

File Code: 2230
Date: 09/14/2015

Decision Notice & Finding of No Significant Impact

Grazing Authorization and Allotment Management Plans

Lake Allotment

**USDA Forest Service
Coronado National Forest
Nogales Ranger District,
Pima and Santa Cruz Counties, Arizona**

Background

This decision covers the authorization of grazing for the Lake Allotment on the Nogales Ranger District in Pima and Santa Cruz Counties, Arizona.

The allotment covered by this decision includes National Forest System (NFS) lands designated as suitable for livestock grazing in the Coronado National Forest Land and Resource Management Plan (Forest Plan). Lands within the project are located in the Tumáacacori Mountains and fall within Forest Plan Management Area 4.

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

- The allotments currently lack sufficient environmental analysis to comply with the *National Environmental Policy Act* (NEPA) and the *Rescission Act (P.L. 104, 1995)*.
- There is a need to formally 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).

The authorization of grazing and the proposed management practices on the allotment are described and analyzed in the Lake Allotment Environmental Assessment (EA). 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 Nogales Ranger District Office and the Coronado National Forest Supervisor's Office. Throughout this Decision Notice, references to documents contained in the project record supporting the analysis in the EA are referenced by project record (PR) number.

Decision

Based upon my review of the alternatives and the analysis in the EA, I have decided to approve the grazing management strategy described under *Alternative 2* of the EA. The selected



alternative will authorize managed livestock grazing on the Lake allotment. On the Lake Allotment, 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

On the Lake Allotment grazing would be authorized under the following terms and conditions.

Duration, timing and frequency of grazing. Use on the Lake Allotment will be authorized year-round using rotational grazing (Table 1). Grazing management will be designed to insure that pastures receive periodic growing season rest or deferment in order to provide for grazed plant recovery. The sequence and timing of pasture moves will be based on monitoring of range readiness, ecological condition, water availability and utilization.

Intensity of grazing. Forage utilization will be managed at a level corresponding to light to moderate intensity (30-45%) in order to provide for grazed plant recovery, increased plant vigor, and retention of herbaceous litter to protect soils and provide forage and herbaceous cover for wildlife. Utilization in excess of 45% of key species in key areas will be used as a basis to modify management practices or take administrative actions necessary to reduce utilization in subsequent grazing seasons.

Following the NEPA-based decision to authorize grazing under the terms and conditions identified above, the following administrative actions will be used to implement the decision.

- **Permit issuance.** A new ten-year term grazing permit will be issued for the allotment in accordance with Forest Service policy (FSM 2231.03) for the numbers and terms displayed below. The term grazing permits will identify the number, kind and class of livestock authorized and the season of use as required by Forest Service policy (FSM 2231.11). The permit will also identify the total animal unit months (AUMs) authorized. The number and class of livestock and the season of use will be allowed to vary in response to resource conditions and management objectives. Resource conditions that affect management decisions would include but not be limited to precipitation, forage production, water availability and previous annual or seasonal utilization levels. Annual use will not exceed the total AUMs authorized or the season of use identified in the permit. Changes will be documented and authorized annually in the annual operating plans. The grazing permit will be issued within 90 days of final agency action following the NEPA decision to authorize grazing [FSH 2209.13(94) and R3 Supplement 2209.13-2007-1].
 - **Lake:** 31 cow/calf pairs or equivalent, yearlong (up to 372 AUMs).
- **Allotment Management Plans.** A new allotment management plan (AMP) for the allotment will be developed concurrent with the new permit. The AMP will specify the goals and objectives of management, management strategies, range improvements and monitoring activities. The objectives in the AMP are derived from the desired condition statements identified in the EA on pages 5 and 6. The AMP will be included as part of the grazing permit in Part 3. The AMP will incorporate an adaptive management strategy described below.
- **Annual Operating Plans.** On an annual basis, the Forest and permittee will jointly prepare annual operating plans, referred to as Annual Operating Instructions (AOI) prior to each grazing year that set forth:

- The permissible grazing use authorized on the allotment for the current grazing season and the numbers, class, type of livestock, and timing and duration of use.
- The planned sequence of grazing on the allotment, or the management prescriptions and monitoring 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.
- Allowable use or other standards to be applied and followed by the permittee to properly manage livestock and forage resources.
- 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.

