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# FINAL Decision Notice and Finding of No Significant Impact

## Juan Tank Allotment

### Williams Ranger District Kaibab National Forest Coconino County, Arizona

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#### Introduction

The Kaibab National Forest has conducted an environmental analysis and prepared an Environmental Assessment (EA) in order to describe alternatives considered for management of the Juan Tank grazing allotment on the Williams Ranger District and analyze the potential environmental effects associated with each alternative. The EA was provided for public review and comment and for review and consideration by the decision maker when making this decision. The analysis has been conducted in compliance with the National Environmental Policy Act (NEPA) and other relevant Federal and State laws and regulations.

The Juan Tank grazing allotment is located in Coconino County northwest of Williams, Arizona within the Williams Ranger District of the Kaibab National Forest (see Map 1). The allotment is located within all or portions of T23N, R1W, Section 36; T22N, R1W, Sections 1, 12, 15 and 24; T22N, R1E, Sections 1-19, 22-26, 35-36; T22N, R2E, Sections 7, 17-21, and 30; and T21N, R1E, Sections 1-2. The topography within the allotment varies from mostly flat with rolling hills on the west side to steeper terrain on the east and south sides. Major geographic features include Signal Hill, Three Sisters Peak, Hearst Mountain, Rogers Canyon, Juan Tank Canyon, and Holden Lake.

The canyons and washes within the Juan Tank allotment are part of the Upper Verde and Colorado River drainage systems. These drainages are ephemeral, flowing only during periods of spring snow melt and heavy monsoon storms, and do not contain riparian vegetation types. Holden Lake is the only wetland known to occur on the allotment. There are no natural springs. There are no known populations of threatened, endangered, proposed, candidate, or conservation agreement species within the allotment boundary. There are no wild and scenic rivers, research natural areas, designated wilderness areas, inventoried roadless areas, designated parklands, or prime farmlands within or near the allotment. Forest Service sensitive plant and animal species may occur.

Piñon/juniper, savanna, and grasslands are the dominant vegetation types on the allotment. There is a minor ponderosa pine component. Predominant grass species include blue grama (*Bouteloua gracilis*), western wheatgrass (*Pascopyrum smithii*), prairie junegrass (*Koeleria cristata*) and bottlebrush squirreltail (*Elymus elymoides*). A loss of herbaceous understory species, in some areas the entire herbaceous plant community, is evident in portions of the allotment due to juniper encroachment.

Juniper treatments (i.e., grassland and savannah restoration) have taken place on the allotment beginning in the 1950s and continue today. These treatments have allowed for the recovery of native plant communities, thus providing forage for wildlife and livestock while increasing vegetative ground cover to reduce erosion. However, early treatments are believed to be when Japanese brome (*Bromus japonicus*), a non-native invasive species, was introduced.

The allotment has likely been grazed by domestic livestock since the late 19th or early 20th century. Prior to 1974, the area consisted of two separate allotments: Juan Tank and Hearst Mountain; these allotments were combined in 1974. A more detailed history of use can be found in the Range Specialist Report. Actual use is shown in Figure 3 and Tables 1-4 of the Range Specialist Report.

The current grazing permit is issued to Durward G. or Glen D. Reed and has been in the Reed family since the early 1940s. The allotment contains three pastures, two holding pastures (traps), and one horse pasture (Map 1). The allotment includes approximately 18,535 Forest Service acres and 821 private acres, of which 680 acres are owned by the current permittee. Yearlong cattle grazing currently occurs on the allotment using a deferred-rotation grazing system with the permitted use allowing up to 190 adult cattle (2,280 animal unit months (AUMs)). Average use from 1995—the date of completion of the last environmental assessment and decision notice—through 2012 has been approximately 146 cattle yearlong (1,752 AUMs).

## Decision

My decision is to select Alternative 4, Adaptive Management, with the following design features:

### Authorization

A term grazing permit will authorize up to 2,280 AUMs (up to 185 cattle and 5 horses) for up to a 12-month season of use. However, only 150 cattle will be authorized until adequate monitoring data indicate that vegetation trends on the allotment are improving toward desired conditions.

### Allowable Use

- The utilization<sup>1</sup> guideline will continue to allow up to 40 percent use by cattle and/or wildlife. This is considered “conservative” grazing intensity, and is measured before the end of the growing season.
- Seasonal utilization could be used to determine when livestock should move to the next pasture in the rotation. Other factors to consider include weather patterns, likelihood of plant regrowth, and previous years’ utilization.
- Pastures should not be grazed twice during the same grazing season unless resource conditions permit (e.g., above-average forage production, dormant-season grazing). If a pasture is grazed twice in the same season, a light grazing intensity standard should be applied (20%).

### Integrated Pest Management

Development of an Integrated Pest Management Plan will facilitate treatment of Japanese brome. Cultural control such as sheep grazing (up to 1,200 head), fire, herbicide, and mechanical treatments may be used to control Japanese brome on the Juan Tank Allotment. Sheep grazing would generally take place in the early spring months when Japanese brome is most palatable and native grasses are mostly dormant. Sheep would be moved to an ungrazed area when consumption of Japanese brome approaches 80 percent. Consumption of native grasses would be monitored to avoid exceeding the 40 percent allowable use guideline and to provide for the developmental needs of sustainable native plant communities.

