

Chino Grazing Environmental Assessment  
Decision Notice  
& Finding of No Significant Impact  
for the  
**Perkinsville Allotment Management Plan**  
USDA Forest Service  
Chino Valley Ranger District, Prescott National Forest  
Yavapai County, Arizona

## Decision and Reasons for the Decision

### Background

This analysis was initiated in response to regulation [36 CFR 222 Subpart A, 222.2 ©] that states, "Forage producing National Forest System (NFS) lands will be managed for livestock grazing and the allotment management plans will be prepared consistent with land management plans". This direction was followed and is contained in the Land Management Plan for the Prescott National Forest.

The purpose and need for this project is to authorize continued livestock grazing on the Perkinsville Allotment through the issuance of 10-year term permits containing the parameters under which livestock grazing would be implemented. Authorizing and implementing livestock grazing is based on managing the effects of grazing on associated resources, not solely in managing forage production (Environmental Assessment [EA] page 1-2). Laws regulating grazing currently permitted on the Perkinsville Allotment require a periodic review of the effects (EA page 1-2). The scope of the decision to be made is limited to grazing management (EA pages 1-5 and 1-6). The Chino Grazing Project Environmental Assessment (EA) of February 2004 documents the analysis.

The 51,315 acre Perkinsville Allotment is located approximately 15 - 25 miles northeast of Chino Valley (EA Figure 1). It extends from the top of Woodchute Mountain Wilderness on the south, down to the Verde River at Perkinsville, north to the base of the Mogollon rim, and east to include part of Sycamore Canyon Wilderness. The Verde River flows for almost two miles through the middle of the allotment, and near the allotment's south boundary for several more miles. Elevations range from 3900 feet to 7000 feet.

The EA and Project Record are available for review at the Chino Valley Ranger Station, Chino Valley, Arizona.

### Decision

Based on the EA for this project, comments received during this analysis, and my review of the alternatives, I have decided to implement **Alternative 5 – Modified Proposed Action for the grazing strategy and range improvements for the Perkinsville Allotment as described below:**

#### A. Permitted Numbers and Season of Use

The term permit will be adjusted through a sequence of actions: (1) Initially it will be issued to read "variable numbers within the period of October 15 - June 15 to not exceed a total of 3192 cow/calf animal months." (2) After the structural improvements (first the water, then the fence) on the north side are in place, the annual authorization will allow year-round grazing for 266 head. (3) The term permit will change to year round grazing when the following resource objectives are met:

- Increase the basal area of perennial grasses, a specific component of vegetative ground cover, on the alluvial grasslands in areas currently less than desired condition (desired condition described in EA page 3-7); and
- Maintain or increase the basal area of perennial grasses on the sandstone soils on the north side of the allotment (EA page 1-4).

This year-round term permit will authorize livestock grazing from 1/1 to 12/31, at a current projection of 266 cow/calf pairs. A permit clause indicating that livestock numbers may vary over the course of a year, but grazing will not exceed the annual term authorized animal months will be included. Another permit clause will allow up to 60 animal months of the total annual authorized animal months to be grazed by horses. Any annual changes in animal numbers and season will be documented in the annual Bill for Collection (EA Table 2.5 and page 2-8).

Monitoring will determine the ability to meet (a) allowable use, and (b) the required systematic deferment, including rest from grazing on the north side and the large pasture on the south side, every other summer growing period. Adjustments in stocking could be made as a result of monitoring.

B. Best Management Practices (refined from EA Appendix 3, by additional references below)

Best Management Practices [BMPs] (EA Appendix 3) mitigate livestock grazing effects on soil and watershed conditions to comply with the Clean Water Act. The following BMPs, additional to those detailed in Appendix 3, will also become part of the terms of the grazing permit for the Perkinsville Allotment.

i) All pastures will be managed in a deferred rotation. This system provides rest for growing seasons. Additionally, rest from livestock grazing during the summer growing period will be provided in the two large pastures of the north side and the large pasture of the south side every other year (EA Table 2.5 and page 2-8). There will be no grazing on the Verde River corridor (EA Table 2.5).

ii) Grazing duration will be evaluated based on keeping within allowable utilization levels. There are two distinct allowable forage utilization levels: (EA Table 2.5)

On alluvial grasslands not in upward trend, and on soils of sandstone parent material, allowable forage utilization will not exceed 30% in key areas (PR #544) on key forage species at the time livestock are moved from the pasture. On these sites, grazing durations may be governed by the amount of litter, a component of the Rangeland Health Inspections (EA page 2-10).

