

Decision Notice
& Finding of No Significant Impact
**Grazing Authorization and Allotment Management Plan
Papago and Kunde Allotments**

USDA Forest Service
Sierra Vista Ranger District, Coronado National Forest
Santa Cruz County, Arizona

Decision and Reasons for the Decision

Background

This decision covers the authorization of grazing and preparation of the Allotment Management Plans for the Papago and Kunde Allotments. The purpose and need for action arose because there are currently no long-range management plans for the allotments; there is a need to modify management practices to provide for the protection and recovery of Threatened, Endangered and Sensitive species and their habitats occurring on the allotments; and construction and reconstruction of infrastructure are needed to improve cattle distribution and range and watershed condition on the allotments.

The allotments encompass 16,426 acres in the Canelo Hills in the northwest portion of the Huachuca Ecosystem Management Area, Sierra Vista Ranger District, Santa Cruz County, Arizona. They include lands designated as Management Areas 1, 4, and 7 in the Coronado National Forest Land and Resource Management Plan (LRMP).

Decision

Decision Context: A proposed action was developed to meet the need for a management plan that reflects current resource conditions and opportunities. Scoping and public comment identified the following issues related to the proposed action.

- **Grazing effects on riparian area condition:** Issuance of term grazing permits may prevent the attainment of satisfactory riparian area conditions within the allotments.
- **Grazing effects on fisheries:** Issuance of term grazing permits may have adverse effects on Gila topminnow.
- **Range condition:** Stocking and utilization levels in the proposed action may not permit the attainment of Forest Plan objective of restoring rangeland to moderately high ecological condition.
- **Grazing effects on wildlife:** Issuance of term grazing permits may have adverse effects on threatened, endangered, sensitive or management indicator wildlife species.
- **Economics:** 1) The proposed action includes range improvements that may be subsidized by taxpayers. 2) If a rancher is in a precarious economic position, there may be incentives to manage livestock in ways that are detrimental to the land and its resources.

Alternatives were developed to address these issues (below and EA pages 13-19). Prior to making this decision, I reviewed the project record, environmental assessment and public

comments received on the proposal. The following discussion documents my decision and rationale for the Papago and Kunde Allotments.

Decision Rationale: Based upon my review of all alternatives, it is my decision to implement *Alternative 4*. The selected action is consistent with the management emphasis and direction for Management Areas 1, 4, and 7 of the Coronado Forest Plan. The action is described below.

Kunde Allotment:

- Exclude grazing from the Redrock Pasture in order to reduce grazing impacts to the Gila topminnow and to improve riparian and watershed condition in Redrock Canyon. Permitted numbers of cattle would be reduced from 53 cow/calf year-long (CYL) to 31 CYL to reflect the reduction in available capable acres.
- Issue a ten-year term grazing permit for 31 CYL (372 AM, cow/calf, year-long).
- Establish a three pasture rotational grazing schedule using Upper Lampshire, Lower Lampshire and Holding pastures that allows growing season rest in all pastures, at least every other year.
- Run a pipeline from the Crittenden Allotment storage tanks to Upper and Lower Lampshire Pastures of the Kunde Allotment to help distribute livestock and improve rangeland and watershed condition.

Papago Allotment

- Issue a 10-year grazing permit 250 CYL (3000 AM), a reduction from 400 CYL (4800 AM).

The fence and water developments listed below will provide more control of livestock and increase the effectiveness of pasture rotation, leading to overall improved rangeland condition. They will need to be completed before the AMP can be fully implemented.

- Reconstruct Middle/North division fence (3/4 mile).
- Construct 1/4 mile of fence to divide Maloney and Falda pastures.
- Reconstruct Lampshire/Pinto division fence (1 mile).
- Remove the trap in North Pasture. It is not needed.
- Construct a pipeline into Papago Pasture from well in NW end of Middle Pasture (~2.5-3 miles).
- Construct a pipeline into Rincon Pasture from Cave Well (~.75 mile).
- Clean sediment/debris from Double Tanks.
- Extend the pipeline in West Mountain Pasture (~1 mile).
- Extend the pipeline in Lampshire Pasture (~1.5 mile).
- Construct a pipeline into Pinto Pasture (~1.5 mile).
- Construct a pipeline from storage tank in 83 Pasture to troughs at the north and south side of 83/E.Cemetery division fence.
- Extend a pipeline into Roundup Pasture and install a trough on the east side.