### New Range Improvements

The range improvements described below will allow flexibility in adjusting grazing timing, duration, and intensity. This flexibility will allow grazing management actions (e.g. spring deferral or grazing rest) that are expected to improve rangeland conditions in areas where conditions are currently undesirable

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<sup>1</sup> Utilization is the proportion or degree of the current year’s forage production that is consumed or destroyed by animals (including insects).



(e.g. Japanese brome infestations). My decision includes construction of the following structural improvements:

- Holden Lake wetland will be fenced by the Forest Service to exclude livestock grazing while allowing livestock access to the earthen tanks within the wetland (Map 2). The permittee may construct a waterlot/corral around the two tanks at his expense. Construction will occur in year one or two following this decision. All fences will be built to wildlife standards. The permittee may continue to haul water from the tanks for use in troughs elsewhere on the allotment.
- Up to two corrals may be constructed to aid in livestock management. Up to four trick tanks may be constructed to provide water in other areas of the allotment to improve livestock distribution. These developments should be built within five years following this decision or as budgets and staffing allow. Locations will be determined after consulting with the grazing permittee and Forest Service archaeologists, wildlife biologists, soil scientist, and range management personnel.
- Access to Holden Lake from the Forest Road 124 will be eliminated immediately following this decision. A wildlife viewing overlook and interpretive kiosk will be built within the first six to seven years following a decision (Forest Service expense).
- Up to six existing earthen tanks (Bootlegger, Doe, Gate, Juan, Mud Ketch, and Perrin) may be fenced to aid in the distribution of livestock. Current waterlot fences will be rebuilt or repaired. These projects will begin in the first year following this decision. Limiting the number of waters available to livestock will aid in meeting resource objectives. All fencing will meet specifications for wildlife, and waterlots will vary in size from one to six acres depending on surrounding topography and size of tank. Waterlot gates will be left open when cattle are not in those pastures to allow for wildlife passage.
- The Juan Tank and Sisters pastures will be divided if waterlot fencing does not achieve the desired level of livestock distribution and/or resource objectives after four to six grazing seasons. Locations of those fences, if needed, will be determined after consultation with the grazing permittee and Forest Service archaeologists, wildlife biologists, soil scientist, and range management personnel.
- Up to four livestock enclosure plots may be constructed in the Juan Tank Pasture in order to conduct trials on Japanese brome treatments. These may be built in year one or two following this decision. The enclosures may be up to three acres in size and treatments may include grazed/ungrazed, herbicide, and seeding treatments, as well as other methods (e.g., biological control, burning) as they become available for use. As treatments are evaluated and determined to be successful, they could be applied to the larger pasture (Forest Service expense).
- Bottom wires (i.e., strands) that are currently barbed will be replaced with smooth wire on all rebuilt fences within the allotment. All new fences will meet standards for wildlife passage as recommended by Forest Service biologists in cooperation with the Arizona Game and Fish Department.
- When monitoring data indicate management changes in the HQ Pasture are needed, a staged approach will be employed. This will consist of utilizing temporary improvements (e.g. temporary fencing) to facilitate meeting desired conditions prior to any development of permanent improvements (e.g. a permanent fence).

### **Maintenance of Existing Range Improvements**

The term grazing permit will include a list of all improvements that the permittee(s) will continue to maintain to Forest Service Standards. Range improvements will be inspected periodically during the term of the permit to document condition. Existing improvements will be reconstructed (as assigned in the term grazing permit) when the life of the improvement is exhausted and routine maintenance can no



longer keep range improvements functional. Annual Operating Instructions (AOIs) will identify range improvements in need of maintenance and/or those proposed for reconstruction. Site-specific cultural and biological clearances will be conducted on individual improvements as need dictates.

### **Travel Management**

Under Department of Agriculture (USDA) regulations (36 CFR Part 212–Travel Management), the Kaibab National Forest is implementing the Travel Management Rule (TMR). The TMR and subsequent implementation decision prohibits the public from use of motor vehicles for cross-country travel, as well as on roads closed to motor vehicle use. Under the terms and conditions of the term grazing permit, the permittee is authorized to conduct livestock grazing activities on National Forest lands within the Kaibab National Forest.

Motor vehicle use that is specifically needed, authorized, and/or directly related to the terms and conditions of the grazing permit are exempted from the prohibitions applied to the general public. This includes motor vehicle use in order to conduct the following types of activities associated with the term grazing permit:

- Normal vehicular use needed to maintain all range improvements assigned under the term permit as the permittee's responsibility for maintenance.
- Normal vehicular use as needed to properly check on and care for livestock authorized under the term grazing permit.
- Normal vehicular use as needed to check on forage, water, and general range conditions within the permitted grazing allotment.
- Any other vehicular use needed to properly care for livestock and/or to redeem the permittee's responsibilities under the terms and conditions of the term grazing permit.

All motor vehicular use authorized shall be conducted in a responsible manner so as to not cause and/or accelerate resource damage and/or cause degradation to the soil or vegetation related resources. Special caution must be taken so that vehicular use occurs only when soils are sufficiently dry and/or frozen so as to avoid resource degradation or any long-lasting negative impacts.