Permitted use (Table 1) is based on monitoring of actual use and resource conditions on the allotment over the past 10-15 years. Allotment capacities fluctuate from year to year in response to annual forage production, management objectives and management intensity. Annual stocking rates on the allotment are expected to fluctuate in response to these factors.

Table 1. Proposed grazing management.

Allotment	Grazing System	Animal Unit Months	Cow/calf equivalent	Change from Current Authorized Use
Lake	3-pasture rest-rotation	372	31	None

Improvements

No new structural improvements (waters and fences) are currently proposed for the allotment in this analysis. Future monitoring or circumstances may identify the need for additional improvements. In this case, the need for, and site-specific effects of, each additional improvement will be evaluated as described under *Adaptive Management*, below.

Maintenance of existing improvements will continue as needed. The responsibility for maintenance of range improvements is assigned to the permittee(s) in the terms and conditions of each grazing permit (FSM 2244.03). On an annual basis, responsibilities for repair and maintenance of existing improvements will be identified in the AOIs.

Management Practices and Mitigation

To mitigate resource impacts, the following measures will be implemented on allotment where grazing is authorized. These measures have been demonstrated to be successful when used on similar projects and are considered effective at reducing environmental impacts. They are consistent with applicable Forest Plan standards and guidelines, Best Management Practices and the terms and conditions and conservation measures of applicable U.S. Fish and Wildlife Service Biological Opinions. Implementation of the mitigation measures and design criteria is intended preclude the occurrence of potentially significant 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.
- Management practices will be used to achieve proper distribution or lessen the impact on sensitive areas. Practices include herding, salting and controlling access to waters. Salt will be placed on good feed, one quarter to one half mile from waters and salting locations will be moved annually. Placement of liquid or bulk supplements will require prior approval of the District Ranger.
- No hay 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 maintenance of range facilities.

- All water developments will include wildlife access and escape ramps. Waters will be kept available to wildlife year round.
- All new and reconstructed 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. The objective is to avoid impacts to lesser long-nosed bat food resources.
- 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 Montezuma 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. The objective is to provide herbaceous vegetation as cover for quail and other wildlife.
- Stockpond maintenance and cleaning will be conducted in accordance with the Forest's Stockpond and Aquatic Habitat Management and Maintenance Guidelines for the Chiricahua Leopard Frog (*Rana chiricahuensis*). The objectives are 1) to minimize short-term impacts to frogs while allowing maintenance activities that maintain occupied habitats, and 2) to protect shoreline and emergent vegetation and to improve water quality.

Heritage Resources – The objective is to protect heritage resources (historic and prehistoric sites) from direct or indirect impacts caused by ground-disturbing activities associated with the construction of range facilities and to monitor the effects of cattle grazing on sites to ensure that adverse effects are not occurring. In general, these measures include the following:

- All proposed range facilities will be surveyed by qualified personnel for heritage resources prior to any ground-disturbing activities. Facilities will be built or modified to

avoid impacts to sites. If unrecorded sites are discovered during the course of project implementation, activities will cease and the District Archeologist will be notified.

- Range facilities, if needed, will be located so as to avoid concentrations of livestock on identified heritage resource sites.
- 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.

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 reference¹ and the Region 3 Rangeland Analysis and Training Guide.² 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 five to ten year intervals, or more frequently if deemed necessary. Examples of effectiveness monitoring include, but are not limited to dry weight rank, pace transects, pace quadrat frequency, Parker 3-step, riparian evaluations (RASES or proper functioning condition), soil and watershed condition assessments and repeat photography. Monitoring will occur at established permanent monitoring points.

Implementation monitoring will occur on an ongoing basis and will include but not be limited to such things as inspection reports, forage utilization measurements, livestock counts and facilities inspections

Utilization measurements are made following procedures found in the Interagency Technical Reference³ and with consideration of the Principles of Obtaining and Interpreting Utilization Data on Southwest Rangelands (Smith et al 2007). Utilization will be monitored on key forage species, which are perennial grasses that are palatable to livestock. At a minimum monitoring will include use in key areas, but may include monitoring outside of key areas. Utilization may be monitored both during the grazing season (seasonal use) and at the end of the growing season (annual utilization). The Nogales 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

¹ Sampling Vegetation Attributes, Interagency Technical Reference. 1996. Cooperative Extension Service, USDA Forest Service and Natural Resources Conservation Service, and USDI Bureau of Land Management.

