

Decision Notice & Finding of No Significant Impact

Grazing Authorization and Allotment Management Plans O'Donnell, Post Canyon, Sycamore, Sawtelle, U-D and Miller Canyon Allotments

**USDA Forest Service
Coronado National Forest
Sierra Vista Ranger District,
Cochise and Santa Cruz Counties, Arizona**

Background

This decision covers the authorization of grazing and selected improvements for the O'Donnell, Post Canyon, Sycamore, Sawtelle, U-D and Miller Canyon Allotments on the Sierra Vista Ranger District in Cochise and Santa Cruz Counties, Arizona. The allotments include lands designated as Management Areas 1, 4, 7 and 9 in the Coronado National Forest Land and Resource Management Plan (Forest Plan).

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

- The allotments currently lack sufficient environmental analysis to comply with the Rescission Act (*P.L. 104-19, 1995*).
- There is a need to incorporate additional flexibility into the management of the allotments in order to allow the Forest Service and individual grazing permit holders to be able to adapt management to changing resource conditions or management objectives and to comply with Forest Service Policy (FSH 2209.13 Chapter 90).
- Additional waters and fences are needed to improve distribution and increase the reliability of some pastures. These facilities will aid in providing additional rest periods and will allow management to decrease use in traditional livestock concentration areas.
- Permitted use on the Post Canyon allotment exceeds what is considered sustainable. Forest Plan direction to balance permitted use with capacity is not being met.
- Woody understory shrubs, especially manzanita (*Arctostaphylos* spp.) are encroaching into formerly more open grasslands and woodlands. Dense chaparral reduces herbaceous production and results in bare soil and increased erosion. Extensive manzanita stands also contribute to the potential for catastrophic wildfires by providing large quantities of flammable material.

The authorization of grazing and the proposed management practices on the allotments were described in the O'Donnell, Post Canyon, Sycamore, Sawtelle, U-D and Miller Canyon Range Allotment Environmental Assessment (EA) in compliance with the Rescission Act of 1995 (*P.L. 104-19*) and the National Environmental Policy Act (NEPA). The EA analyzes and discloses the anticipated effects of the proposed action and two alternatives (No Action/No Grazing and Continue Current Management). It also describes specific mitigation and monitoring

requirements that will be implemented as part of the proposed action. The EA is available at the Sierra Vista Ranger District, the Coronado National Forest Supervisor's Office and on the Forest website at www.fs.fed.us/r3/coronado/.

Decision and Reasons for the Selection

Based upon my review of all alternatives, I have decided to approve the grazing management strategy described under *Alternative 3* of the EA. 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 and direction for Management Areas 1, 4, 7 and 9 of the Coronado Forest Plan.
2. The alternative best achieves Forest Service Policy (FSM 2202) and the mission of the Coronado National Forest Plan (Forest Plan p. 9) to manage for multiple use and sustained yield and to contribute to a viable rural economy.
3. It will provide for sufficient growing season rest and light to moderate utilization that will promote continued improvement in upland vegetation and soil condition.
4. The permitted numbers are conservative and reflect the range of variability that affects capacity on the allotments, consistent with Forest Plan direction.
5. The alternative provides for the repair of infrastructure to improve livestock distribution, which will increase vegetative cover and litter accumulation and protect soils. Proposed improvements will improve livestock distribution and will provide a mechanism to increase pasture rest and management flexibility.
6. The alternative will protect riparian resources while providing additional reliable sources of water in uplands.
7. The alternative provides a mechanism to arrest the encroachment of woody shrubs and reduce the potential for catastrophic wildfire in the project area, thereby contributing to increases in herbaceous vegetation and overall soil stability.
8. The alternative provides a basis for sharing responsibility for successful implementation of this decision with the permittees.
9. The alternative will provide an adaptive management framework that will allow the Forest and grazing permittees to adapt management to changing resource conditions.

