

Decision Memo

Potato Butte New Tank Project
Payson Ranger District
Tonto National Forest
Gila County, Arizona
Township 9 North, Range 13 East, Section 22

Background

The Potato Butte New Tank project on the Payson Ranger District is located on the Potato Butte allotment, approximately 4 air miles west of Young, Arizona. (See map in appendix A) This is an allotment that will benefit from additional livestock and wildlife water sources in order to achieve better distribution throughout the allotment.

Purpose and Need

The purpose of this project is to provide adequate water for wildlife and permitted livestock in portions of the Potato Butte allotment not currently served by any water sources. The Forest Service, in coordination with the permittee, needs to provide dependable water sources in these areas in order to maintain adequate grazing distribution, as well as for wildlife in the area. Improved grazing distribution will reduce the dependence of livestock on riparian areas for water and will reduce forage utilization in riparian areas.

The Tonto Nation Forest Land Management Plan (Forest Plan) for these areas provides guidance to maintain or improve habitat conditions as a result of better water availability throughout the allotment. In addition, we are directed in this plan to provide water for wildlife and livestock. The Forest Plan has the following requirements on page 41:

- Provide a minimum of four waters per section in small game and one water per section in big game key areas.
- Continue close coordination with State and other federal agencies for the benefit of plant and animal species.
- Using Desired Future Condition as a guide, optimize wildlife outputs in all management units by coordination of other resource activities and direct habitat improvement projects.

Conservation Measures and Best Management Practices

All necessary archeological and biological clearances have been obtained for this project to proceed. No equipment work will interfere with Mexican Spotted Owl breeding season restrictions. The construction of earthen tanks along existing roads will assist in the control of run off and erosion associated with the road.

Reasons for Categorically Excluding the Proposed Actions

I have determined that there are no extraordinary circumstances associated with this project that would preclude the use of this category. This determination is based on the absence or the negligible level of adverse effects on the following resource conditions:

- a. Federally-listed threatened, endangered and/or Region 3 sensitive species or designated critical habitat. A site-specific Biological Assessment & Evaluation was completed and signed on 4/14/15.
- b. There are no effects to floodplains, wetlands, or municipal watersheds.
- c. There are no congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas within the project area.
- d. There are no inventoried roadless areas or potential wilderness areas within the project area.
- e. There are no research natural areas within the project area.
- f. American Indian religious or cultural sites; and archaeological sites, or historic properties or areas. A 100% archaeological survey was completed and signed by the Forest Supervisor on 10/10/14.

Public Involvement

On July 7th 2015, a scoping letter was mailed out to 15 individuals and organizations outlining the proposed action. Three responses were received. The first letter was from US Fish and Wildlife Service (USFWS) offering technical assistance on the project. The second letter referenced “water hauling” which is not part of the proposed action. The third letter referenced several concerns with regard to the Proposed Action:

- The purpose and need for this project is not adequate to explain how it will benefit wildlife. It also does not address cumulative impacts from other similar projects in the Pleasant Valley Ranger District.
- Development of additional water may not provide a net benefit to wildlife
- General impacts to Mexican Spotted Owls and their habitat in the area
- General soil stability related to actions not contemplated in this proposed action
- NEPA sufficiency

This project was analyzed by specialists to ensure compliance with law, regulation, and policy—including the Forest Plan—for the following program areas: soils, hydrology, wildlife, heritage, lands, recreation, rangeland management, and NEPA. As part of the analysis, cumulative impacts from other similar projects were considered and none were found that would preclude use of the categorical exclusion.

Since Forest Service wildlife biologists have determined that this action will have a “No Effect” determination with regard to the Mexican Spotted Owl, there is no need to request additional technical assistance from USFWS. The Forest Service will employ the stated mitigations with regard to implementation of the proposed action. These mitigations will prevent any potential effect on Mexican

Spotted Owls from the construction activities by not conducting construction during the breeding season. The presence of the proposed improvement and its use within established grazing management protocols will result in a "No Effect" determination to this species. Improved grazing distribution will benefit this species throughout its life history by reducing the dependence of livestock on a limited number of resources and improving our ability to manage the use of forage species within desired limits.

