not limited to pace transects, pace quadrat frequency, dry weight rank, ground cover, Parker 3-step, repeat photography, and Common Non-forested Vegetation Sampling Procedures which measures; frequency, fetch, dry-weight rank, production, and utilization.

Monitoring will occur at established permanent monitoring points. Effectiveness monitoring should occur at least once every ten years or more frequently, if deemed necessary.

Riparian Utilization Monitoring

Utilization limits for herbaceous riparian vegetation are intended to do two things: 1) protect plant vigor and 2) provide physical protection of streambanks or the sediment on the greenline that could develop into a bank feature. Deergrass was selected as the key species to monitor because it is the most common obligate, riparian, native, perennial grass on the Tonto National Forest. Additionally, deergrass exhibits a number of traits that make it an ideal stream-stabilizing plant. The above ground attributes of deergrass aid in preventing soil loss through decreasing flow velocity. They also trap sediment which aids in the rebuilding of stream banks. Furthermore, deergrass is a bunchgrass with an extensive root system which acts to stabilize streambanks (Cornwall 1998; Clary and Kruse 2003).

Monitoring short-term indicators, such as stubble height and woody utilization, during the grazing season, can help determine if grazing use criteria is moving riparian conditions toward management objectives over time (Burton *et al.* 2011).

Noxious Weed Monitoring

Noxious weeds located in these allotments will be treated as necessary. The permittee and Forest Service will coordinate weed inventory and treatment. Noxious weed monitoring maybe carried out at the same time allotment inspections are conducted. As noxious weed populations are found they will be mapped, monitored, and treated. Treatment of invasive species may be carried out in

accordance with practices established in Tonto's Environmental Assessment of Integrated Treatment of Noxious or Invasive Weeds as detailed in that decision notice and finding of no significant impact, pages three and four (Forest Service 2012).

Key Areas

A key area is a portion of rangeland or riparian selected because of its representation of pasture, location, grazing or browsing value, or livestock use. It serves as a monitoring and evaluation point for range condition, trend, or degree of grazing use.

Key areas are further defined by seasonality of monitoring: short term or long term. Short term, or annual monitoring, identifies yearly adjustments to livestock grazing, climate, or other factors. Long term data, gathered on five to ten year intervals, measures change in plant community composition, cover, structure, soil conditions, frequency, and management of grazing through trend. Riparian long term data gathers vegetation and stream channel geomorphology condition and trend. These data are gathered on five to ten year intervals, preferably by riparian specialists.

A key area should be an area representative of the range or riparian areas as a whole, an area where livestock use occurs, located within a single ecological site and plant community, and be a minimum of 100 yards from fence lines, exclosures, roads, and trails. Key areas may be identified in the allotment management plan.

Key Areas for all types of monitoring except riparian area monitoring will normally be one quarter mile from water, located on productive soils on level to intermediate slopes and be readily accessible to grazing. Within key areas, an appropriate key species is selected to monitor average allowable use (Forest Plan p. 42-1). Desired conditions contain measurable goals that will be measured at key areas. Over time, changes in resource conditions or management may result in changes in livestock use patterns. As livestock use patterns change, new key areas may be established and existing key areas may be modified or abandoned in cooperation with the permittee and cooperators.

Monitoring Direction

- Data collection procedures and interpretation will consider guidance contained in the *Principles of Obtaining and Interpreting Utilization Data on Southwest Rangelands* (Smith et al. 2005), Interagency Technical Reference 1734-3 "Utilization Studies and Residual Measurements" and "Sampling Vegetation Attributes" (1996) (Technical Guide) and the Forest Service Region 3 Rangeland Analysis and Management Training Guide (June 1997) (Training Guide), "Guide to Rangeland Monitoring and Assessment (Smith et al 2012).
- Guidance in monitoring techniques will follow accepted Forest Service protocols set by the monitoring handbook.
- Key areas are described in "sampling vegetation attributes" (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.
- Riparian components in key reaches will be monitored using riparian utilization measurements (implementation monitoring) following methods in the Technical Guide or the most current acceptable method.