The selected action will authorize grazing within the following defined limits for the duration, intensity, frequency and timing of grazing.

Duration Frequency and timing of grazing. Use on the O'Donnell, Post Canyon, Sycamore, Sawtelle and U-D allotments will be authorized during all times of the year using rotational grazing. Periodic growing season rest or deferment of pastures will be used to provide for grazed plant recovery. The sequence and timing of pasture moves will be based on monitoring of range readiness, ecological condition, and utilization. Use on the Miller Canyon allotment will be authorized between November 1 and February 28 of each grazing year.

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 herbage production and retention of herbaceous litter to protect soils. For the purposes of this decision, light to moderate intensity corresponds to 30-45% of the current year's production of key forage species.

Grazing authorizations will be accomplished through the issuance of new 10-year term grazing permits in accordance with Forest Service policy (FSH 2209.13). New allotment management

plans (AMPs) will be developed for each allotment and will become part of Part 3 of the grazing permits issued. The AMPs would incorporate an adaptive management strategy, which will be implemented through annual operating plans. Using adaptive management, specific numbers of livestock would be set each year based on resource conditions and management objectives for the allotments. Pasture rotations will be planned at the beginning of each grazing year and will be continually modified in response to changing resource conditions with the objective of not grazing any one pasture during consecutive growing seasons. Grazing systems identified in Table 2 are those in effect on the allotments at present. Over time these may be modified to adapt to changing resource conditions or management objectives.

Proposed permitted use (Table 1) is based on knowledge of actual use on the allotments over the past 10 years. It reflects the estimated average annual forage production (AUMs)¹ available for livestock on the allotments considering the duration, timing, frequency and intensity of grazing proposed, and assumes proper livestock distribution.

Proposed improvements for each allotment are shown in Table 2. Not all of the projects shown would necessarily be implemented. The improvements have been identified as possible practices that may be necessary to construct in the future if management alone is insufficient to achieve desired conditions. Typically, improvements are funded on a cost-share basis with the Forest Service providing materials and the permittee providing the labor to construct or install the improvement. Funding constraints will likely require the projects to be completed over a period of years, unless the permittees pursue alternative sources of funding.

Table 1. Proposed Grazing Management and Authorization

Allotment	Grazing System	Animal Unit Months	Cattle Yearlong (cow/calf)	Change from Current Permit
O'Donnell	6-Pasture deferred rest rotation	1900	120	No change in numbers. Issue permit for AUMs.
Post Canyon	Deferred rest rotation Variable pasture no.	200-1050	13-66	Issue permit for a range of AUMs. Reduce permitted numbers.
Sawtelle	10-pasture deferred rotation.	1346	85	No change in numbers. Issue permit for AUMs.
Sycamore	Deferred rest rotation	190	12	No change in numbers. Issue permit for AUMs.
U-D	Grass Bank. Used as needed to provide rest to other forest allotments, but not in consecutive growing seasons.	0-317	0-20	No change in numbers. Issue permit for AUMs.
Miller Canyon	1 pasture, Winter use (Nov.1-Feb. 28)	115 AUM	15 – Forest 7 –Private land	No change in numbers. Issue permit for AUMs.

¹ An animal unit month (AUM) is a measure of the amount of *forage* required by a 1000 lb cow or its equivalent for one month based on a daily allowance of 26 lbs. dry forage per day. It is not synonymous with animal month (or head-month), which is an expression of one month's occupancy of the range by an animal. A cow/calf pair is 1.32 AUMs; alternatively a yearling is 0.7 AUM.

Table 3. Description and Management Objectives for Proposed Improvements.