Single purpose roads that are authorized for administrative use only through the term grazing permit may require occasional maintenance in order to access existing range improvements. Site-specific cultural and biological clearances will be conducted on these roads or portions of them as the need dictates.

### **Adaptive Management**

Alternative 4 includes the application of adaptive management principles. Adaptive management is designed to provide sufficient flexibility so that management can be adjusted in recognition of changing circumstances such as drought, fire, or seasonal fluctuations in forage production. If monitoring indicates that progress toward desired conditions is not being achieved on a particular allotment, management will be modified in cooperation with the permittee. Changes may include administrative decisions such as the specific number of livestock authorized annually, specific dates of grazing, class of animal (e.g. cow/calf pairs versus steers or heifers) or livestock herd movement, but such changes will not exceed limits for timing, intensity, and duration defined in Alternative 4. Timing is the time of year livestock are present in a pasture. Intensity is degree to which herbage is removed through grazing and trampling by livestock. Duration is length of time livestock are present in a given pasture.

When adjustments are needed they are implemented through the AOI, maintaining numbers and management in such a way that annual indicators of progress toward desired conditions, such as forage use, are consistent with achieving those desired conditions. Alternative 4 allows plant, soil, wildlife habitat, and watershed conditions to be maintained or improved.

Under the adaptive management approach incorporated into this alternative, annual rangeland monitoring may indicate need for administrative changes in livestock management within the scope of the analysis. The need for these changes will be based on magnitude or repeated reoccurrence of deviations from guidelines provided, or because of indications of a lack of progress toward desired resource conditions. AOIs and Allotment Management Plans (AMPs) will be modified as appropriate to adapt management within parameters of this Alternative. These changes may include, but are not limited to, such items as adjustments in number of head stocked on an allotment in a particular year or season or periods of rest, or deferment or nonuse of portions or all of an allotment for an appropriate period of time, as conditions warrant. The timing of such management changes will reflect urgency of the need for adaptation. This approach to management will more proactively respond to the need for management changes and address climatic conditions and other dynamic influences on the system in order to more effectively make progress toward or maintain desired conditions for rangeland resources.

Future proposals to use other resource management tools, such as thinning and prescribed fire for control of juniper encroachment, will be subject to separate analysis under the NEPA. Adaptation of livestock management may be applied to accommodate use of these tools in the future.

### Monitoring

The purpose of annual rangeland monitoring is to determine—

1. If individual plants have had an opportunity to recover, grow, and reproduce following grazing impacts;
2. If sufficient residual forage remains across the allotment at the end of the growing season to provide for other resource values or requirements such as soil stability, wildlife habitat, and dormant season use;
3. If maintenance or improvement of rangeland conditions are indicated; and
4. If management adjustments are warranted for the following season to provide for physiological needs of the primary forage species.

Monitoring frequency varies by each activity and funding, and may be accomplished by either the permittee and/or Forest Service personnel. Monitoring is adaptive, and as improved methods are developed they will be considered. The selected alternative includes the following monitoring:

**Compliance Monitoring.** Scheduled and unscheduled inspections will ensure that all livestock and grazing management measures stipulated in permits, AMPs and AOIs are being implemented (e.g. cattle numbers, on/off dates, rotation schedules, maintenance of improvements, mitigation measures).

**Implementation Monitoring.** Annual monitoring will be conducted within key areas of the Juan Tank Allotment. This may include, but is not limited to, evaluating grazing intensity during the season and utilization at the end of the growing season. This provides opportunities to make necessary management changes needed for plant development and plant recovery from grazing. Other examples of implementation monitoring may include, but are not limited to, permit compliance, allotment inspections, range readiness, forage production, rangeland utilization, and comparative yield.

**Effectiveness Monitoring.** Longterm condition and trend monitoring will be used to assess the effectiveness of management in achieving desired objectives. Example methods for effectiveness monitoring may include, but are not limited to, vegetative condition and trend, presence and distribution of invasive species, and soil and watershed conditions. Monitoring will occur on historic benchmarks, which correspond with key areas. Depending upon the method selected, effectiveness monitoring should occur at an interval of at least every 5 to 10 years in key areas.

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**Range Readiness.** Forest Service personnel and/or the grazing permittee will assess range readiness prior to cattle coming onto spring pastures to determine if vegetative conditions are ready for cattle grazing. The range is generally ready for grazing when cool season grasses and shrubs are leafed out and forbs are in bloom. These characteristics indicate the growing season has progressed far enough to replenish root reserves so that grazing will not seriously impact these forage plants.

**Rangeland Utilization.** Utilization is used as a tool to understand and achieve the goals of longterm management. Utilization guidelines are intended to indicate a level of use or desired stocking rates to be achieved over a period of years.

The definition of utilization and seasonal utilization is adapted from standard protocols established by the Society of Range Management and the new guidelines established by the Forest Service Region 3 Regional Forester (Smith *et al.* 2005). The following are definitions and procedures for utilization taken and adapted to fit this project.