Response to Monitoring

Within the scope of the grazing authorization decision, the forest will adjust management in response to monitoring data, in combination with other factors such as weather patterns, likelihood of plant regrowth, and previous years' utilization levels. Authorized number of livestock may be adjusted but will not exceed the number authorized in the grazing decision. The grazing decision and associated allotment management plan is implemented through the term grazing permit and annual operating instructions (AOI). Necessary annual adjustments to grazing management on the allotment will be implemented through the AOI, which will adjust use to be consistent with current vegetation productivity and resource conditions. The AOI may change season of use and pasture rest periods, and will also include mitigation measures and Best Management Practices⁶ 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, etc., or management and livestock operation concerns.

⁶ Additional information about additional Best Management Practices can be found in the Livestock Management Practices and Mitigations for Other Resources section of this Proposed Action.

Administrative Actions to Adjust Grazing Management

There are several types of administrative actions that could be used to modify grazing management within the allotment. If monitoring indicates that desired resource conditions are not being achieved in the desired time frame or in areas of this allotment, there are tools, or administrative actions that may be used to modify livestock management. Although there are many factors which may cause a desired condition to not be met, the following tables show how livestock management may be modified if livestock grazing is determined to be the probable cause why these desired conditions are not being met (Table 7 through Table 11). These tables list examples of administrative actions included in this proposed action that may be taken to respond to certain resource conditions. These tables are intended to aid the reader in understanding how livestock management may be modified to respond to certain conditions and not an exhaustive list. Ultimately, adaptive management principles and the most current Forest Service policy will guide these management decisions.

Table 7: Management Indicators for Species, Vigor, Cover, Litter

Desired Condition	If	Then	Follow up
Maintain or improve, as compared to local TEUI, native species cover, litter and vigor	Initial reduction in vigor, cover, litter	Monitor range readiness before livestock authorization in following year.	Document. If necessary, conduct rangeland health evaluations. Install vegetation cages or exclosures to further identify local vegetation conditions.
	Drought models predict reduced precipitation amounts due to change in weather pattern and Standard Precipitation Index below -1.	Monitor range readiness	Work with permittee to develop further drought response strategies. Document and conduct rangeland health as needed.
	Reduction in vigor, cover, litter due to prescribed or wildfires.	Monitor for range readiness and work with district office to identify attributes.	Monitor for attributes to authorize grazing.
	Continued reduction in vigor, cover, litter at one key area due to distribution	Use salting and herding to move livestock to unused or lightly used portions of	Document and monitor range readiness.

Desired Condition	If	Then	Follow up
		pasture.	

Table 8: Management Indicators for Soils, Water Quality/Quantity, and Watersheds.

Desired Condition	If	Then	Follow up
Maintain soils currently in satisfactory condition and to manage for upward trend of the soils that are in impaired condition within grazing management practices.	When soils are assessed, a soil condition category indicates a reduction of soil quality such as hydrologic, nutrient cycling or stability.	Rest pasture for a growing season or move cattle away from critical area by salting, herding until further monitoring is conducted.	Schedule to monitor for soil condition trend within a couple years. After follow-up monitoring, conclude if supplemental analysis is needed to adjust management.
Water quality in the three water bodies monitored by ADEQ, or any additional water bodies monitored by ADEQ during the duration of the authorization, meet or exceed state water quality standards	Livestock have accessed Pinal Creek during pasture grazing period.	Move cattle away from Pinal Creek with salting and herding.	Monitor livestock access to Pinal Creek.
	Livestock continue to access Pinal Creek due to insufficient fencing or lack of water sources.	Reconstruct existing fence, establish locations for new drift fencing or water locations.	Obtain the appropriate SHPO clearances.
	Water quality standards for other streams in project area are listed as Impaired.	Work with ADEQ to determine if source of contamination is related to	Work with ADEQ to develop TMDL for any new water quality concerns that arise in the project area that are related to livestock grazing.