On the remainder of the allotment, allowable forage utilization will not exceed 40% in key areas on key forage species at the time livestock are moved from the pasture.

For both forage utilization levels, this represents the percentage of last season's growth if grazed during the dormant season, or it represents the percentage, to date, of current season's growth if grazed during a growing period. Forty percent of leaders on shrubs may be browsed. The length of the grazing season will depend on permittee use of BMPs (Appendix 3), and additional practices (specifically BMP 22.12) to distribute livestock use out from areas traditionally used.

iii) One well and the sharing of another well with Muldoon Allotment, with accompanying storage tanks, 4.5 miles pipeline, 7 drinkers, and one trick tank will be installed. Also 3.5 miles of fence will be constructed to split the 21,000 acre pasture on the north side (EA Table 2.5 and Appendix 7- Maps).

iv) The annual authorization for stocking will be adjusted based on how the range has been utilized the previous grazing period, along with short-term indicators of Rangeland Health (EA pages 2-8 and 2-10). Annual Operating Instructions will describe specific adjustments in management identified by monitoring.

v) The term permit numbers will be refined and validated with both *implementation and effectiveness monitoring* (EA pages 2-10, 2-11).

C. Mitigation Measures Specific to Threatened and Endangered Species and Management Indicator Species. (EA Table 2.5, or pages 2-9 and 2-10)

- Livestock will not use grazing units within 1/4 mile of the Perkinsville bald eagle nest site when eggs and/or young chicks (<3 weeks old) are present in the nest.

- A Forest Service biologist will annually assess river-crossing sites for livestock on the Verde River. Livestock crossings will be allowed only if T&E fish and/or critical habitat will not be adversely affected. Presence of T&E species and/or decline in critical habitat would require an alternative method of crossing.
- Livestock drives through Loco Flat from 4/15 - 5/31 will avoid the Flats east of the County Road.
- Move livestock in and out of Loco Flat and Little Black Mesa based on providing an average of 9" stubble in April and May.
- Water for pronghorn (April, May, June) will be left in the storage at the proposed trick tank on Little Black Mesa.

#### D. Other Mitigation Actions Required and Monitoring

Additional actions required to mitigate livestock grazing effects on wildlife habitat are identified in the EA, Appendix 4, and will become part of the terms of the grazing permit. Monitoring activities associated with the implementation of Alternative 5 will be completed as described in the EA pages 2-10 and first paragraph of page 2-11.

### Reasons for the Decision

The primary considerations I used in selecting this alternative are (a) 71% of the capable acres are in satisfactory Rangeland Management Status (RMS); (b) the alternative describes actions that improve the 29% of capable range in unsatisfactory RMS (EA page 1-3, PR # 549); (c) the alternative resolves the economic issue generated by scoping the 1999 Proposed Action (EA page 1-7, PR #539); and (d) the alternative complies with applicable laws, regulations and policies.

Seventy-one percent of the areas that are capable of being grazed by livestock are meeting or moving toward meeting our long-term desired conditions. This indicates that grazing management is effective over the majority of the grazed portion of the allotment.

In making my decision I considered the 29% of capable range in unsatisfactory RMS. These areas have lower than desired vegetative ground cover (VGC). In addition, Parker trend transect data indicates that approximately one half of these areas are moving away from desired conditions; the lack of VGC on the other half of these areas is documented in field inspections (EA page 1-3, PR #549).

This allotment has been poorly watered for a very long time creating areas of livestock concentration associated with unsatisfactory RMS. Areas located within 1/2 mile of reliable waters across the allotment, which have relatively low woody cover, receive excessive livestock grazing use. These areas include approximately half the alluvial grasslands and portions of the limestone ridge tops on the south side of the allotment (EA page 1-3, PR #549).

To address the effects of livestock grazing in areas trending away from desired conditions, the alternative I have chosen requires (a) regular deferment from livestock grazing during periods of growth throughout the allotment, (b) cross-fencing part of the large north side pasture, (c) rest from livestock grazing during the summer growing period in the newly created north side pastures and in the large pasture on the south side. [BMP (i) and part of (iii) Section B above], and (d) locating water to serve areas of capable range in the large pasture on the south side [BMP (iii) Section B above].

