

Decision Notice
& Finding of No Significant Impact
Grazing Authorization and Allotment Management Plans
Horseshoe, Sulphur Draw, Sanford and Cienega Allotments

USDA Forest Service
Coronado National Forest
Douglas Ranger District,
Cochise County, Arizona

Background

This decision covers the authorization of grazing and selected improvements for the Horseshoe, Sulphur Draw, Sanford and Cienega Allotments on the Douglas Ranger District in Cochise County, Arizona. The allotments include lands designated as Management Areas 1, 3, 4, 7 and 9 in the Coronado National Forest Land and Resource Management Plan (Forest Plan). The four allotments are located adjacent to one another on the east side of the Chiricahua Mountains and are permitted to a single permittee.

The purpose and need for the proposed action arose for the following reasons:

- The allotments currently lack sufficient environmental analysis to comply with the Rescission Act (*P.L. 104-19, 1995*).
- There is a need to incorporate additional flexibility into the management of the allotments in order to allow the Forest Service and individual grazing permit holders to be able to adapt management to changing resource conditions or management objectives and to comply with Forest Service Policy (FSH 2209.13 Chapter 90).
- Rangeland vegetation condition and soil condition is less than desirable in many areas as a result of poor distribution. There is a need for management to be more responsive to decrease the duration and intensity of use in areas with less than satisfactory soil or vegetation condition.
- Permitted use on the allotments exceeds what is considered sustainable. Forest Plan direction (Forest Plan, p. 10) to balance permitted use with capacity is not being met.

The authorization of grazing and the proposed management practices on the allotments were described in the Horseshoe, Sulphur Draw, Sanford and Cienega Range Allotment Environmental Assessment (EA) in compliance with the Rescission Act of 1995 (*P.L. 104-19*) and the National Environmental Policy Act (NEPA). The EA analyzes and discloses the anticipated effects of the proposed action and one alternative (No Action/No 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 Douglas Ranger District office and the Coronado National Forest Supervisor's Office.

Decision

Based upon my review of all alternatives, I have decided to approve the grazing management strategy described under **Alternative 2** of the EA, with one modification: For the Sulphur Draw allotment I have decided to extend the season of use by one month at the beginning of the grazing season (October) in order to allow the opportunity to shift grazing use within the dormant season and provide spring rest in some years.

The selected alternative will authorize managed livestock grazing on the Horseshoe, Sulphur Draw, Sanford and Cienega allotments. The action consists of four components - authorization, improvements, management practices and monitoring – and the action will be implemented using an adaptive management strategy. The four components are described below.

1. Authorization

The selected action will authorize managed livestock grazing under the following terms and conditions.

Duration and timing of grazing. Use on the allotments will be authorized during the winter dormant season to insure that pastures receive annual summer growing season rest in order to provide for grazed plant recovery. The sequence and timing of pasture moves and specific on/off dates will be set annually based on monitoring of range readiness, ecological condition, and forage utilization.

Intensity of grazing. Forage utilization will be managed at a level corresponding to light to moderate intensity¹ in order to provide for grazed plant recovery, increases in herbage production and retention of herbaceous litter to protect soils. Consistent patterns of utilization in excess of 45% of key species in key areas would be used as a basis to modify management practices or take administrative actions necessary to reduce utilization in subsequent grazing seasons. Within the Chiricahua Wilderness, forage utilization will be limited to 30-35% in compliance with Forest Plan standards and guidelines (Forest Plan pp. 81, 116).