Desired Condition	If	Then	Follow up
		livestock grazing ⁷ .	
Manage watersheds to improve to a satisfactory or better condition. As the Watershed Condition Framework is currently the Forest Service’s accepted measure of watershed condition, satisfactory equates to a rating of “functioning properly”.	Riparian utilization standards are exceeded in key reaches, or insufficient riparian vegetation is present to allow for meaningful (statistically valid) riparian monitoring	Livestock should be removed from the pasture. Areas with insufficient riparian vegetation to allow meaningful monitoring should be rested until sufficient riparian vegetation is established for statistically valid monitoring to occur.	Monitor to ensure effectiveness using National Riparian Protocol and Use Stream Reach Inventory and Channel Stability Evaluation or a similar protocol.

Table 9: Management Indicators for Riparian Key Areas.

Desired Condition	If	Then	Follow up
Riparian utilization will not exceed 50% of terminal leaders of trees and shrubs under 6 feet tall, not exceed more than 40% of biomass of herbaceous species, maintain a residual stubble height of 6-8 inches of emergent vegetation. Streambanks along key reaches	Initial over-use during grazing season.	Move to next scheduled pasture. Or use salting and herding to reduce pressure on riparian area.	Measure range readiness prior to livestock authorization. If cattle remain in pasture, continue measuring key reach for further utilization.
	Continued over-use on same reach, especially after salting and herding.	Rest pasture, reduce livestock numbers, or change season of use.	Monitor to ensure effectiveness using National Riparian Protocol and Use Stream Reach Inventory and

⁷ The Forest Service cannot predict or direct when or if the Arizona Department of Water Quality will monitor these streams or if they will make this determination.

Desired Condition	If	Then	Follow up
are stable, not compacted, and sediment contribution to key reaches within Hicks Pikes Peak allotment are within the natural range of variability.			Channel Stability Evaluation or a similar protocol.
	Continued over-use on same reach, when water sources are located in riparian areas or drainages.	Identify new locations for improvements outside of riparian areas or change season of use.	Obtain appropriate site specific clearances for new water locations outside of riparian areas.
	Continued over-use on same reach in well-watered pasture.	Identify locations for exclosure fencing, reduce livestock numbers, or utilize a cool season grazing strategy.	Obtain appropriate SHPO concurrence. Monitor for affected plant recovery.
	Utilization levels are below allowable use threshold.	Extend use in pasture.	Keep log of pasture extensions and determine if increase in livestock numbers are supported. Monitor riparian area and channel stability using National Riparian Protocol and Use Stream Reach Inventory and Channel Stability Evaluation or a similar protocol.
Maintain or improve herbaceous and riparian woody species in key reaches within Hicks Pikes Peak allotment.	Winter and spring precipitation result in conditions ideal for recruitment of seedling riparian species.	Consider resting areas of dense recruitment for two growing seasons to allow newly recruited vegetation to grow above the reach of grazing cattle.	Document areas of dense recruitment and monitor growth to assess when they have grown beyond the reach of livestock. Use National Riparian Protocol, Proper Functioning Condition assessment or similar protocols.

Table 10: Management Indicators for Upland Utilization

Desired Condition	If	Then	Follow up
Upland utilization does not exceed allowable use threshold	Utilization levels are below threshold on at least two key areas.	Extend use in pasture	Keep log of extensions and determine if increase in livestock numbers are supported.
	Initial over-use during grazing season on at least one monitoring area	Move to next scheduled pasture or use salting and herding to move livestock to less grazed areas.	Measure range readiness prior to livestock authorization.
	Continued over-use in pasture on at least two key areas	Rest or defer pasture.	Measure range readiness prior to livestock authorization.
	Continued over-use in pasture with accessible but ungrazed areas.	Use more strategic salting and herding or consider adding additional waters, close off waters, or fences to encourage distribution. Reduce livestock numbers or utilize a cool season grazing strategy	Monitor for native plant recovery.
	Continued over-use in pasture with no other accessible ungrazed areas	Reduce Livestock numbers or utilize a cool season grazing strategy	Monitor for native plant recovery.

