

May 2008

Decision Notice & Finding of No Significant Impact

Grazing Authorization and Allotment Management Plans

Rough Mountain, Willie Rose, West Whitetail, East Whitetail and Cochise Head Allotments

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

Background

This decision covers the authorization of grazing and selected improvements for the Rough Mountain, Willie Rose, West Whitetail, East Whitetail and Cochise Head Allotments on the Douglas Ranger District in Cochise County, Arizona. The allotments include lands designated as suitable for livestock grazing in Management Areas 1, 4 and 7 in the Coronado National Forest Land and Resource Management Plan (Forest Plan). The allotments are located adjacent to one another on the northern end of the Chiricahua Mountains.

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

- The allotments require environmental analysis necessary to comply with the *Rescission Act (P.L. 104, 1995)*.
- There is a need to incorporate additional management flexibility through an adaptive management strategy consistent with Forest Service policy (*FSH 2209.13, Chapter 90*).
- Additional watering facilities may be necessary to improve livestock distribution and improve the reliability of some pastures.

The authorization of grazing and the proposed management practices on the allotments were described and analyzed in the Rough Mountain, Willie Rose, West Whitetail, East Whitetail and Cochise Head 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 Douglas 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 all 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 Rough Mountain,

Willie Rose, West Whitetail, East Whitetail and Cochise Head allotments. The action consists of four components - authorization, improvements, management practices and monitoring – and the action will be implemented using an adaptive management strategy. The four components are described below.

1. Authorization

Grazing would be authorized on the allotments under the following terms and conditions.

- **Duration and timing of grazing.** The season of use on the **Rough Mountain, East Whitetail, Willie Rose** and **Cochise Head** allotments would be winter seasonal (11/1-4/30) to allow for annual summer growing season rest. The **West Whitetail** allotment would be authorized for yearlong use in order to enhance management flexibility to avoid periods when livestock poisoning occurs. Pastures grazed during the growing season (July –October) will receive rest or deferment the following year. On all allotments, the sequence and timing of pasture moves and the timing of entry and exit from the allotments 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 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. Consistent patterns of annual utilization in excess of 45% of key species in key areas would be used as a basis to modify management practices or take administrative actions necessary to reduce utilization in subsequent grazing seasons.

Administrative actions necessary to implement the decision. The following administrative actions would occur in order to implement the NEPA-based decision to authorize grazing.

- **Permit issuance.** New 10-year term grazing permits would be issued for each allotment for the following numbers and terms. The term grazing permit will identify the number, kind and class of livestock authorized and the season of use as required by Forest Service policy (FSM 2231.11). Permits will also identify the total animal unit months (AUMs) authorized for each permit. The number and class of livestock and period of use would be allowed to vary depending on management objectives and resource conditions, provided that annual use does not exceed the total AUMs authorized or the season of use identified for the allotment. Such changes will be authorized and documented in annual operating instructions.
 - **Rough Mountain. Emigrant Canyon portion:** 147 mature cows or equivalent for 6 months, 11/1-4/30 (up to 882 AUMs). **Wood Canyon portion:** 148 mature cows or equivalent for six months, 11/1-4/30 (up to 888 AUMs). The allotment would remain a community allotment with two separate permits.
 - **Willie Rose.** 31 cow/calf pairs or equivalent, 11/1-4/30 (up to 245 AUMs).
 - **West Whitetail. Crossed J portion:** 36 cow/calf pairs or equivalent (up to 283 AUMs). **Sugarloaf portion:** 36 cow/calf pairs or equivalent (up to 283 AUMs). The allotment would remain a community allotment with two separate permits.

The permits would authorize use during any month, but cattle would not be on the allotment for more than six months in the aggregate in any year.