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.** New 10-year term grazing permits would be issued for each allotment for the numbers and terms described below. Permits would be issued in animal unit months (AUMs) to reflect the estimated capacity of the allotments². Using adaptive management,

¹ Based on review of numerous grazing intensity studies, Holechek (1999, 2004) identifies light to moderate grazing as 32-43% average use of primary forage species. These averages are based on pasture-wide utilization averaged over time. The Forest Service monitors utilization based on the use of key forage species in key areas. Key areas are selected to be representative of management effectiveness over the entire pasture. For the purposes of monitoring, an annual use guideline of 30%-45% of key species in key areas will be used to monitor use in all pastures, which, combined with growing season rest or deferment, should insure pasture-wide *average* use of less than 45%. (Holechek, J.L, T.T Baker and J.C, Boren. 2004. Impacts of controlled grazing verses grazing exclusion: What we have learned. Range Improvement Task Force Report # 57. New Mexico State University, Las Cruces, NM.).

² An animal unit month (AUM) is a measure of the amount of **forage** required by a 1000 lb cow or its equivalent for one month based on a daily allowance of 26 lbs. dry forage per day. It is not synonymous

actual numbers of livestock may vary based on the class of livestock and duration of use. The allotments are currently managed as cow/calf operations.

- **Horseshoe:** Up to 1584 AUMs seasonal use between November 1-April 30 (equivalent to 200 cow/calf pairs for six months).
- **Sulphur Draw:** Up to 436 AUMs seasonal use between October 1 and April 30 (equivalent to 55 cow/calf pairs for a six month period within this season).
- **Sanford:** Up to 158 AUMs seasonal use between October 15 and April 30 (equivalent to 20 cow/calf pairs for a six month period within this season).
- **Cienega:** Up to 317 AUMs seasonal use between October 1 and April 30 (equivalent to 40 cow/calf pairs for a six month period within this season).

Proposed permitted use is based on forage production and utilization surveys (PRs 2, 3, 4, 40, 41), on records of actual use on the allotments over the past 10-15 years and the effects of this use on resource conditions. Permitted use reflects the estimated average annual forage production available for livestock on the allotments considering the duration, timing, frequency and intensity of grazing proposed, and assumes proper livestock distribution.

In issuing new permits, the Forest Service in cooperation with the permittee, may combine some or all of the allotments into one or more larger units. This would be an administrative action intended to simplify permit administration. It would not affect the timing, intensity or duration of grazing proposed or change permitted use, and would therefore not result in additional effects.

- **Allotment management plans.** New allotment management plans (AMPs) will be developed for each allotment and will become part of Part 3 of any grazing permits issued under the proposed action. The AMPs will identify specific goals and objectives of management, management strategies, range improvements and monitoring requirements. The AMPs will incorporate an adaptive management strategy described below. Using adaptive management, specific numbers of livestock, pasture rotations and the length of time livestock are allowed on the allotments each year would be set annually based on monitoring of resource conditions and management objectives for the allotments.
- **Annual Operating Instructions (AOI).** On an annual basis the Forest and permittee will jointly prepare an annual plan, referred to as the AOI, that sets forth:
 - The numbers, class of livestock, and the timing and duration of use for the current season.
 - The planned sequence of grazing in pastures on the allotment(s), and the monitoring criteria that will be used to make changes.
 - Structural and non-structural improvements to be constructed, reconstructed, or maintained and who is responsible for these activities.

with animal month (or head-month), which is an expression of one month's occupancy of the range by an animal. A cow/calf pair is 1.32 AUM; a yearling is 0.7 AUM.

- Allowable use or other standards to be applied and followed by the permittee to properly manage livestock.
- Monitoring for the current season that may include, among other things, documentation demonstrating compliance with the terms and conditions in the grazing permit, AMP and AOI.

2. Improvements

Structural range improvements proposed to promote improved livestock distribution in the Horseshoe allotment are listed below. These improvements have been proposed in the context of adaptive management, meaning that they have been identified as possible practices to assist in the achievement of desired conditions if management alone is not sufficient. Future monitoring may indicate that the projects are not necessary, in which case they will not be implemented. Two additional improvements intended to protect archeological resources are identified in the Mitigation section.