Table 11: Management Indicators for Managed Grazing Methods

Desired Condition	If	Then	Follow up
Livestock are managed on appropriate pastures through managed grazing methods	Increased precipitation and/or favorable precipitation outlook with maintained or positive trends in other desired conditions	Consider increase of livestock numbers.	Issue a new Bill of Collection for additional livestock.
	Livestock are not in authorized pasture but on allotment due to insufficient fencing	Forest Service will require interior pasture fence in question to be reconstructed or add additional fencing.	Follow up with inspection of fencing.
	Livestock are not in authorized pasture but on allotment due to gates left open.	Livestock immediately gathered and placed back in authorized pasture. Identify if new gates are needed (i.e. easier to close, metal gates). Ensure gates have proper signs. Consider replacing with cattle guard or similar.	Follow up with pasture inspection or project authorization letter.
	Livestock are not on authorized allotment, due to insufficient fencing or gates left open.	Livestock immediately gathered and placed back in authorized pasture.	Possibly Bill of Collection for unauthorized use.
	Livestock are affecting the protection of historic properties.	Relocation of range improvement or salting location.	Archeology will monitor impacts to relocation.

Desired Condition	If	Then	Follow up
	Livestock are affecting the protection of historic properties and relocation of improvements is not plausible.	Fence out livestock from historic properties and relocate range improvement if needed.	Archeology will monitor impacts to fencing.

Livestock Management Practices and Mitigations for Other Resources

Livestock Management

For grazing throughout Tonto National Forest General Management Areas and the Salt River Wilderness Management Area, practices to minimize impacts to other resources include:

- Permittee will furnish sufficient riders or herders for proper distribution, protection, and management of cattle on the allotment.
- Salt or mineral supplement will be used to distribute cattle. All salt or mineral supplements should not be placed any closer than one quarter mile from natural water sources, recreation sites, designated trails, and within or adjacent to identified/known heritage sites.
- Cattle should be drifted instead of trailed wherever possible. Limit trailing through riparian areas.
- When entering next scheduled pasture, all livestock shall be removed from previous pasture within two weeks of starting move unless otherwise approved.
- Forest Service and/or Permittee will monitor livestock utilization and move cattle when triggers are met.
- Permittee will ensure all infrastructure is in functioning condition, as described above, prior to entering the next scheduled pasture.
- Permittee will provide the Forest Service with Actual Use records and/or Improvement Maintenance records.

Drought Preparation

Drought is inevitable in the desert Southwest. Regional Forest Service policy (USDA Forest Service, 2006) sets a threshold of negative 1.00 SPI which triggers an evaluation of drought conditions. An interdisciplinary allotment evaluation is conducted to identify drought effects on an individual plant and landscape basis. Factors to consider in the evaluation include:

- Local precipitation data: rain gauge data, departures from normal;
- Current range management status: monitoring for desired conditions;
- Stocking levels: current authorized livestock numbers, grazing strategy;
- Available water sources: status of hauling water, stock tank levels, condition of improvements, well or spring production, presence of valuable riparian vegetation at the water source.

When an allotment's 12 month SPI becomes positive, vegetation resources will be evaluated for indicators of drought recovery. Factors, such as the following, are evaluated:

- Recovery of vegetation: improved plant vigor, restoring litter production, restoring forage production;
- Implementation of grazing: focus on recovery through incremental restocking and pasture rest.

Early communication is important. Work with permittee to develop drought preparedness guidelines to be included in the Allotment Management Plan. These guidelines will help frame initial communications related to the first signs of management impacts due to drought. Guidelines should address potential drought impacts to livestock and vegetation, identify known issues, and strategically plan for different scenarios while actively monitoring.