- **East Whitetail.** 100 cow/calf pairs or equivalent 11/1-4-30 (up to 792 AUMs).
- **Cochise Head. Northern portion:** 92 cow/calf pairs or equivalent 11/1-4/30 (up to 729 AUMs). **Southern portion:** 34 cow/calf pairs or equivalent 11/1-4/30 (up to 269 AUMs). The allotment would remain a community allotment with two separate permits. This allotment would be rested for the first two years, or until all water developments and fences are made functional and unauthorized livestock are removed from the allotment.
- **Allotment Management Plans.** New allotment management plans (AMPs) would be developed for each allotment and would be incorporated into any term grazing permits issued. The AMPs will specify the goals and objectives of management, management strategies, range improvements and monitoring requirements and will incorporate an adaptive management strategy described below. The use of Coordinated Resource Management Plans (CRMPs) will be encouraged where the presence of intermingled ownership is conducive to more flexible management.
- **Annual Operating Plans.** On an annual basis, the Forest and permittees will jointly prepare annual plans, referred to as Annual Operating Instructions (AOI), prior to each grazing year. The AOI will set forth:
 - The 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 or management prescriptions in pastures on the allotment and criteria that will be used to make changes.
 - Structural and non-structural improvements to be constructed, reconstructed, or maintained and who is responsible for these activities.
 - Allowable use or other guidelines to be applied and followed by the permittee to properly manage livestock.
 - Monitoring for the current season that may include, among other things, documentation demonstrating compliance with the terms and conditions in the grazing permit, AMP and AOI.

2. Improvements

Several structural improvements are proposed in order to improve livestock distribution and pasture reliability. Water developments are primarily extensions of pipelines from existing water sources, increasing the storage capacity of existing systems and installation of new drinkers. Three new spring developments are proposed in the Rough Mountain allotment. Short fences are needed to control cattle movements.

Rough Mountain

- Install a pipeline and trough at a spring in lower Wood pasture.
- Install 500 feet of pipeline, 5,000 gallon storage and trough at a spring above Comet Spring in upper Emigrant pasture.

- Install 1,000 feet of pipeline, 3,000 gallon storage and a trough at a spring in lower Emigrant pasture.
- Extend a pipeline .75 mile from a private land well to a 5,000 gallon storage and drinker on State land in lower Emigrant pasture.
- Extend a drift fence .25 mile between South Fork and Lower Wood pastures.

Willie Rose

- Extend a pipeline from a well on deeded land to an existing pipeline on the Forest to supply storage and troughs on the allotment.

West Whitetail

- Fence ¼ mile of the boundary between Niagara pasture and the Chiricahua National Monument.
- Construct a 0.5 mile drift fence between Buckhorn and West Whitetail pastures.
- Install a 300 foot wing fence in Whitetail Canyon to facilitate livestock handling.

East Whitetail

- Construct 0.5 mile of drift fence in upper East Whitetail Canyon to keep cattle in Indian Creek pasture.
- Re-establish a pipeline from Jhus Spring by constructing a new spring box, re-fitting storage and adding a new trough.

Cochise Head

- Construct a water lot around Holding Pasture tank.

These improvements are proposed in the context of adaptive management, meaning that they have been identified as possible practices to assist in the achievement of desired conditions if management alone is not sufficient. Future monitoring may indicate that the projects are not necessary or desirable, in which case they will not be constructed. Monitoring may also indicate 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.

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). Maintenance activities include the repair of fences and water facilities, cleaning of stock ponds and other actions necessary to maintain the improvement in serviceable condition necessary to serve the purpose intended. On an annual basis, responsibilities for repair and maintenance of existing improvements will be identified in the AOI(s).

3. Management Practices.

To mitigate resource impacts, the following measures will be implemented. These practices 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 to 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, increase herbaceous residue needed 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 and construction 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 evaluated by a qualified wildlife biologist for effects to threatened, endangered or sensitive species prior to any ground-disturbing activities. Facilities will be designed and constructed to have no adverse effect on listed species.
- Within areas meeting the definition of high quality Mearns' quail habitat, herbaceous vegetation will be managed to maintain a minimum of 6 inches of herbaceous stubble height, which is generally interpreted as less than 45% utilization of key herbaceous species. The objective is to provide herbaceous vegetation as cover for quail and other wildlife.