Utilization is the proportion or degree of current year's forage production that is consumed or destroyed by animals (including insects). It is a comparison of the amount of herbage left compared with the amount of herbage produced during the year. Utilization is measured at the end of the growing season when the total annual production can be accounted for and the effects of grazing in the whole management unit can be assessed. Utilization guidelines are intended to indicate a level of use or desired stocking rate to be achieved over a period of years.

Utilization measurements (ocular and/or actual measure) will be taken in key areas that reflect grazing effects within the allotment. Utilization guidelines are not intended as inflexible limits. Utilization measurements can indicate the need for management changes prior to this need being identified through longterm monitoring. Utilization data will not be used alone, but will be used along with climate and condition/trend data to set stocking levels and pasture rotations for future years.

Cattle may be required to move when seasonal utilization in a pasture approaches a conservative level depending on the potential for post-grazing regrowth. Under Alternative 4, conservative seasonal utilization will be approximately 40 percent. This is an approximate value because it takes into account any additional growth that might occur later in the year and considers season of use, wildlife use, weather conditions, availability of forage, and water in pastures. This utilization level leaves residual cover for wildlife and soils and provides for longterm health of the grazed plants.

If monitoring shows utilization rates exceed the utilization guideline in a given year, the grazing schedule and/or permitted numbers will be adjusted the following year so utilization guidelines are not exceeded again. If utilization is exceeded after these adjustments are made, the grazing management system may be changed to ensure this does not happen in the future.

**Condition and Trend.** Watershed and vegetative condition and trend monitoring will determine the effectiveness of the allotment management plan and longterm range and watershed trends.

Parker Three-Step and paced transect monitoring points were established throughout the allotment in the 1950s. Transect data from these monitoring points are the best historical records of range condition and trend available. The photo points and vegetative ground cover data show how the site has changed over time. One-tenth acre canopy cover plots and pace-frequency transects were established on top of the Parker Three-Step transects in 2011 to supplement these historical data.





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Frequency and ground cover data were collected using the widely accepted plant frequency method (Ruyle 1997). These plots monitor trends in species abundance, composition, and ground cover. This provides information on plant composition and additional information on plant community dynamics.

**Precipitation.** Precipitation is currently recorded at the Flagstaff National Weather Service Office at Bellemont, Arizona. Precipitation data may be recorded within or near the allotment for more localized information. Precipitation data may be recorded throughout the year and summarized in the annual inspection. These data assist managers with forage utilization and production data collection.

**Noxious Weeds.** Noxious and invasive weeds located within the allotment will be treated as necessary. The grazing permittee and Forest Service will coordinate weed inventory and treatment activities with responsibilities identified through the AOI. The design features, best management practices, and mitigation measures in Appendix B of the Three Forest Integrated Treatment of Noxious or Invasive Weeds Environmental Impact Statement (EIS) will be implemented (USDA Forest Service 2005).

**Soil and Watershed Condition.** The grazing system approved in this decision incorporates best management practices (BMPs) and grazing practices and constitutes compliance with Arizona State and Federal Water Quality Standards. Arizona Department of Water Quality will continue to monitor water quality in the area.

Watershed condition can be assessed using information gained from the monitoring strategies described above. Monitoring of plant abundance, ground cover, species diversity, and estimates of overall soil condition (using the methods described throughout this monitoring section) will indicate whether or not management practices are effectively meeting management goals. Trends toward improvements in species abundance and diversity should indicate that management practices are effectively improving soil condition and, by inference, maintaining or improving downstream water quality and complying with water quality standards. Conversely, decreases in plant abundance and species diversity may indicate that management practices are not effective and need to be changed. Environmental factors, especially precipitation, will be considered when evaluating monitoring results. If plant cover, litter cover, and/or soil condition decline, changes will be made to the livestock numbers, grazing period, grazing time, or pasture rotation.

## Other Alternatives Considered

In addition to Alternative 4, the Interdisciplinary Team considered three alternatives: a No Action alternative (Alternative 1), a Current Management alternative (Alternative 2), and a modified Proposed Action (Alternative 3). The no action (no grazing) alternative is required by NEPA and Forest Service Handbook 2230.13, Chapter 90. No other alternatives were considered and/or subsequently eliminated from detailed analysis.

## Rationale for the Decision

I have selected Alternative 4 because livestock grazing is a legitimate use of National Forest System lands. Monitoring and the EA demonstrate that livestock grazing on this allotment can be managed with minimal impact to the other resources present. It is expected that rangeland conditions will be improved in areas where they are currently undesirable (e.g., Japanese brome infestations) because of the flexibility in rangeland management that adaptive management and the range improvements under Alternative 4 provide. These improvements will allow areas to be deferred or rested from grazing, which will provide opportunities to enhance the native plant community.



I did not select Alternative 1 (no action/no grazing) because it does not meet the purpose of and need for the reauthorization of livestock grazing consistent with Federal laws and Regulations and Forest Plan direction. Furthermore, no issues were raised through public involvement or by the interdisciplinary team that would have resulted in my selection of this alternative.

I did not select Alternative 2 (current management) because it does not fully address areas with downward vegetation, soil, and watershed trends resulting from Japanese brome infestations, nor does it incorporate splitting of pastures. Splitting pastures would provide for more flexibility in livestock management and allow actions (e.g., spring deferment, grazing rest) that promote the health and diversity of native plant communities.