- Construct a drift fence across the mouth of Pothole Canyon in the north half of Section 14, T19S, R31E to keep cattle out of the bottom of Horseshoe Canyon.
- Extend a pipeline from an existing source in the bottom of Horseshoe Canyon .25 mile up Pothole Canyon to a drinker in the south half of Section 11, T19S, R31E.
- Line Licklog Dam in upper Horseshoe Canyon (T19S, R31E, Section 18, SE ¼) and fence the water to control access.
- Extend a pipeline from Warner Well west into the upper portion of Middle pasture (T19S, R31E, Section 22, NW ¼).

Typically, improvements are funded on a cost-share basis with the Forest Service providing materials and the permittee providing the labor to construct or install the improvement. Forest Service funding for all of the improvements is not currently available and funding constraints will likely require the projects to be completed over a period of years. The permittee will be notified of funding constraints and encouraged to pursue alternative sources of funding if they wish to expedite completion of the developments.

3. Management Practices

Management practices include measures to reduce or avoid resource impacts that are incorporated into the project design. These measures have been used on previous projects and are considered to be effective at reducing environmental impacts. They are consistent with applicable Forest Plan standards and guidelines and the terms and conditions and conservation measures of existing biological opinions. Implementation of these practices in combination with the duration, timing and intensity of grazing proposed is intended to avoid the occurrence of 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 in key areas will be managed to achieve the goal of light to moderate grazing as a pasture average. The objective is to protect plant vigor, provide herbaceous residue for soil protection and to increase herbage

producing ability of forage plants. A utilization guideline of 30-45% use of key species in key areas will be used to achieve this objective.

- Necessary techniques will be used to achieve proper distribution or lessen the impact on sensitive areas. Practices include herding, salting and controlling access to waters. Salt or similar solid supplements will be placed on good feed, one quarter to one half mile from waters and salting locations will be moved annually. Placement of liquid supplements will require prior approval of the District Ranger.
- No hay or bulk feed will be placed on Forest lands in order to minimize the introduction of weed seeds.

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

- All water developments will include wildlife access and escape ramps. Water developments will be maintained year-round for use by wildlife (Forest Plan p. 35).
- All new fencing will be built to Forest Plan standards (Forest Plan, p. 35) to provide for wildlife passage through the fence. At a minimum, this will be a 4-strand fence with smooth bottom wire 16 inches off of the ground and a total height of 42 inches or less.
- Range construction projects will be designed to avoid the destruction of agaves. If impacts to agaves are unavoidable, the Forest will insure that no more than 1% of agaves within 800 meters of a project are impacted.
- 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 effect on listed species.
- Within areas meeting the definition of high quality Mearns' quail habitat, herbaceous vegetation will be managed to maintain a minimum of 6 inches of herbaceous stubble height, which is generally interpreted as less than 45% utilization of key herbaceous species (PR 64). The objective is to provide herbaceous vegetation as cover for quail and other wildlife.

Heritage Resources – the objective is to protect heritage resources (historic and prehistoric sites) from impacts caused by range construction projects or livestock concentration.

- Before any range facilities are constructed, the Forest Archeologist will be contacted to determine if archeological survey is needed. All proposed range facilities will be surveyed by qualified personnel for heritage resources prior to any ground-disturbing activities. Facilities will be located avoid impacts to heritage resources.
- If unrecorded sites are discovered during the course of project implementation, activities will cease and the Forest or District Archeologist will be notified.
- No salting will occur within or adjacent to identified heritage sites.
- If impacts from grazing (e.g. excessive trampling, cattle rubbing against and knocking down standing features) are occurring to heritage sites, measures will be taken (e.g. fencing) to protect them.
- Approximately 10 acres around Cienega Spring on the Cienega allotment will be fenced to protect cultural and riparian resources (T17S, R31E, Section 36, NE ¼).
- A sensitive archeological site in the bottom of Horseshoe Canyon will be fenced to exclude livestock.

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 will be done following procedures described in the interagency technical reference³ and the Region 3 Rangeland Analysis and Training Guide.⁴ 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 will occur at least once over the ten-year term of the grazing authorization, or more frequently if deemed necessary.