- Range improvement projects within Mexican Spotted Owl PACs or Goshawk post-fledging family areas (PFAs) will be constructed outside of the breeding season for these species (March 1-September 30), or after a forest wildlife biologist has determined that nest sites or territories are not occupied.

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 structural 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 heritage sites. If unrecorded sites are discovered during the course of project implementation, activities will cease and the Forest or 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.

4. Monitoring

The objective of monitoring is to determine whether management is being properly implemented and whether the actions are effective at achieving or moving toward desired conditions. Monitoring is necessary under the adaptive management strategy proposed in order to implement timely and effective management changes. The Douglas District Range Staff Officer will be responsible for monitoring. Active cooperation and participation by the permittees will be encouraged.

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 least once over the ten-year term of the grazing authorization, or more frequently if deemed necessary.

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.

Implementation monitoring will occur yearly and will include such things as inspection reports, forage utilization measurements in key areas, livestock counts and facilities inspections. Utilization measurements are made following procedures found in the Interagency Technical Reference³ and with consideration of the Principles of Obtaining and Interpreting Utilization Data on Southwest Rangelands⁴.

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 on non-grass species (forbs, shrubs and trees) may also be measured if appropriate for the site. Over time, changes in resource conditions or management may result in changes in livestock use patterns. As livestock use patterns change, new key areas may be established and existing key areas may be modified or abandoned in cooperation with the permittees.

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, which are identified under *Desired Condition* in Chapter 1 of the EA (pp. 5-6). 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 the NEPA-based analysis and decision. Administrative changes will be documented and implemented in the AOI, AMP and/or the term grazing permit.

Adaptive management also includes monitoring and analysis to determine whether identified structural improvements are necessary or need to be modified. In the case that changing circumstances require physical improvements or management actions not disclosed or analyzed herein, further interdisciplinary review will occur. The review will consider the changed circumstances and site-specific environmental effects of the improvements in the context of the overall project. Based on the results of the interdisciplinary review, the Ranger will determine whether correction, supplementation or revision of the EA is necessary in accordance with Forest Service Handbook direction at FSH 1909.15(18) and FSH 2209.13(96.1), or whether further analysis under NEPA is required.

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.

⁴ Smith, L., G. Ruyle, J. Maynard, S. Barker, W. Meyer, D. Stewart, B. Coulloudon, S. Williams and J. Dyess. 2007. Principles of obtaining and interpreting utilization data on rangelands. University of Arizona Cooperative Extension Service Publication AZ1375.

Reasons for the Selection

The selected alternative best meets the purpose and need and achieves desired conditions (EA pp. 5-6) in the following ways.

1. The alternative is consistent with the management emphasis, direction and standards and guidelines for Management Areas 1, 4 and 7 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.
3. The alternative will provide for annual summer growing season rest or deferment and light to moderate utilization that will promote improvement in upland vegetation and soil condition and will provide residual herbaceous vegetation to provide year-round habitat for Montezuma quail and other species requiring herbaceous cover.
4. The permitted numbers reflect the range of variability that affects capacity on the allotments and the proposal provides a framework that allows for timely adjustments in authorized use in response to changes in grazing capacity.
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 deferment and management flexibility.
6. The alternative provides a basis for sharing responsibility for successful implementation of this decision with the permittees.
7. The alternative will provide an adaptive management framework that will allow the Forest and grazing permittees to adapt management to changing resource conditions.

Public Involvement.

The proposal was listed in the Forest's Schedule of Proposed Actions beginning in July 2007. The proposal was provided to the public and other agencies for comment during scoping in October 2007 (PR 33). Four comment letters were received in response to scoping (PRs 34-37). Using the comments from the public and other agencies, the interdisciplinary team developed a list of issues to address.

In April 2008, a draft of the EA was provided to parties who had expressed interest in the project. The public was also notified of an opportunity to comment through a legal notice published in the *Douglas Daily Dispatch* on March 28, 2008. Four comment letters were received in response to this notice (PR 71-74). These comments have been considered by the responsible official and incorporated into the analysis as appropriate. A summary of comments received and a Forest Service response is contained in the project record at PR 75.