Allotment	Proposed Action	Objective
O'Donnell U-D	Install a pipeline from East well on the U-D allotment to Canelo Pass.	Provide reliable water to O'Donnell, U-D and San Rafael Allotments; improve livestock distribution.
O'Donnell	Extend a pipeline from Western well to provide upland waters in West, Canelo and Lower Pauline pastures.	Improve livestock distribution and increase reliability of pastures/rotations.
O'Donnell	Develop upland waters in the upper and lower Pauline pastures by piping water from the Pauline well or the Silver Tank pipeline on the Sawtelle Allotment.	Improve livestock distribution within pastures and increase reliability of pastures/rotations.
Post Canyon,	Extend pipeline into uplands on Calloway pasture.	Improve livestock distribution within the pasture and increase reliability of pastures/rotations.
Post Canyon	Fence Forest Boundary in Callaway Pasture.	Regulate livestock access to and use on Forest.
Post Canyon O'Donnell	Install a pipeline from Post Well to the south end of the Mountain pasture to provide water for the O'Donnell and Post Canyon allotments.	Improve livestock distribution within the pasture and increase reliability of pastures/rotations.
Post Canyon	Remove invading small junipers in Cemetery and Mountain pastures by hand cutting.	Control invasive plants and restore native community.
Sawtelle	Re-align the southern fence in the Bull pasture to exclude riparian areas in Algerita and Lyle Canyons.	Improve livestock distribution and improve riparian condition by reducing use in bottoms.
Sawtelle	Cross fence Mountain pasture.	Increase management flexibility and opportunities for pasture deferment.
Sawtelle	Extend a pipeline from Korn well to new storage and two troughs in the Becker pasture.	Improve livestock distribution and increase reliability of pastures/rotations.
Sawtelle	Extend a pipeline from Rogers well to a new storage and trough in the Howell Pasture.	Improve livestock distribution and increase reliability of pastures/rotations.
Sawtelle	Extend a pipeline from the Canelo allotment to the Highway pasture.	Increase livestock distribution and increase reliability of pastures/rotations.

In addition, the Forest proposes to mechanically thin manzanita stands in uplands on three allotments (O'Donnell, Sawtelle and U-D). This would involve the use of a Hydro-axe or similar machine to shred individual manzanita plants in order to reduce canopy cover and increase herbaceous ground cover. A Hydro-axe is a rubber tired, articulated tractor with a front-mounted rotating mower attachment capable of chopping woody material into small pieces, which are

scattered on the ground leaving a cover of woody mulch. The mower blade operates in a horizontal plane and can cut within 4 inches of the ground, minimizing soil disturbance.

Mitigation and Monitoring

The selected alternative includes mitigation and monitoring features intended to preclude or avoid significant impacts (mitigation) and to assure that management is being properly implemented and management objectives are being met (monitoring).

Mitigation measures

To mitigate resource impacts, the following measures will be implemented. These measures have been used on previous projects and are considered to be effective at reducing environmental impacts. They are consistent with applicable Forest Plan standards and guidelines, the terms and conditions and conservation measures of applicable biological opinions and Forest Service Best Management Practices. Implementation of the mitigation measures, in combination with project design criteria, should preclude the occurrence of potentially significant environmental impacts.

Soil, Water and Vegetation – the objective is to mitigate effects of livestock grazing management and to assure that management is responsive to changing resource conditions. The objective will be accomplished 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.
- The Forest and permittees will jointly prepare annual operating plans that consider current conditions and management goals. Periodic field checks including stock counts, range readiness and utilization monitoring will be used to identify needed management adjustments. The objective is to assure achievement of resource and management objectives.
- 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 supplement will require prior approval of the District Ranger.
- No hay or bulk feed will be placed on Forest lands in order to minimize the introduction of weed seeds.
- Manzanita thinning will not be conducted in wet conditions in order to avoid soil disturbance and compaction. Areas to be treated will be limited to less than 20% slope and buffers will be left around all primary drainages.

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

- All water developments will include wildlife access and escape ramps.