The alternative I have chosen also ensures appropriate intensity of forage utilization (EA Table 2.5) through BMPs (ii), (iv), and (v) of Section B above. Reduced allowable utilization is made possible in the areas of unsatisfactory RMS at 3192 animal months by distributing grazing with the additional waters and controlling grazing with the additional fence. These practices together will improve grass cover and litter in areas of unsatisfactory RMS (EA pages 3-9, 3-14, 3-25).

Monitoring and its application may direct me to make further adjustments in management, including changes in the level of allowable use or stocking (EA page 2-10, Appendix 3 BMP 22.11).

Because the Verde River splits the allotment it is necessary to cross the River when moving between pastures. These crossings are mitigated by the first two practices in Section C of this Decision.

The economic benefits of my decision are slightly less than the permittee developed alternative, Alternative 4. I believe this alternative balances the cost of developments with livestock numbers.

The decision meets all applicable laws, regulations, and policies (see **Findings Required by Other Laws and Regulations** section, below).

## 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, Tables 2-1 through 2-4. The following alternatives were not chosen for the stated reasons:

### Alternative 1 - No Action (No Livestock Grazing)

- Grazing permit would be cancelled.
- There would be no livestock grazing or maintenance of structural improvements except for the waters identified as critical (EA Table 2.1, Appendix 4).

While the vegetation and soils resources would respond favorably in the ten-year analysis period, this alternative was not selected because the EA did not identify effects or consequences that warrant complete exclusion from livestock grazing.

### Alternative 2 - Current Management

- Permitted season-of-use would be 11/15 - 6/1 with 491 cow/calf pairs.
- The grazing system would split 3 largest pastures into 2-3 grazing areas by controlling water. Six other moderate-sized pastures used separately in rotation. Spring deferment on some pastures. Five holding pastures that usually receive some spring deferment.
- Allowable forage utilization would be 40% growing season and 55% dormant season. Moderate use (50% of leaders) on browse.
- No Verde River corridor grazing. River crossings at designated locations.
- No range structural improvements.

This alternative does not have allowable forage utilization levels and rotations that would improve the perennial grasses where needed in the alluvial grasslands. This alternative also does not widen the distribution of grazing out from the limited reliable water in pinyon-juniper communities. (EA pages 3-8, 3-12, 3-15).

### Alternative 3 - 1999 Proposed Action

- Permitted season-of-use would be 10/15 - 3/15 with 165 - 246 cow/calf pairs.
- The grazing system would split 3 largest pastures into 2-3 grazing areas by controlling water. Six other moderate-sized pastures used separately in rotation. All pastures receive systematic spring deferment.
- Allowable forage utilization would be 30%. 30% of leaders on browse could be utilized.
- No Verde River corridor grazing. River crossings at designated locations.
- 2 self-closing gates, 1/2 mile of fence, 1 trick tank on Little Black Mesa, waterlot at Rafael.

This alternative provides the opportunity to improve the grasslands by shortening the grazing period and lowering the livestock numbers, but would negatively affect the economic viability of the ranch operation (EA pages 1-7 and 3-3, PR #539).

#### Alternative 4 - Permittee Developed Action

- Permitted season-of-use would be 1/1 - 12/31 with 266 cow/calf pairs and 10 horses.
- The grazing system would split 3 largest pastures into 2-3 grazing areas by controlling water. Six other moderate-sized pastures used with the 3 large pastures. No winter/spring rotation between years, but deferred rotation during growing season.
- Allowable forage utilization would be 50%. Moderate use (50% of leaders) on browse. Stubble height for pronghorn fawning cover not specifically addressed.
- No Verde River corridor grazing. River crossings at designated locations.
- One well and sharing of another well with the Muldoon Allotment, accompanying storage tanks, 4.5 miles pipeline, 7 drinkers, and one trick tank would be installed.

This alternative would change the season-of-use from fall/winter/spring to year-round grazing and increase forage utilization levels. The higher forage utilization levels during the growing seasons would lead to a decline in areas of concern. (EA pages 3-9, 3-13, 3-16, 3-25, 3-26, 3-28).

#### Summary

I chose Alternative 5 because it will implement the management changes needed to improve the vegetation and soil resources on the allotment while being economically feasible. This alternative complies with applicable laws, regulations and policies (see **Findings Required by Other Laws and Regulations** section, below).

## Public Involvement

### Scoping

Public involvement and Endangered Species Act Section 7 consultation on grazing management of Perkinsville Allotment has occurred intermittently since 1998. Status of the project has been listed in the Prescott National Forest's Schedule of Proposed Actions since November 1996.