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. A third alternative - continue current management – was not carried forward because it was determined that this alternative would not meet the purpose and need of the proposal.

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

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

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 project area.

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

1. Both *beneficial and adverse impacts* were considered in the analysis (EA, Chapter 3, pp. 18-41). 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 extension of pipelines from existing wells and storage facilities, the development of new water facilities and fences to control distribution. Construction of these improvements will result in minor, short term disturbance, but will benefit resources over the long term as a result of improved livestock distribution. Adverse effects have been reduced or eliminated through project design and mitigation measures (EA pp. 13-15). Annual growing season rest on all of the allotments, regular pasture deferrals and light to moderate utilization are predicted to result in long-term rangeland improvement (EA pp. 30-32).
2. No significant *effects on public health and safety* were identified. The scope of the grazing authorization is limited to the implementation of managed livestock grazing and the possible installation and maintenance of structural range improvements using hand techniques or light equipment. These actions are not expected to present significant hazards to workers or the public.
3. There are no known *unique characteristics* associated with the allotments. Therefore, the project will not adversely affect parks, prime farm lands, wetlands, wild and scenic rivers, or other resources considered to have unique characteristics. (EA pp. 36).
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 direction (PR 45, 65, 76). 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. 18-41) 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 allotments does not establish a *precedent for future actions* with significant effects. Future actions will be evaluated through the NEPA process and will stand on their own as to environmental effects and project feasibility (EA p. 18).
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. 40-41 and in a variety of specialist reports (PRs 41, 43, 46, 47, 50, 51, 52, 53, 60). 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. 36-38, PR 66). Mitigation included as part of the selected alternative is designed to preclude effects to these resources (EA pp. 14-15). The proposed action includes provisions to survey for and avoid sensitive heritage sites prior to any ground-disturbing activities (EA p. 14-15 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. Concurrence from SHPO was received on April 15, 2008 (PR 66). Representatives of 13 Native American Tribes with traditional ties to southeastern Arizona were also notified of the results of this investigation in February 2008 (PR 66).
9. Formal consultation with the U.S. Fish and Wildlife Service (USFWS) was completed both as part of the Forest-wide reinitiation of consultation on ongoing and long-term grazing on the Coronado National Forest in 2002 (PR 41) and at the project level (PRs 47, 55, 57, 60) for all of the allotments. The conclusions of

these consultations document that the effects of the proposed action are not likely to jeopardize threatened, endangered or proposed species. The findings are summarized in the EA on pages 18-21. The USFWS concurred with these findings in a letter dated February 29, 2008 (PR 60). Management practices have been incorporated into the proposed action that are sufficient to avoid effects to listed species (EA p. 14).

10. This selected alternative is in full compliance with all federal, state and local law requirements imposed for environmental protection. The Arizona Department of Environmental Quality reviewed and commented on the proposal (PR 74). Best Management Practices to protect water quality are included in the selected alternative (EA p. 13-14).

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 2005 Forest Service planning regulations state that projects must be consistent with the plan (36 CFR 219.8 (e)). The Rough Mountain, Willie Rose, West Whitetail, East Whitetail and Cochise Head allotments fall within Management Areas 1, 4 and 7. The Forest Plan identifies Management Areas 4 and 7 as suitable for grazing (Plan pp. 62-66, 67-74). Management Area 1 as not suitable for grazing. Areas identified as Management Area 1 are found on all of the allotments but these areas are not assigned any grazing capacity. Steep terrain limits or precludes grazing use in these areas. The term permit grazing authorization for the allotments is fully consistent with the long-term goals and objectives listed on pages 9-11 of the Coronado Forest Plan, as well as the standards and guidelines for Management Areas 1, 4 and 7. 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. 26-30, PRs 44, 48). Other NFMA consistency findings relate to the management of suitable timberlands. The project area does not contain any suitable timberlands; therefore, the other NFMA consistency requirements do not apply.