Forage utilization levels on both allotments will be maintained at 45% or less in designated key areas, with no more than 30% utilization on riparian trees and shrubs. Within Mearns' quail key habitat areas allowable use will be 35-40% with a maximum of 45%. Key areas for monitoring will be verified or established and monitored to determine use levels. Moves between pastures will be regulated by water and forage availability as well as utilization levels. Annual operating

instructions will be used to insure that pastures are not grazed during the growing season in consecutive years.

When compared to the other alternatives this alternative will meet the purpose and need and address the identified issues in the following ways.

- a. The permitted numbers selected are within the range of variability depicted in the environmental analysis conducted for this project and are consistent with calculated capacity on the allotments.
- b. The decision provides for construction and repair of infrastructure to improve livestock distribution, which will reduce use in riparian areas, increase vegetative cover and increase litter accumulation.
- c. The decision excludes grazing from riparian areas in Redrock Creek, maintains existing exclosures in Redrock Canyon and O'Donnell Creek and proposes additional riparian exclosures within the project area.
- d. The decision limits utilization to 45% or less in key areas and 30% (percent browsed stems) on riparian trees and shrubs.
- e. The decision provides a basis for sharing responsibility for successful implementation of this decision with the permittees.

Mitigation. In addition to the measures described in the preferred alternative, above, the following mitigation practices will be employed to further reduce potential environmental effects (EA pages 16-17):

Mearns' quail key areas have been identified in the allotments. Allowable use within key areas will be 45% maximum with a desirable level of 35-40%. The objective of these use levels will be the maintenance of an average minimum standard of six inches of herbaceous stubble height as quail cover. This standard will be met within the normal cycle of wet and dry years.

The Forest will continue to actively monitor livestock herbivory on flowering agaves in order to better understand the effects of such herbivory on the lesser long-nosed bat which depends on agaves for food (Biological Opinion AESO/SE 2-21-98-F-399-R1, Doc. 103). In addition, all range construction projects will be designed to avoid the destruction of agaves and the disturbance of bat roosts. If impacts to agaves are unavoidable, the Forest will ensure that no more than 1% of agaves within 800 meters of the project are impacted.

The Forest has adopted Sonora tiger salamander stockpond management and maintenance guidelines that are in effect on allotments in the San Rafael Valley and surrounding areas (Doc. 103, 105). Although salamanders have not been confirmed on the allotments, they are found on adjacent allotments. Should Sonoran tiger salamanders be confirmed on either allotment, the Forest will implement the stockpond management guidelines in potential habitats.

Measures to minimize effects to Chiricahua leopard frog will apply to the allotments. These measures include requirements to survey for and salvage frogs during stock pond cleaning activities; measures designed to minimize the introduction of non-native species or chytrid contamination into occupied sites; measures to reduce direct mortality and damage to aquatic cover as a result of livestock impacts and the requirement to monitor and report incidental take. These measures will be included in the annual operating instructions for the Papago allotment.

Exclosures established on behalf of Gila topminnow are located in the project area in Redrock Canyon. These exclosures will be maintained and monitored three times a year to ensure the fences are functional.

A portion of O'Donnell Creek on the Papago allotment is fenced to exclude livestock in order to protect habitats for the Gila chub, Chiricahua leopard frog, Canelo Hills ladies tresses and Huachuca water umbel. Under the selected alternative, livestock will be driven across the exclosure twice per year. The crossing site has been selected to minimize impacts to aquatic species within the exclosure and livestock will be actively herded to reduce the amount of time they are inside the exclosure.

All new or reconstructed water developments will include wildlife access and escape ramps.

All new fencing will be built to Forest Plan standards (page 35) that provide for wildlife passage through the fence. At a minimum, this will be a 4-strand fence with a smooth bottom wire 16 inches off the ground and a total fence height of 42 inches or less.