² Rangeland Analysis and Management Training Guide. 1997. USDA Forest Service, Southwestern Region.

³ 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.

patterns change, new key areas may be established and existing key areas may be modified or abandoned in cooperation with the permittee.

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.

Adaptive Management

This decision will be implemented using an adaptive management strategy. Adaptive management uses the documented results of management actions (monitoring) to continually modify management in order to achieve specific objectives identified in the AMP. The objectives in the AMP are derived from the desired condition statements identified in the EA on pages 6 and 7. Adaptive management provides the flexibility to adjust livestock numbers and the timing of grazing so that use is consistent with current productivity and is meeting management objectives. Under the adaptive management strategy proposed, the specific number of livestock authorized, specific dates for grazing, class of animal and modifications in pasture rotations may be administratively modified as determined to be necessary and appropriate, based on implementation and effectiveness monitoring. However, such changes will not exceed the limits for timing, intensity, duration and frequency authorized in this decision. Administrative changes will be documented and implemented in the AOI, AMP and/or the term grazing permit.

In the case that changing circumstances require physical improvements not disclosed or analyzed previously, 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 and in accordance with Forest Service Handbook (FSH) 1909.15(18) and FSH 2209.13(96.1), the Ranger will determine whether correction, supplementation or revision of the EA is necessary,

Reasons for the Selection

The selected alternative best meets the purpose and need and achieves desired conditions (EA pp. 6-7) in the following ways.

1. The alternative is consistent with the management emphasis, direction and standards and guidelines for Management Areas 4 identified in the Coronado Forest Plan (PR 1).
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 while still meeting the natural resource objectives identified for the project area.
3. The alternative will provide for summer growing season rest or deferment and light to moderate utilization that will maintain or promote improvement in upland vegetation and soil condition and will provide residual herbaceous vegetation to provide year-round habitat for wildlife species requiring herbaceous cover.
4. The permitted numbers reflect the range of variability that affects capacity on the allotments and the proposal provides an adaptive framework that allows for timely adjustments in authorized use in response to changes in grazing capacity or resource condition.

5. The alternative provides for the construction and repair of infrastructure to improve livestock distribution, which will increase vegetative cover, promote litter accumulation and protect soils and riparian vegetation. Proposed improvements will control livestock distribution and will provide a mechanism to increase pasture deferral and management flexibility.
6. The alternative provides a basis for sharing responsibility for successful implementation of this decision with the permittee.

Public Involvement.

Prior to developing proposed actions, the Forest met with the permittees on the allotment to identify management objectives and strategies. The proposal was listed in the Schedule of Proposed Actions in June 2009, and was provided to the public and other agencies for comment during scoping on August 04, 2009 (PR 7). Five comment letters were received in response to the scoping notice (PRs 8-12) Using the comments from the public and other agencies, the interdisciplinary team developed a list of issues to address (see below).

The public was also notified of the opportunity to comment through a legal notice published in the *Nogales International* on May 14, 2009.

Another comment period was done on this allotment starting 05/31/2012 (PR 18). Two comments were received in response. (PR 19 and 20). Additionally an interdisciplinary team field visit was conducted on February 22, 2012 to determine if there had been any change in the data that was gathered in 2008. In the spring of 2014 specialists inspected the allotment on several occasions to update range infrastructure and forage use data. This has been recorded in inspection reports. (PR 26& 26.1)

I reviewed and considered these comments prior to making this decision.

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative (No Action), summarized below. A comparison of the effects of these alternatives is found in Chapter 3 of the EA.

Alternative 1: No Action (No Grazing). Under this alternative, grazing would not be authorized and use of the allotment by domestic livestock would be discontinued. The permittee would be given one year from the date of the decision to remove livestock from the allotment. 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.