Implementation monitoring will occur yearly and will include such things as inspection reports, forage utilization measurements in key areas, livestock counts and facilities inspections. Utilization measurements are made following procedures found in the Interagency Technical Reference⁵ and with consideration of the Principles of Obtaining and Interpreting Utilization Data on Southwest Rangelands (PR 61).

Utilization will be monitored on key forage species, which are native perennial grasses that are palatable to livestock. At a minimum monitoring will include use in key areas⁶, but may include monitoring outside of key areas. The Douglas District Range Staff Officer and the permittee will be responsible for monitoring livestock grazing utilization. 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.

The permittee will be encouraged to participate in monitoring activities. Records of livestock numbers, movement dates and shipping records will be kept by the permittee and will be provided to the District Range Staff annually.

³ Sampling Vegetation Attributes, Interagency Technical Reference. 1996. Cooperative Extension Service, USDA Forest Service and Natural Resources Conservation Service, and USDI Bureau of Land Management

⁴ Rangeland Analysis and Management Training Guide. 1997. USDA Forest Service, Southwestern Region.

⁵ Utilization Studies and Residual Measurements. Interagency Technical Reference. 1996. Cooperative Extension Service, USDA Forest Service and Natural Resources Conservation Service, and USDI Bureau of Land Management. Revised 1999.

⁶ A key area is a portion of rangeland selected because of its location, use or grazing value as a monitoring location for grazing use, range condition and trend. Key areas are usually ¼ to 1 mile from water, located on productive soils on level to intermediate slopes where prescribed use will occur first. They are 5 acres or more in size. Properly selected key areas will reflect the overall acceptability of current management.

Adaptive Management

Adaptive management is a tool that uses the 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 decision will 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. However, but such changes will not exceed the limits for timing, intensity, duration and frequency defined in the term grazing permit. Adaptive management will be implemented through annual operating instructions, which will 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 will 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 Ranger will 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 selected alternative best meets the purpose and need and achieves desired conditions (EA pp. 5-7) in the following ways.

1. The alternative is consistent with the management emphasis, direction and standards and guidelines for Management Areas 1, 3, 4, 7 and 9 identified in the Coronado Forest Plan.
2. The alternative best achieves Forest Service Policy (FSM 2202) and the mission of the Coronado National Forest Plan (Forest Plan p. 9) to manage for multiple use and sustained yield and to contribute to a viable rural economy.
3. The alternative will provide for annual summer growing season rest and light to moderate utilization that will promote improvement in upland vegetation and soil condition and will provide residual herbaceous vegetation to provide year-round habitat for Mearns' quail and other species requiring herbaceous cover.
4. Changes in the season of use will allow flexibility to provide spring growing season rest in some years.
5. The permitted numbers reflect the range of variability that affects capacity on the allotments and the proposal allows for timely adjustments in authorized use.
6. The alternative provides for the repair of infrastructure to improve livestock distribution, which will increase vegetative cover and litter accumulation and protect soils. Proposed improvements will control livestock distribution and will provide a mechanism to increase pasture deferment and management flexibility.
7. The alternative provides a basis for sharing responsibility for successful implementation of this decision with the permittees.

8. The alternative will provide an adaptive management framework that will allow the Forest and grazing permittee to adapt management to changing resource conditions.

Public Involvement.

The proposal was listed in the Forest's Schedule of Proposed Actions beginning in July 2002. Public scoping for the proposed action was first initiated on March 16, 1999 (PR 7-19) but further analysis was delayed pending the completion of other projects. A revised public scoping report was issued in July 2003 (PR 47). Six additional comments were received in response to this solicitation (PR 49-54). Using the comments from the public and other agencies, the interdisciplinary team developed a list of issues to address.

In May and June 2007, a draft of the EA (PR 80) was provided to parties who had expressed interest in the project. The public was also notified of the opportunity to comment through a legal notice published in the *Douglas Daily Dispatch* on May 29, 2007 (PR 80). Two comment letters were received in response to this opportunity (PR 81-82). I considered these comments in reaching my decision; the EA was slightly modified to address the concerns identified and respond to questions. A summary of these comments and a Forest Service response is contained in the project record at PR 83.