I did not select Alternative 3 (the Proposed Action) because—1) changing from year-round to seasonal grazing would result in economic hardship for the grazing permittee; 2) Alternative 4 is similar to Alternative 3 in its ability to improve vegetation, soil, and watershed conditions; and 3) Alternative 4 is not expected to result in economic hardship.

Alternatives 3 and 4 are expected to address ecological issues (e.g. downward vegetative trends attributed to Japanese brome infestations) in a similar fashion, and are both expected to maintain or move areas toward desired conditions. Alternatives 3 and 4 both ensure that deferment or rest from grazing can be applied to all areas of the allotment by controlling livestock distribution through waterlot fencing and/or splitting pastures. This will allow managers to match the grazing period with the developmental needs of the native perennial grasses, which is expected to result in an increase in native perennial grass cover. An increase in native perennial grass cover has the ability to reduce the presence of non-native species such as Japanese brome through direct competition and by eliminating vacant niches for non-natives to establish. It is also believed that targeting annual Japanese brome plants with cultural control methods (e.g. sheep grazing, fire, herbicide, and mechanical treatments) at the onset of spring growth will substantially reduce their presence, which can then be followed by deferment or rest from grazing to favor the native perennial grasses and in turn improve vegetation, soil, and watershed conditions over time.

The environmental analysis indicates that the Juan Tank allotment can support 185 cattle and 5 horses with minimal impact to the other resources present. However, because of the impacts of livestock management in the early 1900s and the longterm effects of a reduction in fire frequency leading to woody species encroachment, I have decided to temporarily allow up to 150 cattle to graze the Juan Tank allotment until adequate monitoring data indicate improvement in vegetative trends toward desired conditions. This temporary reduction in numbers will reduce the grazing intensity. The allotment will be closely monitored. If monitoring indicates that the Juan Tank allotment is not continuing to move toward desired conditions, management will be modified in cooperation with the permittee. Changes may include administrative decisions such as the specific number of livestock authorized annually, specific dates of grazing, or livestock herd movement.

The full analysis of effects of implementing the selected alternative, as well as other alternatives, is documented in the EA for the Juan Tank Allotment. Reference publications and resource specialist analyses are included in the project record for this analysis, and are available at the Williams Ranger District.

## Public Involvement

Notice of the intention to initiate analysis of the proposed action for this allotment was provided in the Schedule of Proposed Actions (SOPA) on April 1, 2012. A public scoping letter dated





September 14, 2012, describing the proposed action for management of this allotment and requesting information regarding concerns or opportunities related to the proposal was sent to the permit holder for the allotment under consideration, adjacent allotment permit holders, members of the public, nonprofit groups, and other entities who have expressed interest in livestock grazing activities. The letter was also sent to State, county, and local government entities. Seven Native American tribes have been consulted on this project since April 2012. The grazing permittee has been involved early on in the development of this project.

Eight comment letters were received regarding the proposed action, and a comment analysis was completed. This analysis, as well as the comment letters, is included in the project record.

On June 30, 2013, a legal notice was published in the *Arizona Daily Sun* initiating a 30-day public comment period on the environmental analysis. Copies of the EA were mailed to those individuals who had responded to scoping, as well as the current permit holder on the allotment involved. Eight comment letters were received. The Kaibab National Forest's responses to these comments can be found in Appendix F of the EA. Minor modifications were made to the EA as a result of comments received during this period.

## Finding of No Significant Impact

After consideration of the environmental effects described in the EA, I have determined that the selected actions will not individually or cumulatively have a significant effect on quality of the human environment, having taken into account context and intensity of impacts (40 CFR 1508.27). Thus, an EIS will not be prepared. I base my finding on the following—

### **1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.**

Although I acknowledge that this finding will allow for a continued benefit to current and future permit holders provided the authorization to graze livestock on the allotment, I have carefully weighed this effect against known, potential, and perceived negative effects of livestock grazing on other Kaibab National Forest resources in and around the Juan Tank grazing allotment. I have a particular interest in maintaining sustainable range resource conditions, as well as concern for potential negative effects on wildlife, federally listed species and Forest Service sensitive species, archaeological resources, and soil and watershed conditions.

Having weighed these concerns against benefits to resource management and permit holders, I have determined that Alternative 4 is the most feasible way to continue to provide for sustainable use of National Forest System lands while providing for ecological and watershed integrity. I am satisfied that the project design providing for adaptive management and monitoring will minimize or eliminate potential for any longterm negative effects on other Kaibab National Forest resources.

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

No issues or concerns have been raised regarding effects on public health and safety from the continued authorization of livestock grazing on the Juan Tank grazing allotment.

### **3. Consideration of unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas.**

There are no priority heritage assets or grazing-sensitive archaeological sites located within the Juan Tank grazing allotment. The State Historic Preservation Office has concurred with the 'No Adverse Effects' finding for Alternative 4 for the allotment. No parklands, prime farmlands, wetlands, wild

and scenic rivers or stream segments identified as eligible for this status or ecologically critical areas have been identified within or near the Juan Tank grazing allotment; therefore no effects to these resources are anticipated.