Future Review of the Decision

In accordance with Forest Service Handbook direction [FSH 1909.15(18) and 2209.13(96)], an interdisciplinary review of the decision will occur within 10 years, or sooner if conditions warrant. If this review indicates that management is meeting standards and achieving desired condition, the initial management activities will be allowed to continue. If monitoring demonstrates that objectives are not being met and management options beyond the scope of the analysis are warranted, or if new information demonstrates significant effects not previously considered, a new proposed action will be developed and further analysis under NEPA will occur.

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 allotments in the Tumacacori Ecosystem Management Area.

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

1. Both *beneficial and adverse impacts* were considered in the analysis (EA, Chapter 3, pp. 19-47). Grazing as proposed will result in removal of herbaceous and some woody 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 development of new water facilities and fences to control distribution.. Regular growing season rest, pasture deferrals and light to moderate utilization are predicted to maintain or improve long-term soil and watershed condition.
- 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. The project will not adversely affect parks, prime farm lands, wetlands, wild and scenic rivers, or other resources considered to have *unique characteristics*. There are no farm lands, wetlands, wild and scenic rivers or similar resources in the project area. No road construction or maintenance is proposed. The analysis in the EA determined that the proposal will not affect the roadless status or characteristics of inventoried roadless areas within the Tumacacori Mountains.
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. The intensity of grazing and management practices proposed are consistent with the best available science and current. While some members of the public are opposed to public lands livestock grazing and others view the

Forest Service as too restrictive in its management, this action is not highly controversial within the context of the National Environmental Policy Act.

5. The effects analysis (EA pp. 19-47) 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 allotment 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 p. 17).
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. 45-46 and in a variety of specialist reports. 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*. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources (EA pp. 43-44.). Mitigation included as part of the selected alternative is designed to preclude effects to these resources (EA pp. 17-18). The proposed action includes provisions to realign fences and pipelines to avoid identified sites and provisions to survey for and avoid sensitive heritage sites elsewhere prior to any ground-disturbing activities (EA pp. 13-17 and Management Practices, above). 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. . This determination was documented in heritage Resources Report No. 2009-05-127. The twelve tribes with whom the CNF regularly consults were provided an opportunity to comment on the draft EA and the determination that no historic properties would be affected by the proposed action. From those 12 we received three comments back from the following tribes: Ak-Chin Indian Community, Gila River Indian Community and The Hopi Tribe. No issues were identified that could not be addressed through mitigation or project design modifications.
9. A Biological Assessment (BA), dated June 14, 2010, was conducted to determine the effects upon the threatened Lesser Long-nosed Bat (*Leptonycteris curasoae yerbabuena*) and the endangered Jaguar (*Panthera onca*) with implementation of the proposed action on the Lake Allotment. The BA was updated 01/15/2015 to determine the effects on two newly listed species, the threatened Western Yellow-billed Cuckoo

(*Coccyzus americanus occidentalis*) and the threatened Northern Mexican gartersnake (*Thamnophis eques megalops*). These assessments determined that the proposed action may affect all four species but that it would *not likely adversely affect* each of them. No designated or proposed critical habitat for these four species occurs within the action area of the proposed action for the Lake Allotment so that a *no effect* determination was made for all critical habitats. Further rationale for these findings is found in the biological assessment and summarized in the EA. The District submitted the BA and the updated BA on June 14, 2010 and January 15, 2015, respectively, to the U.S. Fish and Wildlife Service for their review.

The U.S. Fish and Wildlife Service concurred with the BA and updated BA findings for these four species and critical habitat. They provided the District letters of concurrence on October 13, 2010 and April 8, 2015, respectively.

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 reviewed and commented on the proposal. Best Management Practices to protect water quality are included in the selected alternative (EA pp. 55-59).

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.

The proposal incorporates adaptive management actions necessary to adjust stocking to remain within capacity (Selected Alternative, above). Grazing intensity levels are consistent with existing scientific literature regarding proper utilization levels and technical guidance provided by the Arizona Game and Fish Department for Montezuma quail.

The effects analysis for listed, sensitive and management indicator species is based on the most recent survey and distribution. Effects determinations for listed species were reviewed and concurred with by U.S. Fish and Wildlife Service Biologists in 2010 and 2015. Soil and riparian monitoring and effects analyses were conducted in accordance with accepted Forest Service monitoring techniques 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.