- All new fencing will be built to Forest Plan standards (Forest Plan, p. 35) to provide for wildlife passage through the fence. At a minimum, this will be a 4-strand fence with smooth bottom wire 16 inches off of the ground and a total height of 42 inches or less.
- 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.
- 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.
- 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.
- The O'Donnell Creek and Freeman Spring enclosure fences (Post Canyon allotment) will be inspected and, if necessary, maintained annually in compliance with the current Biological Opinion (PR 24, p. 9).
- Stockpond maintenance activities will be conducted in compliance with the Forest's stockpond management and maintenance guidelines for the Sonoran tiger salamander and the Chiricahua leopard frog in order to reduce effects to these species as a result of stockpond maintenance activities. The objective is to maintain occupied habitats for the species

Heritage Resources – the objective is to protect heritage resources (historic and prehistoric sites) from impacts caused by range construction projects or livestock concentration (PR 54).

- All proposed range facilities will be surveyed for heritage resources prior to any ground-disturbing activities. Facilities will be built or modified to avoid construction impacts and located to avoid concentrating livestock on identified heritage sites.
- If unrecorded sites are discovered during the course of project implementation, activities will cease and the forest Archeologist will be notified.
- No salting will occur within or adjacent to identified heritage sites.
- Fence posts will be hand-driven in the vicinity of heritage site AR03-05-03-352 on the Post Canyon allotment to avoid ground disturbance.
- Site AR03-05-03-356 on the Sawtelle allotment will be flagged and avoided during manzanita cutting.

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 reference² and the Region 3 Rangeland Analysis and

² Sampling Vegetation Attributes, Interagency Technical Reference. 1996. Cooperative Extension Service, USDA Forest Service and Natural Resources Conservation Service, and USDI Bureau of Land

Training Guide.³ 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 a minimum of five-year intervals, or more frequently if deemed necessary.

Implementation monitoring will occur yearly and will include such things as inspection reports, forage utilization measurements in key areas, livestock counts and facilities inspections. Utilization measurements are made following procedures found in the Interagency Technical Reference⁴ and with consideration of the Principles of Obtaining and Interpreting Utilization Data on Southwest Rangelands (PR 34).

Utilization will be monitored on key forage species, which are native perennial grasses that are palatable to livestock. At a minimum monitoring will include use in key areas⁵, but may include monitoring outside of key areas. The Sierra Vista District Rangeland Management Staff and the permittees will be responsible for monitoring livestock grazing utilization. Over time, changes in resource conditions or management may result in changes in livestock use patterns. As livestock use patterns change, new key areas may be established and existing key areas may be modified or abandoned in cooperation with the permittee(s).

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

Public Involvement.

The proposal has been listed in the Forest's Schedule of Proposed Actions continuously since September 2004. In January 2005, a Forest interdisciplinary team met to develop proposed actions and to identify preliminary issues, concerns and measures to carry forward into the analysis. The proposal was provided to the public and other agencies for comment during scoping in July 2005. Four comment letters were received in response to scoping. Using the comments from the public and other agencies, the interdisciplinary team developed a list of issues and concerns to address.

Management.

³ Rangeland Analysis and Management Training Guide. 1997. USDA Forest Service, Southwestern Region.

⁴ 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.

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

In September 2006, a draft of the EA was provided to parties who had expressed interest in the project. The public was also notified of the opportunity to comment through a legal notice published in the *Sierra Vista Herald/Bisbee Daily Review* on August 29, 2006 (PR 44). A 30-day comment period was provided following publication of this notice. The comment period closed on September 28, 2006. Two comment letters were received in response to this solicitation. I considered these comments in making my decision. A response to the comments is included in the project record as PR 48.

Other Alternatives Considered

In addition to the selected alternative, I considered two other alternatives, 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 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.

Alternative 2: Continue Current Management. Livestock grazing would continue on all allotments as currently permitted. New permits would be issued for the classes and numbers of livestock currently allowed. Authorized use would continue to be controlled through annual operating instructions (AOI). Existing fences, water developments and other range improvements would be maintained, but no new infrastructure would be proposed or developed. Allotment management plans would include mitigation and monitoring features described under the proposed action.

