

Decision Notice
and Finding of No Significant Impact
GRAZING AUTHORIZATION and
ALLOTMENT MANAGEMENT PLANS
MANILA, LYLE CANYON, AND CANELO ALLOTMENTS
USDA Forest Service
Sierra Vista Ranger District, Coronado National Forest
Cochise and Santa Cruz Counties, Arizona

Decision and Reasons for the Decision

Background

This decision covers the authorization of grazing and approval of Allotment Management Plans (AMPs) for three livestock allotments located on the Sierra Vista Ranger District: Manila, Lyle Canyon, and Canelo. An environmental analysis was initiated with the release of a Scoping Report on February 22, 1999. An environmental assessment (EA) was released for public review on February 21, 2001. The environmental assessment documents the analysis of two alternatives to meet this need (three in the case of the Lyle Canyon and Canelo Allotments), and a no action/no grazing alternative.

The three allotments are located on the north side of the Huachuca Ecosystem Management Area. They currently cover a total of 16,798 acres, with 13,486 acres (or approximately 80 percent) being classified as capable for grazing. The proposed action would add an additional 2,788 acres to the Lyle Canyon Allotment, including 2,543 acres (or approximately 90 percent) classified as capable for grazing. Vegetation consists of desert grassland, chaparral, broadleaf evergreen woodland, deciduous riparian woodland, and coniferous forest (EA, pages 2, 4 and 5). The allotments are mostly in moderately low (fair) to moderately high (good) range condition, with some low (poor) condition areas (EA, pages 18-25). New allotment management plans are needed to reflect biological opinions regarding threatened and endangered species, needs to adjust permitted numbers and season of use, opportunities to coordinate grazing between adjoining allotments, opportunities to add pastures to the Lyle Canyon Allotment, and needs for structures to more effectively distribute livestock and to improve range condition (EA, page 2).

Decision

Decision Context: A Proposed Action (see Alternative 3, below) was developed to meet the need for management plans that reflect current resource conditions and opportunities. Scoping and public comment identified seven issues related to the Proposed Action:

- Effects of proposed stocking and utilization rates on soil, rangeland vegetation, and riparian areas conditions within the allotments
- Effects of on-going grazing on species identified in the *Biological Opinion of On-Going and Long-Term Grazing on the Coronado National Forest* (1999), as well as other threatened, endangered, proposed, or Forest Service sensitive species or their habitat. Species include, but

are not limited to, the lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*), Huachuca water umbel (*Lilaeopsis schaffneriana* var. *recurva*) Sonoran tiger salamander (*Ambystoma tigrinum stebbensi*), Chiricahua leopard frog (*Rana chiricahuensis*), and Gila chub (*Gila intermedia*).

- Biological effects of permitting grazing on portions of the vacant Collins Canyon Allotment
- Effects of grazing on Montezuma (Mearns') quail (*Cytonix montezumae mearnsi*)
- Relationship of proposed use of Collins Canyon pastures to agreements made with the prior Collins Canyon permittee when the allotment was vacated
- Costs versus benefits of proposed improvements
- Effects to economic viability of permittee operations

Alternatives were developed to address these issues (below, and EA, pages 13-17). Prior to making this decision, I reviewed the administrative record, environmental assessment, and public comments received on the Manila, Lyle Canyon, and Canelo grazing authorization and AMP proposal. The environmental assessment documented a wide range of specific environmental effects of the proposed action, and disclosed that under current management, range conditions on the allotments vary from low to moderately high (EA, pages 18-26). The following documents my decision and rationale for the Manila, Lyle Canyon, and Canelo Allotments.

Based upon my review of the alternatives, it is my decision to issue a 10-year grazing permit that implements Alternative 3 (Proposed Action) for the Manila, Lyle Canyon, and Canelo Allotments. This decision will authorize from 960 to 1,080 animal months (AMs) cow/calf on the Manila Allotment, plus 132 AMs mixed cow/calf and horses on unfenced private land; 1,404 to 2,184 AMs cow/calf on the Lyle Canyon Allotment, and up to 204 AMs cow/calf on the Canelo Allotment. This alternative is within the management emphasis and direction for Management Areas 1, 4, and 7, of the Land and Resource Management Plan for the Coronado National Forest, 1986 as amended, (Forest Plan) and is consistent with applicable laws and regulations.