Scoping of affected livestock grazing permit holders was initiated in July 1998 when existing conditions for each of the six allotments of this analysis were presented to the permit holders and their input was sought.

A letter describing the proposed action and requesting comments was sent to over 500 individuals and organizations, including the affected range permittee, in January 1999.

Comments received generally focused on the financial and social aspects of the proposal, but also included comments on the methodology used to determine grazing capacity, the need to reduce juniper canopy, impacts to wildlife, perceived violations of law and policy, how monitoring should be accomplished, and identification of responsible parties for cost of new facilities.

One issue was identified based on comments concerning the proposed action from the public, other agencies and permittees: "The proposed reduction in cattle production on the Prescott NF allotments of this project could result in financial failure of the affected permit holders and the resultant loss of property and a chosen way of life, as well as a loss of revenue for both Yavapai County government and local business," (EA page 1-7). This issue provided the framework for developing and evaluating alternatives described above.

The University of Arizona Cooperative Extension assembled a technical review team in April 1999 at the request of the Yavapai Cattle Growers. The Team, along with PNF personnel and the permit holders, reviewed the methods used to determine livestock grazing capacity for the Proposed Action. This team made several recommendations that were used in the development of several alternatives.

In April 2000, the R-3 Regional Forester provided the FWS (US Fish and Wildlife Service) with a summary document of determinations-of-effect for fifty-three grazing allotments with 'may affect or not likely to adversely affect' determinations (PR # 554). These included the allotments in this environmental analysis. These determinations were in full compliance with the Guidance Criteria of August 1998, which was

concurrent with by the FWS on September 8, 1998, under Sec. 7 of the ESA (Endangered Species Act 1973).

In April 2000, a completed EA was released for public comment. A copy of the EA was sent to 217 individuals, organizations, State and Federal agencies including the Technical Review Team and the affected permit holders. Over the comment period, 39 individuals, groups, State agencies, and affected permit holders supplied comments. These comments were used to revise the subsequent environmental analysis.

The Forest submitted the preferred alternatives for these grazing allotments to the FWS for Sec. 7 consultation (ESA) for spikedace and loach minnow critical habitat on April 30, 2001 (PR #555). The BO (biological opinion) was issued by the FWS in December 2002 (PR #492).

In August 2003, a new project document consisting of the 1999 Proposed Action (Alternative 3), alternatives to that proposed action, and a brief summary of anticipated environmental effects was released for public comment. The document was sent to 66 individuals, groups, agencies and Tribes. Of these, 12 responded with comments that have been used to clarify parts of this EA and to focus the analysis shown in Chapter 3.

## 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 setting of this proposed action is local in regards to the long and short-term effects on both human and natural resources. The effects of this project are limited to a small portion of rural Yavapai and Coconino Counties

Intensity:

1. Both beneficial and adverse effects have been taken into consideration when making this determination of significance. The project has beneficial effects on the natural resources of Muldoon Allotment from managing livestock grazing. Adverse effects are minimal, localized, and insignificant. This action does not rely on beneficial effects to balance potentially significant adverse environmental effects.
2. There will be no significant effects on public health and safety. Public health and safety are not identified in the Purpose and Need for the Action (EA pages 1-2 through 1-4), nor as a significant issue (EA page 1-7).
3. There are no unique characteristics in the project area, characteristics not found elsewhere on the District or the PNF. No significant historic resources would be impacted (EA page 3-97). There are no prime farmlands within the project area. Wetlands and floodplains occurring along the parts of the Verde River within the allotment will not be impacted as the decision continues the current management of no grazing in the Verde River corridor (EA Table 2.5, EA pg 3-31, 3-48). There will be no significant adverse impacts to minority groups, civil rights, women, consumers or environmental justice (EA page 3-100).
4. The effects on the quality of the human environment (primarily permittee financial security) may be controversial, but the controversy is neither of great intensity nor on a widespread scale (EA pages 3-1 through 3-5, PR #539). The permittee and public were involved during the analysis (PR # 137, 503, 509). While some people have disagreed with portions of the project, no one has provided evidence that the effects of the project have been wrongly predicted.
5. The effects of this decision on the natural resources are known because the practices are standard best management grazing activities (EA Appendix 3, Section B above). The overall effects of the decision are not considered to be highly uncertain nor do they involve unique or unknown risks because we have considerable experience with the type of actions to be implemented (EA Chapter 3).