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

Although effects of livestock grazing on National Forest System lands and resources throughout the Western United States have been the subject of considerable debate among advocacy groups and, to some extent, the scientific community, Alternative 4 was developed to incorporate management practices that have been shown over recent years to be successful in maintaining or improving range and other resource conditions on livestock grazing allotments. Research also indicates that grazing intensities allowed with this decision should provide sufficient residual forage and cover to allow for continued progress toward or maintenance of desired resource conditions, as described in Chapter 3 in the EA. The effects on quality of the human environment are not highly controversial because there is no substantial dispute existing as to the size, nature, or effects of Alternative 4.

For this analysis, the Interdisciplinary Team considered and reviewed numerous publications and research in support of and in opposition to conclusions about effects to soils, water quality, wetlands, vegetation, and wildlife. The Interdisciplinary Team also considered and integrated studies, monitoring results, and published research findings into the analyses. The degree of public interest and number of respondents to opportunities for scoping and comment on the EA were relatively few and no significant issues were raised. Controversy in the context of this Finding of No Significant Impact (FONSI) applies to determining whether the EA or an EIS is the appropriate level of analysis, rather than the mere existence of opposition to a use. No controversy exists regarding the level of analysis provided by the EA.

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

The Kaibab National Forest has considerable experience implementing activities such as those proposed within the Juan Tank grazing allotment (e.g. authorization of livestock grazing, range structural improvements, adaptive management, and resource monitoring). The environmental effects analysis conducted and documented in the EA demonstrates that effects are not highly uncertain and that they do not involve unique or unknown risk.

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

Livestock grazing on the Juan Tank grazing allotment has a long history that is well documented in the project record and associated allotment files. The action is not likely to establish a precedent for future actions with significant effects because this is a site-specific analysis undertaken to decide whether or not to continue to authorize livestock grazing within the Juan Tank grazing allotment and if so, in what manner. This decision applies only to National Forest System lands and is well within the laws, regulations, Forest Service direction, and the Forest Plan as they relate to these activities on National Forest System lands.

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

Resource specialists reviewed past, present, and foreseeable future activities that have or are likely to occur in and around the Juan Tank grazing allotment and each provided an analysis of potential cumulative impacts associated with those other activities, as documented in the EA and the project record. No significant cumulative effects were identified by resource specialists on the

Interdisciplinary Team, and no specific cumulative effects surfaced during scoping or the 30-day public comment period. No significant effects were found that would require preparation of an EIS.

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

The State Historic Preservation Office has reviewed this project and concurred that the project will have no adverse effects on heritage resources eligible for listing on the National Register of Historic Places. Activities associated with structural improvements will be managed to comply with the final Juan Tank Allotment Management Plan Cultural Resource Compliance Report (see Project Record) and thus ensure no adverse effects to significant cultural or historical resources.

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

The analysis and disclosure of effects to endangered, threatened, and proposed species is complete. The action will not adversely affect any endangered or threatened species or habitat that has been determined to be critical under this Act (see EA, Chapter 3).

**10. Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment.**

No Federal, State, or local law or requirement will be violated through implementation of Alternative 4. Applicable laws and regulations were reviewed and considered in the EA and are summarized below.

## Findings Required by Other Law, Regulation, and Policy

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

- Congressional intent to allow grazing on suitable lands (Multiple Use-Sustained Yield Act of 1960, Forest and Rangeland Renewable Resources Planning Act of 1974, Federal Land Policy and Management Act of 1976 (FLPMA), National Forest Management Act (NFMA) of 1976).
- Forest Service policy on rangeland management (Forest Service Manual (FSM) 2202.1, FSM 2203.1, Forest Service Handbook (FSH) 2209.13).
- Federal regulation (36 CFR 222.2 (c)), which states that National Forest System lands will be allocated for livestock grazing and AMPs will be prepared consistent with land management plans (Forest Plans).
- Authorization of livestock grazing permits for a 10-year period is required by law (FLPMA Sec. 402 (a) & (b)(3) and 36 CFR 222.3), unless there is pending disposal, or it will be devoted to other uses prior to the end of 10 years, or it will be in the best interest of sound land management to specify a shorter term.



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## **Forest Plan Standards and Guidelines**

This decision is in accordance with Forest-wide standards and guidelines contained in the Forest Plan regarding administration of livestock grazing on National Forest System lands. The allotment is contained within Geographic Area 01–Juan Tank which is suitable for livestock grazing and has a primary emphasis on range management. Additional management area-specific standards and guidelines apply to Alternative 4. Resource specialists addressed these standards and guidelines in their reports and at Interdisciplinary Team meetings, and have determined that Alternative 4 is consistent with the Forest Plan.

### **Clean Air Act**

Livestock grazing is not anticipated to cause disproportionate adverse human health or environmental effects to air quality (see “Air Quality” analysis in Chapter 3).

### **Clean Water Act**

This project complies with Arizona State laws regarding natural resource protection, including but not limited to, water quality.

### **Endangered Species Act**

Based on analysis of Alternative 4, this decision will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under this Act (see EA, Chapter 3).

### **Forest Service Manual 2670 Sensitive Species**

Based on available survey information, the Interdisciplinary Team has determined that six species on the Regional Forester’s Sensitive Species list are known or may occur within the project area, as documented in the Botany Report in the project record. FSM 2670 direction for management of Forest Service Sensitive Species has been reviewed and applied to Alternative 4.