Under the 10-year permit, the **Manila Allotment** will be grazed by 80 to 90 cattle yearlong using a deferred rest rotation plan; in addition, 17 cattle and horses will be permitted to graze on unfenced private land. The AMP will:

- Divide the two summer pastures (Center and North) into four units (EA, Map 8)
- Construct a pipeline from a well on the adjacent Lyle Canyon Allotment to a point along the new fence dividing Center Pasture (EA, Map 8)
- Construct approximately 1 mile of drift fences in Hill Pasture (EA, Map 8)
- Implement a six-pasture deferred rest rotation grazing schedule (EA, Fig. 3)
- Maintain the existing range improvements.

- Limit the forage utilization to 45 percent of key species in key areas
- Within Mearns' quail key habitat areas, (Doc. 108) desirable allowable use will be 35 to 40 percent, with a maximum of 45 percent
- Monitor utilization in key areas, utilization in Mearns' quail key habitat areas, condition of upland and riparian areas, and condition of improvements at least every 3 years

Under the 10-year permit, the **Lyle Canyon Allotment** will be grazed by 117 to 182 cattle yearlong. The AMP will:

- Combine the cattle herd and management with the Canelo Allotment under one AMP
- Change the Lyle Canyon Allotment boundary to include the Tom's Corner, Oso Negro, and Horse Pastures from the vacant Collin's Canyon Allotment and the Becker parcel (EA, Map 6)
- Construct a water storage tank in Harkey Pasture and run a pipeline and drinker to the Weaner, Page, Algerita, and Center Pastures (EA, Map 8)
- Build check-dams in the northwest portion of the Korn Pasture and south portion of the Mathews Pasture
- Construct a pipeline from the storage tank in Mountain Pasture to the southwest corner of Algerita Pasture, the southeast corner of the Lower Algerita Pasture, and the southeast end of Page Pasture (EA, Map 8)
- Develop a well with a windmill and submersible pump in Merrit Pasture; construct pipelines to troughs in Upper Lyle, Merrit, Mountain, Oso Negro, and Tom's Corner Pastures (EA, Map 8)
- Develop a well with pipelines and troughs in Oso Negro Pasture (Map 8)
- Construct $\frac{1}{4}$ mile of fence around the spring in Merrit Canyon in the Oso Negro Pasture (EA, Map 8)
- Fence the stock tank in Mathews Pasture (EA, Map 8)
- Implement a rest rotation grazing schedule utilizing the 18 available pastures (EA, Figure 2)
- Limit forage utilization to 45 percent of key species in key areas
- Within Mearns' quail key habitat areas (Doc. 108) desirable allowable use will be 35 to 40 percent, with a maximum of 45 percent
- Maintain existing range improvements
- Monitor utilization in key areas, condition of upland and riparian areas, and condition of improvements at least every 3 years.

Under the 10-year permit, the **Canelo Allotment** will be grazed by up to 102 cattle for 2 months (March 1 to April 30). The AMP will:

- Combine the management of the Canelo and Lyle Canyon Allotments
- Develop a well in East Pasture with a storage tank and three drinkers
- Construct a fence in the southwest corner of West Pasture (EA, Map 8)
- Change the season of use from 6 months to 2 months, March 1 to April 30
- Limit forage utilization to 45 percent of key species in key areas
- Within Mearns' quail key habitat areas (Doc. 108) desirable allowable use will be 35 to 40 percent, with a maximum of 45 percent
- Maintain existing range improvements
- Monitor utilization in key areas, utilization in Mearns' quail key habitat areas, condition of upland and riparian areas, and condition of improvements at least every 3 years

Rationale: My decision is supported by the following rationale:

When compared to other alternatives considered in detail, Alternative 3 provides the best balance between making forage available to livestock operators and improving resource conditions. It will assure that upward trends in range vegetation will continue, at a higher rate than current management practices. The rationale for specific elements of the decision is described below:

(a) Permitted Numbers: The stocking rate selected allows continued improvement of National Forest System lands (EA, pages 18-28). The number of livestock permitted on the Manila Allotment will be reduced to levels comparable with actual recent use, better meeting utilization objectives (EA, page 19). The number of livestock permitted to graze on the Lyle Canyon Allotment will be increased to reflect conversion of temporary permits to term permits (EA, pages 5 and 21) and the addition of acreage to the allotment (Doc. 24). In terms of jobs, Government receipts, and payments to counties the Manila Allotment will be reduced from current management levels, the Lyle Canyon Allotment will be increased, and the Canelo Allotment will be maintained at current levels (EA, page 44).