The following Best Management Practices for grazing (FSH 2209) will apply:

- Annually prepare an operating plan with the permittee to allow for current allotment conditions.
- Make periodic field checks to identify needed adjustments in season of use and livestock numbers, including stock counts, forage utilization, assessment of rangeland to verify soil and vegetative condition and trend.
- Use necessary techniques to achieve proper distribution or lessen the impact on areas which are sensitive or would naturally be overused.

Monitoring. Key areas will be identified in the Allotment Management Plans for each allotment, consistent with the management guidelines in the Coronado Land and Resource Management Plan on page 22. Key species will be native perennial grasses that are palatable to livestock. These may include, but are not limited to, plains lovegrass, sideoats grama, wolftail, hairy grama and deer grass. 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%. The District Range Staff will develop a monitoring report for each set of data collected. When any single key area reaches the stated use objective, the livestock will be moved to next pasture or off the Forest.

Other Alternatives Considered

In addition to the selected alternative, I considered four other alternatives. A comparison of these alternatives can be found in the EA on pages 13-19. Four allotments were considered in the analysis (Seibold, Crittenden, Kunde and Papago), but this decision pertains only to the Papago and Kunde Allotments. A decision notice for the Seibold and Crittenden Allotments was published on November 5, 2003.

Alternative 1. No Action/No Grazing. Under this alternative, use of the allotments by domestic livestock would be discontinued. No term grazing permits would be issued. All existing structural improvements would remain in place but would not be maintained. Periodic

monitoring of structural improvements would be used to determine whether removal or maintenance is needed. Removal or maintenance would be authorized by a separate decision.

Alternative 2. Current Management. Under this alternative, a term permit would be issued for the numbers and types of livestock designated in previous permits. These would be 400 cows yearlong (CYL) on the Papago allotment, 53 CYL on Kunde. No new developments would be constructed on the allotments. Utilization will be limited to 45% of key species in key areas.

Alternative 3. Proposed Action. Management of the Papago allotment under Alternative 3 would be identical to the selected alternative. On the Kunde allotment, the Redrock pasture would be grazed during the winter and a permit would be issued for 53 CYL.

Alternative 5. No Range Improvements – Papago Allotment. This alternative is identical to Alternative 3 (Proposed Action) for the Kunde allotment. On the Papago allotment, no new range improvements would be constructed. Instead, permitted numbers would be reduced to 150 CYL. The reduced stocking allows for increased growing season rest and lower utilization in order to achieve desired rangeland condition.

Public Involvement

The proposed action was presented to 199 potentially interested parties in the form of a Scoping Report (February 22, 1999; Docs. 18-20). The District hosted two separate field trips to visit the project area (Docs. 40, 42-45). Additional meetings were held on January 5, 2001 (Doc. 59), May 15, 2001 (Doc. 76) and May 23 (Doc. 77) between the District Ranger, the Interdisciplinary Team (IDT), other Forest Service specialists, and representatives from the US Fish and Wildlife Service (USFWS, January 5 and May 15) and the Arizona Game and Fish Department (January 5 only). A meeting between the District Ranger, the ID team and permittees or their representatives took place on March 14, 2001. A Heritage Resource Report (Doc. 75) was provided to the State Historic Preservation Officer and interested American Indian tribes. An Environmental Assessment (EA) was released for public review on May 1, 2003, and copies were sent to those individuals and organizations that responded to the scoping document.

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:

Context: The project is a site-specific action that by itself does not have international, national, regionwide 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 (40 CFR 1508.27).