### **Migratory Bird Treaty Act and Executive Order #13186**

The Forest Service is required to address effects on migratory birds and their nests for species listed as regionally important species on the Partner’s In Flight priority bird list. The Interdisciplinary Team has found that implementation of Alternative 4 is not expected to change vegetation types within the Juan Tank grazing allotment. Grass cover will continue to receive light to moderate levels of grazing. The maintenance of existing water sources and attraction of insects to areas of livestock use will continue to support bird presence.

Disturbances to or loss of birds or nests due to livestock presence or from other activities related to livestock management that may result in unintentional take are expected to be infrequent and will not rise to a level that affects the total population size for any species. There are no Important Bird Areas or over-wintering areas within the allotment that could be affected. The Biological Evaluations and Wildlife Report in the project record provide details of the analysis conducted for birds and their habitats, and of the effects to habitats, birds, and nests that are anticipated.

### **Management Indicator Species**

The EA (see “Management Indicator Species (MIS),” Chapter 3) addressed management indicator species by linking Forest Plan management areas located within the allotment with the management indicator species representative for those management areas and habitat components (see EA, Chapter 3). This decision will not result in a change to forest-wide habitat or population trends, as applicable to each MIS.

### **Forest Service Handbook 2209.13 Chapter 90—Rangeland Management Decision Making**

Alternative 4 is consistent with FSH direction regarding rangeland management decision making as it incorporates adaptive management principles into the decision, providing appropriate flexibility that will



allow resource managers to respond to changing resource and climatic conditions over time. The Interdisciplinary Team established and used a systematic process that involved the permit holder in development of the Proposed Action and considered the primary resource areas of concern. The appropriate alternatives, as called for by Chapter 90, were considered by the Interdisciplinary Team in development of the environmental analysis and documentation.

### **National Historic Preservation Act**

A review of known archaeological sites within the Juan Tank grazing allotment has been completed. Routine maintenance of existing improvements has been cleared. No priority heritage assets are present within this allotment. No grazing-sensitive sites are present. A finding of no adverse effects on archaeological resources has been made for each of the alternatives and was concurred with by the Arizona State Historic Preservation Office, August 8, 2013.

### **Executive Order 11990 (wetland protection)**

This Executive Order (EO) requires all Federal agencies to avoid adverse impacts associated with destruction or modification of wetlands. Alternative 4 was analyzed for its effects and is expected to improve wetland conditions.

### **Executive Order 11988 (floodplain management)**

This EO requires all Federal agencies to avoid adverse impacts associated with the occupancy and modification of floodplains. Alternative 4 was analyzed for its effects and is expected to have no impacts on floodplains.

### **Executive Order 12898 (environmental justice)**

This EO requires all Federal agencies to incorporate environmental justice into their mission. I have determined that Alternative 4 will not disproportionately affect minority or low-income populations.

## **Administrative Review Opportunities/Implementation**

### **Objection under 36 CFR 218**

Planning for this project began when EAs were subject to the appeal regulations (36 CFR 215). However, because a Decision Notice was not signed before September 27, 2013, this decision became subject to the objection procedures (36 CFR 218).

Legal notice of availability of a draft Decision Notice/Finding of No Significant Impact and final Environmental Assessment was published in the *Arizona Daily Sun* on December 8, 2013, which initiated the 45-day objection period. The objection period ended on January 22, 2014, with two objections received. The Forest Service response to these objections can be found in the project record.

### **Objection Review, Final Decision, & Implementation**

This project may be implemented immediately after the signing of the final Decision Notice. No legal notice is required once a final decision is signed. However, the Forest Service may send out a letter or news release to notify any interested parties of the availability of the final decision document(s).

### **Appeal under 36 CFR 214**

This final decision is subject to administrative appeal pursuant to 36 CFR 214. This appeal opportunity applies *only* to the holder of the grazing permit. The appeal must be received by the Appeal Deciding Officer within 45 days from the date of the decision at the following address:



Michael R. Williams, Forest Supervisor (Appeal Deciding Officer)  
Attn: Juan Tank Allotment EA  
Kaibab National Forest  
800 South Sixth Street  
Williams, Arizona 86046;

In accordance with 36 CFR 214.8, the appeal must include:

1. The appellant's name, mailing address, daytime telephone number, and email address, if any;
2. A brief description of the decision being appealed, including the name and title of the Responsible Official and the date of the decision;
3. The title or type and, if applicable, identification number for the written authorization and the date of application for or issuance of the written authorization, if applicable;
4. A statement of how the appellant is adversely affected by the decision being appealed;
5. A statement of the relevant facts underlying the decision being appealed;
6. A discussion of issues raised by the decision being appealed, including identification of any laws, regulations, or policies that were allegedly violated in reaching the decision being appealed;
7. A statement as to whether and how the appellant has attempted to resolve the issues under appeal with the Responsible Official and the date and outcome of those efforts;
8. Any statement of the relief sought;
9. Any documents and other information upon which the appellant relies; and
10. The appellant's signature and the date.