(b) Range Improvements: My decision provides for approximately 3 ¼ miles of new fence construction and creation of one new water source on the Manila Allotment. This will improve livestock distribution relative to current management and allow more growing season rest in summer pastures (EA page 20). These control structures will also improve management in the drainage where the Huachuca water umbel occurs (EA, page 9). On the Lyle Canyon Allotment, approximately 10 new upland water sources will be established. This will assist with distribution and help keep cattle in the uplands (EA, page 23). A pasture division fence and three new water sources will reduce cattle concentration on bottomlands in the Canelo Allotment (EA page 24).

(c) Adjustment of Allotment Boundary: The decision will expand the boundary of the Lyle Canyon Allotment to include the Becker parcel and three pastures from the adjacent, vacant Collins Canyon Allotment. This will increase management flexibility for pasture rest and rotation (EA, page 23).

(d) Combined Management: My decision combines the herds and management of the Lyle Canyon Allotment and the Canelo Allotment. This will provide increased rest for the Canelo Allotment and add pasture rest and rotation flexibility to the Lyle Canyon Allotment (EA, pages 23, 35).

(e) Monitoring: My decision provides for monitoring of forage use to act as a guide to the Forest Service and permittee in making needed adjustments in annual operating instructions. Monitoring to keep utilization at or below 45 percent of the current year's growth will maintain grazing pressure on rangeland vegetation at a sustainable, moderate level (EA, pages 18-32). In addition, high quality Mearns' quail habitat areas will be monitored to ensure at least 6 inches of herbaceous stubble height is maintained in accordance with Forest Service Manual (FSM) 2600-94-1.

In the future, it may be necessary to develop additional livestock and wildlife waters and improvements beyond those currently proposed. Any additional future projects will follow standard agency planning and public involvement processes. Mitigation and monitoring requirements discussed below will be incorporated in the final AMP.

Mitigation: The following mitigation practices will be employed to reduce potential environmental effects further:

- To reduce grazing pressure on areas where cattle normally congregate, cattle will be moved into normally dry areas when forage is available and water is present.
- Salt and protein supplement will be placed on good forage $\frac{1}{4}$ mile from water, roads, major trails, or other natural livestock concentration areas. Every time salt or protein blocks are put on the allotment they will be put on a different site from the one previously used.
- Best management practices (EA, pages 13-14) for grazing will be used to reduce environmental effects further.
- Range improvements will be located to avoid impacting agaves.
- Construction and reconstruction of fences will follow the State of Arizona Game and Fish "Standard Game Fence" specifications.

Monitoring: I have selected key areas for monitoring forage utilization. The key areas were selected consistent with the management guidelines on page 22 of the Forest Plan. A key area map is included in the project record (Doc. 109); however, key areas may be relocated as needed without additional NEPA analysis to best meet the objective of improved rangeland condition. Key forage species selected for monitoring are native perennial grasses that are palatable to livestock. The Sierra Vista District Range Staff Officer and the permittee will be responsible for monitoring livestock use to assure that use levels stay below 45 percent of current year's growth, by weight, of key species in key areas. Monitoring of key forage plants in key areas will occur at least once every 3 years, and will include observations of ground cover and plant vigor. I have also selected Mearns' quail key habitat areas for monitoring Mearns' quail habitat (Doc. 108). In these areas, ocular estimates of stubble height will be made at least every 3 years to determine if the allowable forage utilization rates are providing for at least 6 inches of stubble height of

herbaceous cover under conditions described in FSM 2600-94-1. The Sierra Vista District Range Staff will develop a monitoring report for each set of data collected.

This alternative meets requirements under the National Forest Management Act, Endangered Species Act, and National Historic Preservation Act and their implementing regulations (see below).