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative, summarized below. A comparison of the effects of these alternatives is found in Chapter 3 of the EA. A third alternative - continue current management - was not carried forward because it was determined that this alternative would not meet the purpose and need of the proposal.

Alternative 1: No Action (No Grazing). Under this alternative, grazing would not be authorized and use of the allotments by domestic livestock would be discontinued. The permittees would be given one year from the date of the decision to remove livestock from the allotments. Existing structural improvements would remain in place but would not be maintained. Improvements contributing to resource protection or enhancement, such as water developments important for wildlife, would be maintained where feasible using other program funds. Periodic inspection of structural improvements would be used to determine whether maintenance or removal is needed. Removal or maintenance of improvements would be authorized by a separate decision. Where possible, maintenance of allotment boundary fences would be reassigned to adjacent permittees with the understanding that livestock are to be kept off of the allotment.

While this alternative would meet the natural resource objectives defined for the allotments, it would not be consistent with Forest Service Policy (FSM 2202.1) and the Forest Plan Mission (Forest Plan p. 9) to manage for multiple use and sustained yield and to contribute to a viable rural economy.

Finding of No Significant Impact

After considering the context and intensity of 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 as defined in the Council on Environmental Quality implementing regulations at 40 CFR 1508.27. Thus, an environmental impact statement will not be prepared. I base my finding on the following:

Context: The action is a site-specific action that by itself does not have international, national, region wide or statewide importance. Effects are limited to the locale of the project area.

Intensity: The following discussion is organized around the ten significance criteria described in the National Environmental Policy Act (NEPA) regulations at 40 CFR 1508.27.

1. Both *beneficial and adverse impacts* were considered in the analysis (EA, Chapter 3, pp. 17-40). Grazing as proposed will result in removal of herbaceous vegetation, but will be limited to moderate levels in order to allow for the retention of litter and plant stubble to provide soil cover and wildlife habitat. Possible improvements associated with the grazing authorizations involve the placement or realignment of pasture fences, the extension of above-ground pipelines from existing wells and the development of new water facilities. Construction of these improvements will result in minor, short term disturbance, but will benefit resources over the long term as a result of improved livestock distribution. Adverse effects have been reduced or eliminated through project design and mitigation measures (EA pp. 13-14). Annual growing season rest and light to moderate utilization are predicted to result in long-term rangeland improvement (EA pp. 30-32).
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 possible 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 allotments. Therefore, the project will not adversely affect parks, prime farm lands, wetlands, wild and scenic rivers, or other resources considered to have unique characteristics (EA pp. 37-40).
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 my decision. These effects have been disclosed in Chapter 3 of the EA and the selected action has been designed and mitigated to address the various issues raised. The analysis represents the judgement and expertise of resource management professionals who have applied their knowledge to similar projects and resources in the past. The management practices proposed are commonly-used resource management practices described in agency directives, prescribed in the Forest Plan and used by other land management agencies. 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 effects analysis (EA pp. 17-40) indicates the effects are not uncertain, and do not involve *unique or unknown risk*. The Forest Service has considerable experience with the types of activities to be implemented. The effects described in the EA are based on the judgement of experienced resource management professionals using the best available information.
6. The decision to reissue grazing permits for the Horseshoe, Sulphur Draw, Sanford and Cienega allotments does not establish a *precedent for future actions* with significant effects. Future actions will be evaluated through the NEPA process and will stand on their own as to environmental effects and project feasibility (EA pp 15-16).
7. The *cumulative impacts* of the action on soils, vegetation and terrestrial and aquatic wildlife resources were considered and disclosed in the EA in Chapter 3, pp. 39-40 and in a variety of specialist reports (PR 56, 57, 58, 63, 69, 70, 75). The direct and indirect effects of the proposal are expected to be minor in the short term and beneficial or neutral over the long term. None of the effects are considered significant for reasons described herein. No past or future actions have been identified that will combine with the effects of the proposed action to cause cumulatively significant effects.
8. The action will have no significant *adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places* because none are identified within the project area. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources (EA pp. 35-36, PR 44). Mitigation included as part of the selected alternative is designed to preclude effects to these resources. The proposed action includes provisions to fence two sensitive heritage sites in Horseshoe Canyon and in the vicinity of Cienega Spring (EA p.14), which will preclude future impacts to the sites. A Heritage Resources Investigation was prepared and submitted to the State Historic Preservation Office (SHPO) with a determination of no adverse effect to cultural resources. Concurrence from SHPO was received on August 23, 1999 (PR 44).
9. Formal consultation with the U.S. Fish and Wildlife Service (USFWS) was completed both as part of the Forest-wide reinitiation of consultation on ongoing and long-term grazing on the Coronado National Forest in 2002 (PR 29) and at the project level (PR 75, 84) for all of the allotments considered in the analysis. The conclusions of these consultations document that the effects of the proposed action are not likely to jeopardize the continued existence of threatened, endangered or proposed species. The USFWS concurred with these findings in a letter dated June 12, 2007 (PR 84). Management practices have been incorporated into the proposed action that are sufficient to avoid effects to listed species (EA p. 13-14).
10. This selected alternative is in full compliance with all federal, state and local law requirements imposed for environmental protection. The Arizona Department of Environmental Quality was provided with the opportunity to review the proposal (PR 7, 10, 47, 80, 82). Best Management Practices to protect water quality are included in the selected alternative (EA p. 13).