Off-Road Travel

The following on-going activities requiring motor vehicle use off of designated routes will be authorized to conduct livestock grazing activities on National Forest System lands within the Tonto National Forest:

- Off-road vehicle use by pickup, trailer, ATV, UTV, or motorcycle needed to transport materials or machinery to maintain or inspect structural range improvements (fences, corrals, pipelines, wells, windmills, and storage tanks, water delivery systems, troughs, earthen tanks) assigned in Part 3 of the grazing permit as the permit holder's responsibility for maintenance will be authorized. Existing routes or the shortest, most direct route to the improvement must be used and route construction (i.e. blading a path) will not be allowed without additional authorization.
- Using an off-road vehicle to place salt or mineral supplements in strategic locations for livestock management purposes may be authorized by the District Ranger in the Annual Operating Instructions when requested.

Vehicle use to gather or move livestock off-road will not be authorized. Cross-country motorized travel will not be allowed when conditions are such that cross-country travel would cause unacceptable natural and/or heritage resource damage. Off-road use of heavy equipment (i.e. backhoe, dozer, loader, etc.) may be authorized for range improvement development as needed. Cross-country travel to construct new range improvements and other off-road travel by the permit holder will be analyzed in the environmental analysis for this project. Before new improvements are approved, Heritage clearance will be obtained, including the route to access the development.

No additional Section 106 cultural compliance is required for specific limited-use authorizations already covered by separate decisions under the *National Environmental Policy Act* per The Region 3 Region-wide Travel Management protocol with the Arizona State Historic Preservation Officer. Motor vehicle use in designated wilderness areas will continue to be managed consistent with the provisions of the *Wilderness Act* [Section 4(d)(4)(2)] that provides for limited exceptions for grazing livestock as further defined in the Congressional Guidelines (Forest Service Manual 2323.22).

Wilderness

Management Area 2B emphasizes wilderness values. It provides for livestock grazing and recreation opportunities that are compatible with maintaining wilderness values and protecting resources. Section 4(c) of the *Wilderness Act of 1964* defines minimum requirements for administrative actions in wilderness areas, which includes grazing. Wilderness resources must be considered when preparing range improvement construction standards and techniques (Forest Service Manual 2323.26a).

Section 4(d)(4)(2) in Forest Service Manual 2320.5 states that "...wilderness designation should not prevent the maintenance of existing fences or other livestock management improvements, nor the construction and maintenance of new fences or improvements, which are consistent with allotment management plans and/or which are necessary for the protection of the range."

Compliance with the *Wilderness Act* in the Salt River Canyon Wilderness area is important and expected of all users on the allotments. The permittee should strive to maintain the untrammled, natural conditions

within wilderness areas. Wilderness guidelines found in the Congressional Grazing Guidelines⁸ will be followed.

Heritage Resources Management

Mitigation of impacts to heritage resources is best accomplished by avoidance of these properties by the placement and construction of all range improvements. It can also be achieved by minimizing the localized concentration of animals, improving distribution across the allotment and across each pasture, and by reducing the intensity of grazing for the allotment as a whole. In instances where proposed improvements will involve any potential for ground disturbance, such as stock tanks and other water developments, a 100 percent archaeological survey will be conducted for areas which have no previous survey coverage, or have outdated surveys, which do not conform to current standards.

Other, more specific mitigation requirements may be identified as each of these improvements is developed and a heritage inventory is made of their areas of potential effect. Such protective measures are developed in accordance with the goals of the project, taking into account site vulnerability as well as the methods of project implementation. All inventoried heritage sites are treated as eligible for the National Register of Historic Places with the exception only of those that have been formally determined to be not eligible in consultation with State Historic Preservation Office (SHPO).