Other Alternatives Considered

Two other alternatives for the Manila Allotment, and three for the Canelo and Lyle Canyon Allotments, were considered in detail. No alternatives were dropped from detailed study. The alternatives considered in detail are briefly described below (also see the EA, pages 14-17).

Alternative 1: No Grazing (No Action)

Under this alternative, use of the grazing allotments by domestic livestock would be discontinued. No term grazing permit would be issued. Existing structural improvements including water developments would remain in place but they would not be maintained. Periodic monitoring of structural improvements (at least once every 10 years) would be used to determine whether removal or maintenance is needed. Removal or maintenance would be authorized by a separate decision.

Alternative 2: Continue Current Management

The **Manila Allotment** is currently permitted 125 cattle yearlong (CYL), with an associated private land permit for 22 cattle and 6 horses yearlong. A private land permit provides for management of livestock on unfenced private land inholdings in conjunction with an existing allotment. A three-pasture rotation is in place on the ranch. Replacement heifers are also grazed, mostly in the two private land pastures. Under this rotation, the two lower pastures receive partial growing season rest every year, and the mountain pasture, used only during the winter, receives total growing season rest. The actual rotation dates are regulated by water and forage availability and utilization levels. Utilization levels are set at 45 percent of key species in key areas. The allotment includes approximately 13 miles of fence, 3 dirt tanks, and 2 developed springs. Improvements are all functional and no new developments would be constructed under this alternative.

The **Lyle Canyon Allotment** is currently permitted 50 CYL and an additional 50 head under a temporary permit. The temporary permit allows use of the Becker parcel. With the temporary permits, thirteen pastures are available for rotation. Under this alternative, the Tom's Corner, Horse, and Oso Negro Pastures would not be included in the allotment, and management would not be combined with the Canelo Allotment. Existing temporary permits will be converted to a 10-year term. Utilization levels are set at 45 percent of key species in key areas. The allotment includes approximately 40 miles of fence, 4 dirt tanks, 4 wells, 3 corrals, and 10 developed springs. Improvements are in varying states of repair, with the majority being functional. Under this alternative no new developments would be constructed.

The **Canelo Allotment** is divided into two pastures and is intermingled with private land. It is permitted 34 head for 6 months plus an additional 6 head for 6 months under a private land

permit. Typically, livestock are on the allotment during the months of January, February, March, August, September, and December, using East Pasture during the winter months, and West Pasture in the summer months. Utilization levels are set at 45 percent of key species in key areas. The allotment is currently being managed with the Lyle Canyon Allotment under a temporary permit. No changes in management or new developments would occur under this alternative.

Alternative 3: Proposed Action

The proposed action for the **Manila Allotment**:

- Issue a 10-year grazing permit for 80 to 90 CYL and an 11-head private land permit
- Divide Center Pasture by constructing approximately 1.25 miles of fence (Map 8). This will mitigate grazing effects to vegetation by improving control of livestock and improve management of the drainage in which the Huachuca water umbel occurs.
- Construct a pipeline from a well on the adjacent Lyle Canyon Allotment to a point along the proposed fence dividing Center Pasture. This will assist in control of summer use in the lower pastures by providing a predictable water source.
- Divide North Pasture into two smaller pastures by constructing approximately 1½ miles of fence (Map 8). This will mitigate grazing impacts to vegetation by providing more control of use in the lower elevations.
- Improve distribution in Hill Pasture by constructing approximately 1 mile of drift fences in two short segments (Map 8).
- Implement a five or six pasture deferred-rest rotation. This will allow for a shorter period of growing season use and more growing season rest in the lower country where range vegetation condition needs improvement.
- Maintain existing range improvements.
- Set utilization in key areas on key species at 45 percent.
- Monitor utilization in key areas, condition of upland and riparian areas, and condition of improvements at least every 3 years.

The proposed action for the **Lyle Canyon Allotment**:

- Issue a 10-year grazing permit on the Lyle Canyon Allotment for 117 to 182 CYL.
- Combine the cattle herd and management with the Canelo Allotment under one AMP. This will provide for additional rest on the Canelo Allotment and add rotation flexibility, thereby increasing rest for the Lyle Canyon Allotment.
- Change the Lyle Canyon boundary to include Tom's Corner, Oso Negro, and Horse Pastures from the vacant Collin's Canyon Allotment (Map 6). This will also provide increased rest and rotation flexibility for the Lyle Canyon Allotment.