Findings Required by Other Laws and Regulations

National Forest Management Act. The Coronado Land and Resource Management Plan (Forest Plan) was adopted on August 4, 1986 and has been amended several times. The Horseshoe, Sulphur Draw, Sanford and Cienega allotments fall within Management Areas 1, 3, 4, 7 and 9 (EA p. 5). The Forest Plan identifies Management Areas 3, 4, 7 and 9 as suitable for grazing (Plan pp. 55-58, 62-74, 79-82). Unsuitable areas identified as Management Area 1 within the project area are remote and inaccessible and are not affected by livestock grazing. The term permit grazing authorization for the allotments is fully consistent with the long-term goals and objectives listed on pages 9-11 of the Coronado Forest Plan, as well as the standards and guidelines for Management Areas 1, 3, 4, 7 and 9. Light to moderate utilization and growing season rest, in combination with prescribed mitigation features will meet the Forest Plan goals for range, wildlife, soil, water and riparian resources. There are no identified effects to management indicator species or sensitive species that would affect their Forest-wide populations or long-term viability (EA, pp. 17-30, PR 28, 62, 63, 67). Other NFMA consistency findings relate to the management of suitable timberlands. The project area does not contain any suitable timberlands; therefore, the other NFMA consistency requirements do not apply.

My conclusions regarding the effects of the proposed action are based on a review of the record that demonstrates a thorough review of the relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty and risk. Proposed grazing management was developed using data obtained and interpreted according to accepted monitoring practices for identifying rangeland condition and capacity (PR 2, 3, 4, 5, 36, 39-41, 56-58). Opposing views regarding rangeland condition and capacity were considered (PR 28, 31, 37, 38, 42, 45, 81, 83) and the proposal incorporates adaptive management actions necessary to adjust stocking to remain within capacity (EA pp. 10-15). Grazing intensity levels are based on comprehensive reviews of existing scientific literature regarding proper utilization levels (PR 36, 60, 61) and technical guidance provided by the Arizona Game and Fish Department for Mearns' quail (PR 64). The effects analysis for listed, sensitive and management indicator species is based on the most recent survey and distribution information (PR 27, 28, 62, 63, 67, 76). Opposing viewpoints regarding permitted use were received and considered in my decision (PR 81, 83, EA p. 8-9). Effects determination for listed species were reviewed and concurred with by U.S. Fish and Wildlife Service Biologists (PR 84). Soil and riparian monitoring and effects analyses were conducted in accordance with accepted Forest Service monitoring techniques (PR 23, 24, 56, 57, 58) and are based on site-specific data collected within the project area. Based on the documentation in the record, I conclude the best available science was considered in developing and analyzing the proposal.