Specifically, wildlife will benefit from the maintenance and improvement of habitat conditions through the addition of a dependable water source to this portion of the allotment. In addition to direction in the Forest Plan, the Arizona Game and Fish Department has determined that additional water sources in this area are desirable for grazing ungulates as well as small game animals and have provided funding to pay for this project. This funding was generated from sportsmen and wildlife advocacy groups and directed to this project by the Payson Natural Resource Council which is made up of local sportsmen, wildlife enthusiasts as well as the Arizona Department of Game and Fish, unit managers for this area. This demonstrates the commitment of the state wildlife agency as well as sportsmen and wildlife groups to this project and to the idea that additional water in the project area will benefit those species that are present. Cooperation with other state and federal agencies in such projects is also a priority of the Tonto National Forest.

In addition to wildlife benefits, soil stability will be enhanced by this project. The Proposed Action calls for the construction of a "Roadside" earthen tank of limited size. This type of construction reduces the harmful effects of existing run-off generated and directed by roads in the project area. Rather than simply allowing the run-off to produce additional erosion and sedimentation, this type of earthen tank will control these flows and in doing so will provide a valuable water resource for wildlife and livestock in the area. This project is one of several that proposes the installation of an earthen tank for range management. All of these tanks are in different sub-watersheds spread across a very large area. The cumulative effect of building such tanks is a net positive with regard to its effect on soil stability.

This project falls within the categories of actions listed in the Forest Service National Environmental Policy Handbook (FSH) that are excluded from documentation in an Environmental Assessment or Environmental Impact Statement. This category is found in FSH 1909.15, Chapter 30. 36 CFR 220.6(e)(6). *Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than 1 mile of low standard road construction.*

Findings Required by Other Laws and Regulations

This decision is consistent with the Forest Plan, Forest Service Policy, and other management considerations. The project was designed in conformance with the Forest Plan and other federal and state law, policy, and direction applicable to the resources present in the Tonto NF. *The National Forest Management Act of 1976 (Public Law 104-33, as amended)* requires the U.S. Forest Service to provide for biological diversity on National Forest Service lands consistent with overall multiple-use objectives and to maintain viable wildlife populations in the planning area. The Forest Plan discloses forest wide standards and guidelines and management area direction.

Implementation of this decision will not violate any Federal, State, or local laws or requirements imposed for the protection of the environment including:

- *Clean Water Act of 1977, as amended*
- *Clean Air Act of 1963, as amended*
- *Endangered Species Act of 1973, as amended*
- *American Antiquities Act of 1906 and National Historic Preservation Act of 1966*
- *Migratory Bird Treaty Act of 1918 and Executive Order 13186*
- *Executive Order 12898 of 1994 (Environmental Justice)*

Decision

I have decided to coordinate with the permittee on the Potato Butte allotment to construct a new tank in the location described in this Proposed Action. Ground disturbance would include using a bulldozer to dig the tank measuring approximately 50 feet by 100 feet and eight to ten feet deep. Soil will be redeposited to build an earthen dam, and create wing ditches to facilitate water collection from the road adjacent to it.

This decision includes the following design features for resource protection:

- All resource specialists have been consulted
- All archaeological and biological clearances have been completed
- No equipment work will interfere with Mexican Spotted Owl breeding season restrictions.

Implementation Date

This project is not subject to appeal. I anticipate implementing this project in winter of 2016.

Contact

For additional information contact North Zone Range Staff, Doug Ruppel at:

Payson Ranger District
1009 E. Hwy 260
Payson, AZ 85541
928-462-4321
druppel@fs.fed.us



11/23/15

Debbie Cress, Payson District Ranger

Date

Potato Butte New Tank Project

Page 4 of 6

North Zone, Tonto National Forest

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

USDA is an equal opportunity provider, employer, and lender.

Appendix A

Figure 1: New Potato Butte Tank Project