This alternative does not provide sufficient flexibility to implement potentially necessary fences and waters to achieve improved livestock distribution and would make it more difficult to achieve desired resource conditions across the landscape. In addition, this alternative does not achieve the objective of balancing permitted use with capacity on the allotment Post Canyon allotment.

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. The discussion of significance criteria that follows applies to the intended action as is within the context of local importance in the area associated with the Sierra Vista Ranger District.

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

1. Both *beneficial and adverse impacts* were considered in the analysis (EA, Chapter 3, pp. 17-45). New improvements associated with the grazing authorizations involve the placement or realignment of pasture fences and the extension of above-ground pipelines from existing wells to new water facilities. Construction of these improvements will result in minor, short term disturbance, but will benefit resources over the long term as a result of improved livestock distribution and protection of riparian resources. Adverse effects have been reduced or eliminated through project design and mitigation measures (EA pp. 12-14). Growing season rest and light to moderate utilization are predicted to result in long-term rangeland improvement (EA pp. 35-37). Proposed manzanita mowing will result in short-term disturbance but will result in long-term improvements in soil cover and will reduce fuels that contribute to catastrophic wildfires. The EA and project record contain complete discussions of the anticipated effects (EA pages 17-45).
2. No significant *effects on public health and safety* were identified. Manzanita cutting would involve the use of a rubber tired tractor with a mounted mower, but hazards would be limited to workers at the job site who are trained in the use of the equipment and would not create health or safety concerns for the public at large. Vegetation treatments would be mechanical, so there would be no safety concerns from smoke. The scope of the grazing authorization is limited to the implementation of managed livestock grazing and the 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. 38-41). Sensitive riparian areas in the project area have already been fenced to exclude livestock. No structural improvements are proposed within the Miller Peak Wilderness and little if any livestock use is anticipated in the wilderness.
4. The effects on the quality of the human environment are not likely to be *highly controversial*. The environmental analysis process has documented expected environmental effects from my decision. These effects have been disclosed in Chapter 3

of the EA and the selected action has been designed and mitigated to address the various issues raised. The analysis represents the judgement and expertise of resource management professionals who have applied their knowledge to similar projects and resources in the past. The management practices proposed are commonly-used resource management practices described in agency directives, prescribed in the Forest Plan and used by other land management agencies. While some members of the public are opposed to public lands livestock grazing, this action is not highly controversial within the context of the National Environmental Policy Act.

5. The effects analysis (EA pp. 17-45) shows 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 O'Donnell, Post Canyon, Sycamore, Sawtelle, U-D and Miller Canyon 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. 15).
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. 44-45 and in a variety of specialist reports (PR 34, 35, 36, 37 38, 41, 56). The direct and indirect effects of the proposal are expected to be minor in the short term beneficial or neutral over the long term. None of the effects are considered significant for reasons described herein. No past or future actions have been identified that will combine with the effects of the proposed action to cause cumulatively significant effects.
8. The action will have no significant *adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places*, because none are identified within the project area. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources (EA pp. 41, PR 54). Mitigation included as part of the selected alternative is designed to preclude effects to these resources. 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 January 9, 2007 (PR 54).
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 24, 38) and at the project level (PR 35, 41, 55) for all of the allotments considered in the Analysis (EA pp. 17-25). The conclusions of these consultations document that the effects of the proposed action are not likely to jeopardize the continued existence of threatened, endangered or proposed species. The project level biological assessment (PR 35) and supporting information in the project record (PR 8-17, 42, 50) further document that environmental baseline

resource conditions that may affect listed species are stable or improving. Based on this, the Forest requested that the USFWS extend the term of the existing (2002) consultation through 2016 to correspond to the term of the proposed grazing authorizations. The USFWS concurred with these findings (PR 41, 55) and agreed to extend the term of the consultation. Terms and conditions to avoid take are being implemented through the Forest's Chiricahua leopard frog and Sonora tiger salamander management guidelines (PR 33) and through maintenance of the O'Donnell and Freeman Spring enclosures. No terms and conditions have been issued for the lesser long-nosed bat.