Multiple Use Sustained Yield Act. The selected alternative will not impair land productivity (EA pp. 30-35) and is therefore consistent with this law.

Endangered Species Act. Formal consultation with the U.S. Fish and Wildlife Service was completed both as part of the Forest-wide consultation on ongoing and long-term grazing on the Coronado National Forest and at the project level for all of the allotments considered in the analysis (PR 29, 65, 75, 84). These consultations (paragraph 9, above) conclude that the effects of the proposed action are not likely to jeopardize the continued existence of threatened, endangered or proposed species or critical habitat.

National Historic Preservation Act. A Heritage Resource Investigation was completed with a finding of no adverse effect on cultural resources (PR 44). Concurrence from SHPO was received on August 23, 1999 (PR 44).

Executive Order 13186 (Migratory Birds). The Chiricahua Mountains are identified as an Important Bird Area. There are no identified effects on migratory birds, Birds of Conservation Concern and Important Bird Areas (EA, page 30).

Executive Order 12898 (Environmental Justice). This decision does not impose disproportionately high adverse human health or environmental effects on minority or low-income populations (EA p. 36-39).

Implementation Date

This project will be implemented no sooner than five business days following the close of the appeal filing period established in the notice of decision published in the *Douglas Daily Dispatch*. If an appeal is filed, implementation will not occur sooner than 15 calendar days following a final decision on the appeal. Implementation means actually issuing the new permit or accomplishing any ground disturbing actions. Field preparation work needed to implement this decision may proceed immediately.

Administrative Review or Appeal Opportunities

This decision is subject to appeal in accordance with regulations at 36 CFR 215. Individuals or organizations that provided comments or otherwise expressed interest in the proposed action during the May-June 2007 comment period may appeal. A notice of appeal must be in writing and clearly state that it is a Notice of Appeal being filed in pursuant to 36 CFR 215. Appeals must be filed (regular mail, email, fax, hand-delivery, or express delivery) with the Appeals Deciding Officer and should be submitted to: Appeals Deciding Officer, Jeanine Derby, Forest Supervisor, Coronado National Forest, 300 West Congress, Tucson, AZ 85701, fax: (520) 388-8305, email: appeals-southwestern-coronado@fs.fed.us (.doc, .rtf or .txt formats only). If hand-delivered, the appeal must be received at the above address during business hours (Monday-Friday 8:00 am to 4:30 pm), excluding holidays.

Appeals, including attachments, must be filed in writing, consistent with 36 CFR 215.14 within 45 days of the date of legal notice of this decision in the *Douglas Daily Dispatch*. This publication date is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely on dates or timeframes provided by any other source.

Relative to issuance of the term grazing permits, permittees 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 will opt to use, because he cannot use both for the same appealed decision. An appeal by the permittee under the 36 CFR 251 regulations must be filed simultaneously with the Coronado National Forest Supervisor Jeanine Derby (address above) and the Acting Douglas District Ranger, William A. Edwards, 1192 West Saddlevue Road, Douglas, AZ 85607 within 45 days of the date of publication of legal notice in the *Sierra Vista Herald/Bisbee Daily Review*.

July 2007

Contact Information

For additional information concerning this decision or the Forest Service appeal process, contact William A. Edwards, Acting Douglas District Ranger, Marcello Martinez, Douglas District Range Staff Officers at (520) 364-6800, or Richard A. Gerhart, Analysis Team Leader, (520) 388-8374.



William A. Edwards
Acting District Ranger
Douglas Ranger District

Date 07/26/07