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 2008 Forest Service planning regulations state that projects must be consistent with the plan [36 CFR 219.8 (e)]. The Lake allotment falls within Management Areas 4 (EA p. 5). The Forest Plan identifies Management Areas 4 as suitable for grazing (Plan pp. 62-66, 67-74, 83-86). 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 Area 4. 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 will affect their Forest-wide populations or long-term viability. (EA, pp. 19-36). 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.

Multiple Use Sustained Yield Act. The selected alternative will not impair land productivity and is therefore consistent with this law.

Endangered Species Act. 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 the allotment considered in the analysis and permittees were provided with the opportunity to participate in consultation activities. These consultations (paragraph 9, above) concluded that the effects of the proposed action are not likely to adversely affect the lesser long-nosed bat, the Chiricahua leopard frog or the Mexican spotted owl and its designated critical habitat. The BA was updated 01/15/2015 to determine the effects on two newly listed species, the threatened Western Yellow-billed Cuckoo (*Coccyzus americanus occidentalis*) and the threatened Northern Mexican gartersnake (*Thamnophis eques megalops*). These assessments determined that the proposed action may affect all four species but that it would *not likely adversely affect* each of them.

National Historic Preservation Act. A Heritage Resource Investigation was completed with a finding of no adverse effect on cultural resources. This determination was documented in heritage Resources Report No. 2009-05-127.

Executive Order 13186 (Migratory Birds). There are no identified effects on migratory birds, Birds of Conservation Concern and Important Bird Areas.

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. 45).

ADMINISTRATIVE REVIEW AND OBJECTION OPPORTUNITIES

This proposed decision is subject to objection pursuant to 36 CFR 218, Subparts A and B. Objections will only be accepted from those who have previously submitted specific written comments regarding the proposed project during scoping or other designated opportunity for public comment in accordance with §218.5(a). Issues raised in objections must be based on previously submitted timely, specific written comments regarding the proposed project unless based on new information arising after the designated comment opportunities.

Objections, including attachments, must be filed via mail, fax, email, hand-delivery, express delivery, or messenger service (Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays) to: [Reviewing Officer: Jaime Kingsbury, Forest Supervisor, Coronado National Forest; Attn: Lake Allotment Analysis Project; 300 West Congress, Tucson, AZ 85701. Ph. (520) 388-8300, fax: (520) 388-8305, objections-southwestern-coronado@fs.fed.us]. Electronically filed objections may be submitted by email in word (.doc), rich text format (.rtf), text (.txt), and hypertext markup language (.html).

Objections must be submitted within 45 calendar days following the publication of a legal notice in the *Nogales International Newspaper*. The publication date in the newspaper of record is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframe information provided by any other source. The regulations prohibit extending the time to file an objection.

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

1. The objector's name and address, with a telephone number, if available;
2. A signature or other verification of authorship upon request (a scanned signature for email may be filed with the objection);
3. When multiple names are listed on an objection, identification of the lead objector (verification of the identity of the lead objector shall be provided upon request);
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 remedies that would resolve the objection; supporting reasons for the reviewing officer to consider; and
6. A statement that demonstrates connection between prior specific written comments on the particular proposed project or activity and the content of the objection.

Incorporation of documents by reference is permitted only as provided in §218.8(b). It is the objector's responsibility to ensure timely filing of a written objection with the reviewing officer pursuant to §218.9. All objections are available for public inspection during and after the objection process.

For additional information, please contact: Sean Lockwood, 303 Old Tucson Rd. Nogales Az 85621, 520-761-6000, seanlockwood@fs.fed.us

IMPLEMENTATION

When no objection is filed within the objection filing period (per §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. There were no objections filed for this project and the objection period ended on September 8th 2015.

Changes to the Final EA

Analysis for two new listed species and their critical habitat were added into the wildlife portion of the EA. At the time of the original BA the Northern Mexican Gartersnake and the Yellow-billed Cuckoo were not listed under the Endangered Species Act.

Drought was discussed in section titled other concerns.



Date:

9/14/2015

JAMES D. COPELAND
District Ranger
Nogales Ranger District

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