6. The grazing activities to be implemented will not establish a precedent for future actions nor do they represent a decision in principle. The activities implemented under this decision are not a major departure from types of activities now common to the PNF (EA Chapter 3). Additionally, this decision does not commit me to actions on lands outside the project area. Finally, the grazing activities are within guidelines established by the Forest Plan (EA Table 2.6 PR # 550).
7. Cumulative effects of past, present, and foreseeable future activities in the vicinity of the allotment have been considered and evaluated (PR #s 536, 537, 545, 547, 549). These effects do not substantially add to those described for the selected alternative. With the exception of routine maintenance activities, all known connected actions associated with the selected activities likely to occur in the future have been identified in the assessment, with the direct, indirect and cumulative effects disclosed in the EA (EA Chapter 3). The cumulative impacts are not significant (EA Chapter 3).
8. The action will not adversely affect districts, sites, structures, or objects listed in or eligible for listing in the National register of Historic Places. Any cultural resources that could be affected by structural improvement work will be adequately protected by mitigation measures approved in advance of work by the State Historic Preservation Officer (EA page 3-97, 3-98, PR #528).
9. The action will not adversely affect any listed (Endangered Species Act 1973) endangered or threatened species or any critical or proposed critical habitat. This is documented in the fisheries and wildlife specialists' reports (PR # 536, 537 respectively). Livestock grazing and associated activities would not adversely impact the following species or would not occur within or adversely impact their habitats: southwestern willow flycatcher; Mexican spotted owl; proposed critical habitat for the MSO; yellow-billed cuckoo; razorback sucker; critical habitat for the razorback sucker; Colorado pikeminnow; spikedace; loach minnow; and spikedace/loach minnow critical habitat. Timing restrictions and 1/4-mile activity buffers in the mitigation measures would prevent disturbance to nesting bald eagles.
10. No significant impacts were identified for Region 3 Regional Forester's Sensitive species, Forest Plan MIS species, migratory bird species, and Arizona State Species of Concern, for this action (PR # 530 & PR # 537, EA pg 3-52 thru 3-58, pg 3-91 thru 3-96).
11. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. See **Findings Required by Other Laws and Regulations** section, below.

## Findings Required by Other Laws and Regulations

This decision to implement Alternative 5 for management of livestock grazing on the Perkinsville Allotment is consistent with the following laws.

Clean Air Act of 1970 (as amended) - This Act is to prevent deterioration of air quality. All activities will be implemented in accordance with provisions of the Clean Air Act as administered by the Arizona Department of Environmental Quality (EA page 3- 99).

Clean Water Act of 1977 (as amended) - This Act is to restore and maintain the integrity of waters. The Forest Service complies with this Act through the use of BMPs (EA Appendix 3). This decision incorporates BMPs to provide improve or protect the soil and water resources specifically in Sections A, B, and D, above.

Endangered Species Act (1973) – This decision would not jeopardize the continued existence of any endangered, threatened, or proposed species or adversely modify existing or proposed critical habitat for any species. These findings are documented in the Region-3 Forest Service Biological Assessment of April 21, 2000 (PR Doc # 554); the December 2002 Biological Opinion for spikedace and loach minnow Sec. 7 critical habitat consultation (PR #492), and the Consultation and Critical habitat comparison documents in this environmental analysis (PR #535).

Environmental Justice (Executive Order 12898) - This Order requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this

Order. Public involvement occurred for this project, the results of which I have considered in this decision-making. Public involvement did not identify any adversely impacted local minority or low-income populations (EA page 3-100). Therefore, this decision is not expected to disproportionately impact minority or low-income populations.

Federal Land Policy and Management Act of 1976 (FLPMA) - Under this act permits, leases, and easements are granted for occupancy, use, or crossing of NFS lands when the need for such is consistent with planned uses and Forest Service policy and regulations. This decision is consistent with this Act (EA pg 1-2).

Public Rangelands Improvement Act of 1978 (an amendment to FLPMA) – This Act requires permittee involvement in the planning process. This decision is consistent with this Act (PR #s 3, 4, 6, 80, 83, 88, 95, 119, 121, 132, 137, 225, 226, 269, 270, 282, 322, 328, 340, 350, 364, 371, 462, 503, 509, and 519).