All construction, reconstruction, removal, maintenance and repair of improvements will comply with current Forest direction to protect heritage resources. Archeological clearance must be approved with all necessary consultation with SHPO and the potentially interested Tribes prior to issuing any decision regarding the construction, of all improvements, reconstruction of improvements outside of the existing footprint, or repair and maintenance of improvements away from existing roads or pre-established access. This approach, based on long-term consultation with SHPO and on Region 3 policy as embodied in the *First Amended Programmatic Agreement Regarding Historic Property Protection and Responsibilities between the USDA Forest Service Region 3, the State Historic Preservation Officers (SHPO) of Arizona, New Mexico, Texas, and Oklahoma, and the Advisory Council on Historic Preservation*, signed December 24, 2003 (Programmatic Agreement), specifically Appendix H, the *Standard Consultation Protocol for Rangeland Management* (the Protocol) of the *First Amended Programmatic Agreement Regarding Historic Property Protection and Responsibilities* (the Protocol) developed pursuant to Stipulation IV.A of the Programmatic Agreement—is considered to be the "standard operating procedure" for treating potential grazing impacts to heritage resources on the Tonto National Forest.

Protection measures identified under the Protocol include:

- Relocation of existing range improvements and salting locations sufficient to ensure the protection of historic properties being impacted by concentrated grazing use.
- Fencing or enclosure of livestock from individual sensitive historic properties or areas containing multiple sensitive historic properties being impacted by grazing.
- Periodic monitoring to assess site condition and to ensure that protection measures are effective.

⁸ Congressional Grazing Guidelines (H. Rep. No. 617, 96th Cong. 1st Session 11 (1979)).

Other mitigation measures involving data recovery, for example, may be developed and implemented in consultation with the SHPO as the need arises. The appropriate tribes will be consulted, if the mitigation is invasive or if it affects a Traditional Cultural Property or other property of concern for them.

The 1985 Forest Plan and its Amendment 21 (May 3, 1995) establishes standards and guidelines (under Decision Unit (DU) 3) that are applicable throughout the Forest regarding the management and protection of prehistoric and historic archaeological sites and other historic properties. The Amendment states that interpretive opportunities for Heritage (archaeological and historic) resources should be pursued as a high priority when opportunities arise. Other management direction specifically applied toward the protection of archaeological and historic resources from looting or vandalism is found in the *Archaeological Resources Protection Act*. If opportunities to provide educational and interpretive signs are identified in the project area, these may be installed under the direction of the Forest Archeologist and approval of the Globe District Ranger.

Decision Rationale

I have determined that my decision meets the purpose and need for this project. The Tonto National Forest Land Management Plan (Forest Plan) identifies the Hicks-Pikes Peak Allotment as suitable for domestic livestock. The purpose of this action is to consider livestock grazing opportunities on public lands where consistent with management objectives. In addition, per Forest Service Handbook 2209.13, Chapter 90, section 92.22, the purpose of this action is to authorize livestock grazing in a manner consistent with direction to move ecosystems towards their desired conditions.

Authorization is needed on this allotment because:

- Where consistent with other multiple use goals and objectives, there is Congressional intent to allow grazing on suitable lands (*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*).
- This allotment contains lands identified as suitable for domestic livestock grazing in the Forest Plan, and continued domestic livestock grazing is consistent with its goals, objectives, standards, and guidelines (Forest Plan, pages 24, 91-118).
- It is Forest Service policy to make forage available to qualified livestock operators from lands suitable for grazing consistent with land management plans (Forest Service Manual 2203.1; 36 CFR 222.2 (c)).
- It is Forest Service policy to continue contributions to the economic and social well-being of people by providing opportunities for economic diversity and by promoting stability for communities that depend on range resources for their livelihood. (Forest Service Manual 2202.1).

I have determined the Proposed Action meets the purpose and need and achieves the desired conditions in the following ways⁹:

- The selected alternative is consistent with law, regulation, and Forest Service Policy in that it makes Forest Service lands identified as suitable for livestock available for a quality opportunity for grazing, an acceptable use of public lands.
- It will continue to move the project area toward the desired conditions as site specifically interpreted for this area from the 1985 Tonto National Forest Land and Resource Management Plan (Forest Plan)¹⁰. I have also determined it is consistent with the standards and guidelines in the draft revised forest plan published in November 2019, the most current version available at the time of this decision.
- It utilizes adaptive management to allow the forest and the grazing permittee to actively modify management in response to monitoring or changing conditions on the ground including unforeseen environmental concerns such as drought or fire¹¹.
- It allows for riparian area pastures to be utilized while excluding cattle from the Salt River and other tributaries and protecting the integrity of the Salt River Canyon Wilderness and other valued recreational opportunities associated with the Salt River.