The following specific requirements also must be included in the appeal, where applicable:

1. A request for oral presentation;
2. A request for stay; and
3. A request to participate in a state mediation program regarding the term grazing permit dispute as provided by 36 CFR 222, Subpart B.

As the Responsible Official for this decision, I am willing to meet with you to discuss any issues related to the decision. Please contact my office at 742 S. Clover Road, Williams, Arizona 86046-9122, TEL (928) 635-5600 if you would like to arrange a meeting.

## **Copies of the Environmental Assessment and Contact for Further Information**

Copies of the EA are available from the Williams Ranger District, 742 S. Clover Road, Williams, Arizona 86046-9122. The Kaibab National Forest website, at [www.fs.usda.gov/Kaibab](http://www.fs.usda.gov/Kaibab), can also be accessed for copies of the environmental documents. For additional information concerning this decision, contact the Williams Ranger District at (928) 635-5600, or at the Williams Ranger District Office address listed above.





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## Responsible Official's Signature/Date Signed

As the Responsible Official, my signature below certifies that I am the Agency employee who has the authority to make and implement the decision specified in this Decision Notice. This decision summarizes information described more completely in the Juan Tank Environmental Assessment. For more detailed information, please refer to the EA and project record.

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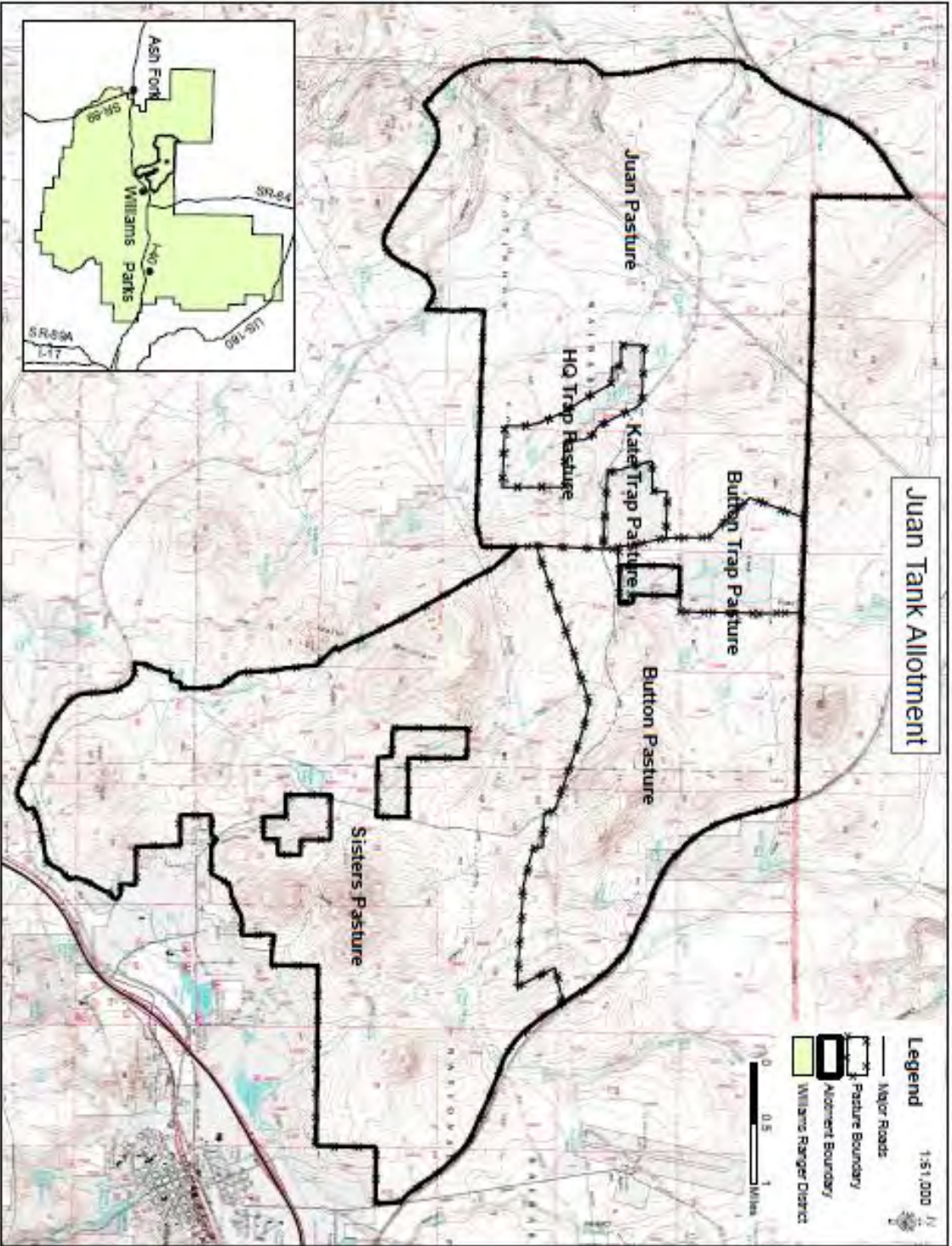
DANELLE D. HARRISON  
Williams District Ranger

DATE

4/23/14

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Map 1: Vicinity Map of Juan Tank Grazing Allotment







**Map 2: Holden Lake Enclosure and Waterlot.**