My conclusions regarding the effects of the proposed action are based on a review of the record that demonstrates a thorough review of the relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty and risk. Proposed grazing management was developed using data obtained and interpreted according to accepted monitoring practices for identifying rangeland condition and capacity (PRs 18, 19, 20, 21, 22, 23, 24, 25, 26, 54). Alternative views regarding rangeland condition and capacity were considered (PR 35, 36, 37, 38, 39, 72, 73, 75) and the proposal incorporates adaptive management actions necessary to adjust stocking to remain within capacity (EA pp. 10-16 and Selected Alternative, above). Grazing intensity levels are consistent with existing scientific literature regarding proper utilization levels (PR 45, 62, 65, 76) and technical guidance provided by the Arizona Game and Fish Department for Montezuma quail (PR 65). The effects analysis for listed, sensitive and management indicator species is based

on the most recent survey and distribution information (PR 46, 47, 48, 49). Effects determinations for listed species were reviewed and concurred with by U.S. Fish and Wildlife Service Biologists (PR 60). Soil and riparian monitoring and effects analyses were conducted in accordance with accepted Forest Service monitoring techniques (PR 50, 51, 52, 53, 54) and are based on site-specific data collected within the project area. Based on the documentation in the record, I conclude the best available science was considered in developing and analyzing the proposal.

Multiple Use Sustained Yield Act. The selected alternative will not impair land productivity (EA pp. 18-41) 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 all of the allotments considered in the analysis (PR 47, 55, 57, 60). The conclusions of these consultations (paragraph 9, above) document that the effects of the proposed action are not likely to adversely affect the Mexican spotted owl (and its designated critical habitat), Chiricahua leopard frog or Jaguar, and not likely to jeopardize the Lesser long-nosed bat.

National Historic Preservation Act. A Heritage Resource Investigation was completed with a finding of no adverse effect on cultural resources. Concurrence from SHPO was received on April 15, 2008 (PR 66).

Executive Order 13186 (Migratory Birds). There are no identified effects on migratory birds, Birds of Conservation Concern and Important Bird Areas (EA, pp. 29-30 and PR 49).

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 pp. 38-40).

Implementation Date

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

Administrative Review or Appeal Opportunities

This decision is subject to appeal in accordance with regulations at 36 CFR 215. Individuals or organizations that provided comments or otherwise expressed interest in the proposed action during the April 2008 comment period may appeal. A notice of appeal must be in writing and clearly state that it is a Notice of Appeal being filed in pursuant to 36 CFR 215. Appeals must be filed (regular mail, email, fax, hand-delivery, or express delivery) with the Appeals Deciding Officer and should be submitted to: Appeals Deciding Officer, Jeanine Derby, Forest Supervisor, Coronado National Forest, 300 West Congress, Tucson, AZ 85701, fax: (520) 388-8305, email: appeals-southwestern-coronado@fs.fed.us. If hand-delivered, the appeal must be received at the

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above address during business hours (Monday-Friday 8:00 am to 4:30 pm), excluding holidays.

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

Relative to issuance of the term grazing permits, permittees may choose to appeal under the regulations listed at 36 CFR 251, Subpart C. The permittee must select which administrative review regulation (36 CFR 215 or 251) he will opt to use, because he cannot use both for the same appealed decision. An appeal by the permittee under the 36 CFR 251 regulations must be filed simultaneously with the Coronado National Forest Supervisor Jeanine Derby (address above) and the Douglas District Ranger, William A. Edwards, 1192 West Saddlevue Road, Douglas, AZ 85607 within 45 days of the date of publication of legal notice in the *Douglas Daily Dispatch*.

Contact Information

For additional information concerning this decision or the Forest Service appeal process, contact William A. Edwards, Douglas District Ranger, Joseph Harris, Douglas District Rangeland Management Specialist at (520) 364-6800, or Richard A. Gerhart, Analysis Team Leader, (520) 388-8374.



William A. Edwards
District Ranger
Douglas Ranger District

Date: 02 June 2008