In addition to the Proposed Action, I considered an alternative which would have limited grazing to a period between October 1 through March 31 of each year (Seasonal Grazing Alternative) based on comments received during project scoping. I did not fully develop or select this alternative because it is redundant with the Proposed Action. The Proposed Action already allows for management to be adjusted for season of use for any pasture in response to monitoring or changing conditions on the ground including unforeseen environmental concerns such as drought or fire¹². Further, the analysis determined that the effects of the Seasonal Grazing Alternative would be the same or similar to the Proposed Action for the resources it was designed to benefit. It would not, however, provide the flexibility to graze yearlong or during opposite seasons, even in pastures with adequate forage or water availability. This would not meet the purpose and need in that Forest Service lands identified as suitable for livestock would not be available for a quality opportunity for grazing.

I also considered an alternative that would eliminate grazing on the Hicks Pikes Peak Allotment entirely¹³, the No Grazing Alternative. Forest Service policy requires the analysis of a no action alternative for grazing authorization projects as a basis to compare the effects of the Proposed Action and any other alternatives. I find that this has been done effectively for each resource in the EA. However, the No Grazing Alternative does not meet the purpose and need, and was therefore, not selected.

⁹ The Hicks Pikes Peak Grazing Authorization EA documents the environmental analysis and conclusions upon which this decision is based.

¹⁰ This interpretation is detailed in tables in the EA, Existing and Desired Conditions section for Vegetation, Soils, Water Resources, Water Quality and Quantity, and Watersheds.

¹¹ See the Response to Monitoring section of this decision for more information.

¹² See the Response to Monitoring section of this decision for more information.

¹³ Additional analysis and an amendment to the Forest Plan would be required to formally close the allotment.

Public Involvement

This action was originally listed as a proposal on the Tonto National Forest Schedule of Proposed Actions and updated periodically during the analysis. People were invited to review and comment on the proposal during two 30 day official comment periods (i.e. one scoping period and one comment period). These comment periods began on September 20, 2017 and July 31, 2019 respectively. A preliminary effects analysis was also available for review and comment during the second comment opportunity.

Approximately 350 interested and affected parties were notified of these opportunities to comment through direct mailings and emails. A legal notice was also published in the *Arizona Silver Belt*, the paper of record for the Globe Ranger District¹⁴. We received eight responses during the scoping period and eight responses during the comment period¹⁵.

I reviewed and considered all concerns raised during official comment opportunities. These were also reviewed by the forest interdisciplinary team and used to modify or clarify the proposed action, where appropriate, or to inform and focus the analysis of the alternatives. Comments received during the comment period were responded to, either individually or by topic, and can be found in the Response to Public Comment Report in the project record.

I recognize that not everyone agrees that livestock grazing is a valid use of National Forest Lands, as several comment letters we received have made clear. As discussed in the project's purpose and need, the Forest Service has clear direction to manage active grazing allotments and have been appropriated money by Congress to do so. As an agency, our discretion turns on how we manage range allotments, as with other resources, within existing law, regulation, and policy. Rangeland managers use the best available scientific information, as well as monitoring results and information obtained from staff, the grazing permit holder, and the public to adaptively manage rangeland resources to meet desired conditions on the landscape, not only for range resources, but for other forest resources, as well.

Findings Required by Other Laws and Regulations

As the Responsible Official, I am responsible for evaluating the effects of the project relative to the definition of significance established by the Council on Environmental Quality (CEQ) regulations (40 CFR 1508.13). I have made this finding as documented in the Finding of No Significant Impact (FONSI) and EA. I determined these actions will not have a significant effect on the quality of the human environment, and an Environmental Impact Statement (EIS) will not be prepared.