Forest Plan Consistency (National Forest Management Act) - This Act requires the development and implementation of long-range land and resource management plans (Forest Plans). The Prescott Forest Plan was approved on August 4, 1987, as required by this Act. This decision is consistent with the intent of the Forest Plan's long-term goals and objectives as described in the EA Table 2.6, and PR #550).

Floodplains Management (Executive Order 11988) – This Order is to avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as "... the lowland and relatively flat areas adjoining inland and coastal waters ... including at a minimum, that area subject to a one percent or greater chance of flooding in any one year." The identified floodplains in the project area are in the Verde River Valley (Forest Plan FEIS, p. 102); however, this decision will not impact the functional value of these floodplains (EA page 3–31, 3-48).

Multiple Use Sustained Yield Act of 1960 – This Act directs management to utilize all the various renewable surface resources of National Forest in a harmonious and coordinated combination that will not impair the productivity of the land. I have determined that the activities and mitigation measures of Alternative 5 are in compliance with the provision of this Act.

National Environmental Policy Act (as amended) – This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with this Act.

#### Laws Governing Heritage Resources:

National Historic Preservation Act - Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. Section 106 of the National Historic Preservation Act also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment.

The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered in federal lands. It affords lawful protection of archaeological resources and sites that are on public and Indian lands.

The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. It encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves through "in situ" preservation, but may encompass other actions to preserve these remains and items.

This decision complies with the cited Acts. Surveys have been conducted for Native American religious or cultural sites, archaeological sites, and historic properties on areas that may be affected by this project. It is the determination of the Forest Archaeologist that there will be no effect to heritage resource (EA page 3-97, 3-98, PR #528).

Sensitive Species (Forest Service Manual 2670) - This Manual direction requires analysis of potential impacts to sensitive species, those species for which population viability is a concern. Potential effects of this decision on sensitive species have been analyzed and documented. This decision will have no

adverse impact on sensitive species (EA Table 2-6 pg 2-16, Page 3-18, Table 3.8 pg 3-52, Table 3.9 Table 3.10 pg 3-53, Table 3.24 pgs 3-92 - 3-94).

Wetlands (Executive Order 11990) – This Order is to avoid adverse impacts associated with destruction or modification of wetlands. Wetlands are defined by this order as, "... areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction." This decision will not adversely affect wetlands as grazing will not occur within the Verde River corridor, which contains the only wetlands within the project area (EA Table 2-5, EA pg 3-31, 3-48).

Wild and Scenic Rivers Act (as amended) - This project will have no adverse effects to any Wild and Scenic River, as there are no segments of Wild and Scenic Rivers on the allotment.

## Implementation Dates

If no appeal is filed, implementation may begin 5 business days from the close of the appeal filing period established in the notice of decision legal advertisement posted in the Prescott Arizona *Daily Courier*. If an appeal is filed, the project can be implemented beginning 15 business days following disposition of all appeals.

## Administrative Review or Appeal Opportunities

This decision is subject to appeal for administrative review by written notice pursuant to 36 CFR 215. Holders of livestock grazing permits may appeal this decision under 36 CFR 215 or 251 but not both. A written notice of appeal must be filed within 45 days, with the appeal period beginning the day after the day of publication of the Legal Notice in the Prescott Daily Courier. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer. Written appeals must be submitted to:

**Appeal Deciding Officer**  
344 S. Cortez Street  
Prescott, Arizona 86303

Appeals may be faxed to the Appeal Deciding Officer at 928.443.8208. The office business hours for those submitting hand-delivered appeals are 8:00 AM to 4:30 PM, Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to [appeals-southwestern-prescott@fs.fed.us](mailto:appeals-southwestern-prescott@fs.fed.us). The appeal must have an identifiable name attached or verification of identity will be required. A scanned signature may serve as verification on electronic appeals. Please put the project name in the "subject" line.

In accordance with 36 CFR 215.14, the appeal must include:

1. Appellant's name and address, with a telephone number, if available;
2. Signature or other verification of authorship upon request;
3. When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
4. The name of the project for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
5. The regulation under which the appeal is being filed;
6. Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
7. Any portion(s) of the decision with which the appellant disagrees and explanation for the disagreement;

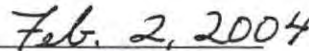
8. Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and
9. How the appellant believes the decision specifically violates law, regulation, or policy.

## Contact

For further information concerning the decision or the Forest Service appeal process, contact,

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LINDA L. JACKSON

  
DATE

District Ranger  
Chino Valley Ranger District  
Prescott National Forest

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