- Change the Lyle Canyon boundary to include the Becker Parcel (Map 6). This will provide additional flexibility, slightly reduce the stocking rate on the allotment, and thereby the grazing effects.
- Construct a water storage tank in Harkey Pasture and run a pipeline and drinker to the Weaner, Page, Algerita, and Center Pastures (Map 8). This will assist in livestock management by providing water in areas that do not currently have any.
- Build check-dams in the northwest portion of Korn Pasture and south portion of Mathews Pasture. This will mitigate down cutting and erosion of the channel. The Forest Service will provide materials; the permittee will provide labor.
- Construct a pipeline from the storage tank in Mountain Pasture to the southwest corner of Algerita Pasture, the southeast corner of Lower Algerita Pasture, and the southeast end of Page Pasture (Map 8). This will assist management and dispersal of livestock on the allotment and allow for improved riparian conditions in the Lyle Canyon riparian area by providing a predictable water source in the uplands.
- Develop a well with a windmill and submersible pump in Merrit Pasture. Construct pipelines to troughs in Upper Lyle, Merrit, Mountain, Oso Negro, and Tom's Corner pastures (Map 8). This will mitigate adverse effects to riparian areas and watershed condition by providing a predictable water source in the uplands.
- Develop a well with pipelines and troughs in Oso Negro Pasture (Map 8). This will mitigate adverse effects to riparian and watershed condition by providing a predictable water source in the uplands.
- Construct ¼ mile of fence around the spring area in Merrit Canyon within the Oso Negro Pasture (Map 8). This will mitigate cattle impacts to the riparian area.
- Fence the stock tank in Mathews Pasture (Map 8). This will allow more control of cattle in this pasture.
- Set maximum utilization on key species in key areas at 45 percent.
- Monitor utilization in key areas, condition of upland and riparian areas, and condition of improvements.

The proposed action for the Canelo Allotment:

- Issue a 10-year grazing permit on the Canelo Allotment for 204 AMs cattle March 1 through April 30. This will permit livestock stocking that is consistent with capacity. Private lands will be fenced and a private land permit will no longer be necessary.
- Combine management with Lyle Canyon Allotment under one AMP. This will provide for more growing season rest by allowing the Canelo herd to graze on the Lyle Canyon Allotment.
- Develop a well in East Pasture with a storage tank and three drinkers (power is available at the site) (Map 8). This will allow for improved watershed and riparian condition by providing a predictable water source in the uplands. This project will be partially funded by a grant from Arizona Water Protection Fund (AWPF).

- Construct a fence in the southwest corner of West Pasture (Map 8). This will improve distribution in the hilly portions of the pasture. The Forest Service will supply materials; the permittee will provide labor.
- Set maximum utilization of key species in key areas at 45 percent.
- Monitor utilization in key areas, condition of upland and riparian areas, and condition of improvements at least every 3 years.

Alternative 4: Maintain Existing Acreage, Combine Management: Canelo and Lyle Canyon Allotments, Becker Parcel

This alternative formalizes elements that are currently included in temporary permits that allow for combined management of the Lyle Canyon and Canelo Allotments. No acreage from the Collin's Canyon Allotment would be added to the Lyle Canyon Allotment. The following is a detailed description of the alternative:

- Combine the cattle herd and management with the Canelo Allotment under one AMP. This will provide for additional rest on the Canelo Allotment, add flexibility and increased rest for the Lyle Canyon Allotment.
- Issue a 10-year grazing permit on the Lyle Canyon Allotment for 81 to 146 CYL (972 to 1,752 AMs cattle).
- Issue a 10-year grazing permit on the Canelo Allotment for up to 204 AMs cattle, March 1 through April 30.
- Change the Lyle Canyon boundary to include the Becker Parcel in the Lyle Canyon Allotment. This will provide additional flexibility and pasture rest, thereby reducing grazing effects.
- Construct a water storage tank in Harkey Pasture and run a pipeline and drinker to the Weaner, Page, Algerita, and Center Pastures. This will assist in livestock management by providing water in areas that do not currently have any.
- Build check-dams in the northwest portion of Korn Pasture and south portion of Mathews Pasture. This will mitigate down cutting and erosion of the channel. The Forest Service will provide materials; the permittee will provide labor.
- Construct a pipeline from the storage tank in Mountain Pasture to the southwest corner of Algerita Pasture, the southeast corner of Lower Algerita Pasture, and the southeast end of Page Pasture. This will assist management and dispersal of livestock on the allotment and allow for improved riparian conditions in the Lyle Canyon riparian area by providing a predictable water source in the uplands.
- Develop a well with a windmill and submersible pump in Merrit Pasture. Construct pipelines to troughs in Upper Lyle, Merrit, and Mountain Pastures. This will mitigate adverse effects to riparian areas and watershed condition by providing a predictable water source in the uplands.
- Fence the stock tank in Mathews Pasture. This will allow more control of cattle in this pasture.
- Set maximum utilization in key areas at 45 percent.

- Monitor utilization in key areas, condition of upland and riparian areas, and condition of improvements at least every 3 years.
- Implement a rest/rotation grazing schedule utilizing the 13 available pastures (Figure 3). This will improve range condition by allowing for additional rest of lands within the allotment.

Public Involvement

A Scoping Report was prepared and mailed to interested parties for review and comment on February 22, 1999. Thirteen responses to the Scoping Report were received and analyzed. Based on the comments and additional analysis, adjustments were made (EA, pages 14-16). On February 21, 2001, a Final Environmental Assessment was mailed for public review. The comment period ran until March 21, 2001. Twelve responses were received. The Agency's Response to Comments was prepared and attached to this Decision.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. Impacts from this site-specific project are both beneficial and adverse. Beneficial effects did not influence my finding of no significant impacts. Adverse effects are short-term in nature and will not impair land productivity or the continued existence of wildlife. The long-term effect of continued improvement of the rangeland will be beneficial. The environmental assessment contains a complete discussion of the anticipated effects on pages 17 through 46.
2. No effects to public health or safety were identified.
3. There are no known unique characteristics (such as, parks, prime farmlands, wetlands, wild and scenic rivers, etc.) associated with the four allotments.
4. The effects of my decision are limited to the three allotments. While the environmental analysis process has documented expected environmental effects from my decision, there was agreement by the Interdisciplinary Team that resource conditions on the allotments will improve.
5. The environmental effects of this decision are typical for this type of agency action. The estimated effects do not indicate any unique or unknown risks to the environment.
6. My decision does not establish any future precedent for other actions that may have a significant environmental effect. Future actions will be evaluated through the NEPA process and will stand on their own as to environmental effects and project feasibility.
7. Cumulative effects of my decision were considered. Cumulative effects, primarily for rangeland vegetation and wildlife, were not deemed significant when added to the

expected effects from my decision (EA, pages 12, 20 through 26, 37; Project Record, Docs. 43, 44).

8. My decision will have no adverse effect to districts, sites, heritage resources or cause loss or destruction of significant scientific, cultural, or historical resources (Project Record, Docs. 30, 45 through 47).
9. Formal consultation with U.S. Fish and Wildlife Service (*Final Biological Opinion on Continuation of Livestock Grazing on the Forest on October 24, 2002 [BO 2-21—98-F-399-R1]*) was completed based on findings that the decision is “likely to adversely affect” the lesser long-nosed bat on all three allotments, the Sonoran tiger salamander on the Lyle Canyon Allotment, and the Huachuca water umbel on the Manila Allotment, and the Chiricahua leopard frog on the Lyle Canyon and Canelo Allotments; and “not likely to affect” the northern aplomado falcon (*Falco femoralis septentrionalis*) and the Chiricahua leopard frog on the Manila Allotment. The Service concluded that the proposed action is not likely to jeopardize the continued existence of these species. Terms and conditions and/or species-specific measures stipulated in the BO for the lesser long-nosed bat, Sonoran tiger salamander, the Chiricahua leopard frog, and the Huachuca water umbel will be added to the enforceable terms and conditions of the grazing permits.
10. Findings documented in the Interdisciplinary Team Biologist’s *Management Indicator Species Analysis* (Project Record, Docs. 110 and 111) show that the selected alternative is expected to maintain or improve occupied habitats for all species analyzed.
11. This proposal is in full compliance with all federal, state, and local law requirements. State, local and tribal governments were consulted concerning this project.