Additionally, On July 16, 2020, the Council on Environmental Quality published a final rule to amend its regulations implementing the *National Environmental Policy Act of 1969* (Council on Environmental Quality 2020). The final rule went into effect on September 14, 2020. In accordance with the amended regulations at Title 40 part 1506.13 of the Code of Federal Regulations (CFR), the amended regulations apply to any *National Environmental Policy Act* review process begun after September 14, 2020. The

¹⁴ Mailing lists of all agencies and persons contacted are available in the project record.

¹⁵ For a complete detail on how comments on the Preliminary EA were addressed, see the Response to Comment Report in the project record.

legal notice for project scoping was published for this project in the *Arizona Silver Belt* on September 20, 2017. As a result, this project is proceeding under the previous Council on Environmental Quality 1978 regulations, as amended, and its existing agency *National Environmental Policy Act* procedures (Council on Environmental Quality 1978). As such, the effects of this project have been determined to not be significant using the definitions of context and the ten intensity factors listed in this Finding of No Significant Impact under the Council on Environmental Quality 1978 regulations, as amended.

In addition to the *National Environmental Policy Act*, I have also determined that this decision complies with other laws including the *National Forest Management Act*, *Endangered Species Act of 1973*, as amended, *National Historic Preservation Act*, *Wilderness Act*, and *Wild and Scenic Rivers Act*¹⁶.

Administrative Review Opportunities

This proposed decision is subject to pre-decisional objection pursuant to 36 CFR 218, Subparts A and B. Objections will only be accepted from those who submitted project-specific written comments during scoping or other designated comment period. Issues raised in objections must be based on previously submitted comments unless based on new information arising after the designated comment period(s).

Objections must be submitted within 45 days following the publication of this legal notice in the *Arizona Silver Belt* on February 3, 2021. The date of this legal notice is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframes provided by any other source. It is the objector's responsibility to ensure evidence of timely receipt (36 CFR 218.9).

Objections must be submitted to the reviewing officer: Tom Torres, Acting Forest Supervisor, 2324 E. McDowell Rd., Phoenix, Arizona, 85006. Objections may be submitted via mail, FAX, or email. Electronic objections, in common (.doc, .pdf, .rtf, .txt) formats, may be submitted to: objections-southwestern-tonto@usda.gov with Subject: Hicks Pikes Peak.

At a minimum, an objection must include the following (36 CFR 218.8(d)):

1. Objector's name and address as defined in §218.2, with a telephone number, if available;
2. Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the objection);
3. When multiple names are listed on an objection, identification of the lead objector as defined in §218.2. Verification of the identity of the lead objector must be provided upon request or the reviewing officer will designate a lead objector as provided in §218.5(d);
4. The name of the proposed project, the name and title of the responsible official, and the name(s) of the national forest(s) and/or ranger district(s) on which the proposed project will be implemented;
5. A description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested

¹⁶ The Hicks Pikes Peak Grazing Authorization EA and supporting project record document the environmental analysis and conclusions upon which these finding are based.

remedies that would resolve the objection; supporting reasons for the reviewing officer to consider; and

6. A statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunity(ies) for comment (see paragraph §218.8(c)).

Implementation Date

When no objection is filed within the objection filing period (per 36 CFR 218.26 and 218.32): The reviewing officer must notify the responsible official; approval of the proposed project or activity documented in the Decision Notice may occur on, but not before, the fifth business day following the end of the objection filing period (§218.12(c)(1 and 2)).

When an objection is filed, the responsible official may not sign the Decision Notice subject to the provisions of §218.12 until the reviewing officer has responded in writing to all pending objections (see §218.11(b)(1)). Additionally, the responsible official may not sign the Decision Notice subject to the provisions of §218 until all concerns and instructions identified by the reviewing officer in the objection response have been addressed (§218.12(b)). Once the responsible official has complied with any instructions from the reviewing officer, the Decision Notice can be signed and implementation can take place immediately.

Contact

For additional information concerning this decision, contact: Adam Bromley, Globe District Ranger, at 928-402-6200 or adam.bromley@usda.gov.

Adam Bromley

Date

Globe District Ranger

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