10. This selected alternative is in full compliance with all federal, state and local law requirements imposed for environmental protection. The Arizona Department of Environmental Quality was provided with the opportunity to review the proposal (PR 18, 43, 49). Best Management Practices to protect water quality are included in the selected alternative (PR 31, 56; EA p. 13).

Findings Required by Other Laws and Regulations

National Forest Management Act. The Coronado Land and Resource Management Plan (Forest Plan) was adopted on August 4, 1986 and has been amended several times. The 2005 Forest Service planning regulations state that projects must be consistent with the plan (36 CFR 219.8 (e)). The O'Donnell, Post Canyon, Sycamore, Sawtelle, U-D and Miller Canyon allotments fall within Management Areas 1, 4, 7 and 9 (EA p. 5 and Figure 4). The Forest Plan identifies Management Areas 4, 7 and 9 as suitable for grazing. Areas within Management Areas 1 and 9 within the project area are generally inaccessible to livestock. 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 LMP, as well as the standards and guidelines for Management Areas 1, 4, 7 and 9. Light to moderate utilization and growing season rest, in combination with prescribed mitigation features will meet the Forest Plan goals for range, wildlife, soil, water and riparian resources. There are no identified effects to management indicator species or sensitive species that would affect their Forest-wide populations or long-term viability (EA, pp. 17-34, PR 25, 36, 38). 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 (EA pp. 35-40) and is therefore consistent with this law.

Endangered Species Act. Formal consultation with the U.S. Fish and Wildlife Service was completed both as part of the Forest-wide consultation on ongoing and long-term grazing on the Coronado National Forest and at the project level for all of the allotments considered in the analysis (PR 24, 35, 38, 41, 55). These consultations (paragraph 9, above) conclude that the effects of the proposed action are not likely to jeopardize the continued existence of threatened, endangered or proposed species.

National Historic Preservation Act. A Heritage Resource Investigation was completed with a finding of no adverse effect on cultural resources (PR# 54).

Executive Order 13186 (Migratory Birds). There are no identified effects on migratory birds, Birds of Conservation Concern and Important Bird Areas (EA, page 34).

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. 44).

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 *Sierra Vista Herald/Bisbee Daily Review*. 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

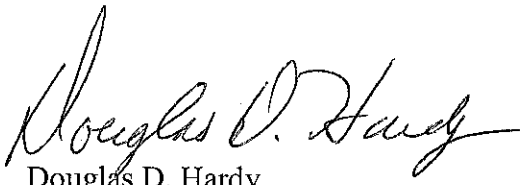
This decision is subject to appeal in accordance with regulations at 36 CFR 215. Individuals or organizations that provided comments or otherwise expressed interest in the proposed action prior to the close of the comment period may appeal. A notice of appeal must be in writing and clearly state that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

Appeals, including attachments, must be filed in writing, consistent with 36 CFR 215.14 within 45 days of the date of legal notice of this decision in the *Sierra Vista Herald/Bisbee Daily Review*. 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 Sierra Vista District Ranger, Douglas D. Hardy, 5990 S. Hwy 92, Hereford, AZ 85615 within 45 days of the date of publication of legal notice in the *Sierra Vista Herald/Bisbee Daily Review*.

Contact Information

For additional information concerning this decision or the Forest Service appeal process, contact Douglas D. Hardy, Sierra Vista District Ranger, Bill Edwards or Tom Lorenz, Sierra Vista District Range Staff Officers at (520) 378-0311, or Rick Gerhart, Analysis Team Leader, (520) 388-8374.



Douglas D. Hardy

District Ranger

Sierra Vista Ranger District

Date 3/20/2007