Findings Required by Other Laws and Regulations

This decision to issue 10-year term grazing permits and prepare allotment management plans is consistent with the intent of the Forest Plan's long-term goals and objectives listed on pages 62 through 66. The project was designed in conformance with Forest Plan standards and incorporates appropriate Forest Plan guidelines for livestock grazing and wildlife (Land and Resource Management Plan, pages 15 through 23, 31 through 38, 62 through 74, and 79 through 82).

National Forest Management Act: The Land and Resource Management Plan for the Coronado National Forest (Forest Plan) was adopted on August 4, 1986. The Code of Federal Regulations (CFR) at 36 CFR 219 guides forest planning. The planning regulations state that projects implemented after the Forest Plan is in place must be “consistent with the plan” (36 CFR 219.10.e). The term permit grazing authorizations and AMPs for each of the three allotments have been deemed consistent with the long-term goals and objectives listed on pages 9 through 11 of the Forest Plan, as amended. The Forest Plan designated the allotments as suitable for grazing and this area was included in Management Areas 1, 4, and 7 (Forest Plan, pages 47 through 82). There were no identified effects to management indicator or sensitive species that would affect their long-term viability (EA, pages 33 through 37, Project Record Docs. 110, 111).

Other NFMA consistency findings relate to the management of suitable timberlands. The allotments do not contain any suitable timberlands; therefore, the other NFMA consistency requirements do not apply.

Endangered Species Act: Formal consultation with U.S. Fish and Wildlife Service was completed as part of the Forest-wide reinitiation of consultation on ongoing and long-term grazing on the Coronado National Forest. The conclusions of this consultation, described in Section 9 above, document that the effects of the proposed action are not likely to jeopardize the continued existence of threatened, endangered or proposed species.

National Historic Preservation Act. A Heritage Resource Report was completed and found "no adverse effect." It was forwarded to the State Historic Preservation Officer for concurrence with the determination. The concurrence was received and is included in the project record (Project Record, Doc. 47). Consultation with Indian tribes was completed (EA, pages 38 through 39).

Executive Order 12898 (Environmental Justice). This decision does not impose disproportionately high adverse human health or environmental effects on minority or low-income populations. American Indian tribes were consulted regarding the proposed action (Project Record, Docs. 37, 48, 64, and 89) and effects analyzed in the EA (pages 38 through 39).

Implementation Date

This project will not be implemented sooner than 5 business days following the close of the appeal filing period established in the legal notice published in the *Sierra Vista Herald*. 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 new permits or actually constructing any range improvements. Field preparation work needed to implement this decision (such as location of monitoring sites and final fence location) may proceed immediately.

Administrative Review or Appeal Opportunities

This decision is subject to appeal in accordance with 36 CFR 215.7. 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 215.7. Appeals must be filed with the Regional Forester, Southwestern Region, 333 Broadway SE, Albuquerque, New Mexico 87102. The Regional Office contact for appeals is Patrick L. Jackson, Special Assistant, (505)-842-3305. Appeals must be filed within 45 days of the date of legal notice of this decision in the *Sierra Vista Herald*.

Relative to issuance of the term grazing permits, the permittees may choose to appeal under the regulations listed at 36 CFR 251, Subpart C. Permittees must select which administrative review regulation (36 CFR 215 or 251) they will opt to use, because they cannot use both for the same appealed decision. An appeal by the permittee under the 36 CFR 251 regulations must be filed with the Supervisor, Coronado National Forest, 300 West Congress, Tucson, Arizona, 85701. The Forest Supervisor's Office contact for 36 CFR 251 appeals is Margaret VanGilder, Range Program Leader, (520)-670-4561.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Tom Lorenz, District Range Staff Officer, Sierra Vista Ranger District, 5990 S. Highway 92, Hereford, Arizona 85615. Tom Lorenz can also be reached by phone at (520) 378-0311.


STEPHEN L. GUNZEL

District Ranger

Sierra Vista Ranger District

05/13/03
Date

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.