1. Impacts from this project are both beneficial and adverse. Adverse effects are short-term in nature and will not impair land productivity. Adverse effects have been reduced or eliminated through project design and mitigation measures. The long-term effect of rangeland improvement will be beneficial. My findings are not biased by the beneficial effects of the action. The EA and project record contain complete discussions of the anticipated effects (EA pages 20-61, project record Documents 86, 96, 98, 100, 102, 103, 115, 141).
2. No significant effects on public health and safety were identified.
3. There are no known unique characteristics (such as, parks, prime farm lands, wetlands, wild and scenic rivers, etc.) associated with the allotments.
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 and the alternatives have been designed and mitigated to address the various issues raised. While some members of the public are opposed to public lands livestock grazing, this proposal is not highly controversial within the context of the National Environmental Policy Act.
5. The Forest Service has considerable experience with the types of activities to be implemented. The effects analysis (EA pages 20-62) shows the effects are not uncertain, and do not involve unique or unknown risk.
6. The decision to issue grazing permits 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.
7. The cumulative impacts of the action on soils, vegetation and terrestrial and aquatic wildlife resources were considered. None of the effects are considered significant (see EA pages 30, 35, 49-50).
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 pages 60-61, Doc. 75).
9. Formal consultation with the U.S. Fish and Wildlife Service (AESO/SE 2-21-98-F-399-R2) was completed on January 2, 2004. The Service concurred with the findings of the Biological Assessment prepared by the Forest and concluded that the proposed action is not likely to jeopardize the continued existence of listed or proposed species. Terms and conditions to minimize take and/or species-specific conservation measures are stipulated in the BO and are included in the mitigation measures for the selected alternative.
10. This proposal is in full compliance with all federal, state and local law requirements. State, local and tribal governments were consulted concerning this project. The action is consistent with the Coronado National Forest Land and Resource Management Plan.

Findings Required by Other Laws and Regulations

National Forest Management Act. The Coronado Land and Resource Management Plan was adopted on August 4, 1986 and has been amended eight times. Forest planning is currently guided by Code of Federal Regulations (CFR) at 36 CFR 219. The planning regulations state that projects implemented after the LRMP is in place must be "consistent with the plan" (36 CFR 219.10 (e)). The term permit grazing authorization and AMPs for the Papago and Kunde allotments have been deemed consistent with the long-term goals and objectives listed on pages 9-11 of the Coronado LRMP, as amended. The LRMP identifies large portions of the allotments included in Management Areas 4 and 7 as suitable for grazing (LRMP, pages 47-82). There are no identified effects to management indicator species or sensitive species that would affect their long-term viability (EA, pages 35-50, Project Record Docs. 98, 100). 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.

Endangered Species Act. Formal consultation with the U.S. Fish and Wildlife Service was completed both as part of the Forest-wide reinitiation of consultation on ongoing and long-term grazing on the Coronado National Forest and at the project level. The conclusions of this consultation (paragraph 9, above, Doc. 141), 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 Investigation was completed and provided to the State Historic Preservation Office with a finding of "no effect" on cultural resources and a recommendation for clearance for the implementation of the preferred alternative. Concurrence was received from SHPO and is included in the project record (Doc. 75). Consultation with American Indian tribes was completed (Project Record Docs. 19, 25).

Executive Order 13186 (Migratory Birds). The Environmental Assessment analyzed effects of the proposed action on Migratory Birds. There are no identified effect on Birds of Conservation Concern and Important Bird Areas (EA, page. 48-49).

Executive Order 12898 (Environmental Justice). This decision does not impose disproportionately high adverse human health or environmental effects on minority or low-income populations. Social and economic effects of the proposed action are analyzed on pages 50-55 of the EA.

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 (e.g., location of monitoring sites and final fence locations, etc.) may proceed immediately.

Administrative Review or Appeal Opportunities

This decision is subject to appeal in accordance with 36 CFR 215.7, dated November 4, 1993. 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, Regional Appeals Reviewing Officer (505) 842-3305. Appeals must be filed within 45 days of the date of legal notice of this decision in the *Sierra Vista Herald/Bisbee Daily Review*.

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 with the Coronado National Forest Supervisor, 300 West Congress, Tucson, Arizona, 85701. The Forest Supervisor 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 Stephen Gunzel, District Ranger, Tom Lorenz or Bill Edwards, District Range Staff Officers, Sierra Vista Ranger District, 5990 S. Hwy. 92, Hereford, Arizona, 85615. Stephen Gunzel, Tom Lorenz and Bill Edwards can also be reached by phone at (520) 378-0311.


STEPHEN L. GUNZEL

District Ranger
Sierra Vista Ranger District

01/14/04
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, audiotope, 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.