

Decision Notice
& Finding of No Significant Impact
GRAZING AUTHORIZATION and
ALLOTMENT MANAGEMENT PLANS
VEACH, GILLESPIE & GRANT CREEK ALLOTMENTS
USDA Forest Service
Safford Ranger District, Coronado National Forest
Graham County, Arizona

Decision and Reasons for the Decision

Background

This decision covers the authorization of grazing and approval of Allotment Management Plans (AMPs) for three livestock allotments located on the Safford Ranger District: Veach, Gillespie and Grant Creek. An environmental analysis was initiated with the release of a Scoping Report on April 16 1999. An environmental assessment (EA) was released for public review on December 11, 2000.

The three allotments are located in the Pinaleno Ecosystem Management Area. They currently cover a total of 26,830 acres with 15,221 acres being classified as capable for grazing. The proposed action would reduce the allotments' size by removing high-elevation acreage classified as not capable for grazing (EA, pages 5-6; Maps 2a & 2b). Vegetation consists of desert grassland, broadleaf evergreen woodland, coniferous forest (transition), coniferous forest (mixed conifer), coniferous riparian and deciduous riparian (EA, pages 2-4; Maps 3a & 3b). The allotments are generally in fair to good range condition with static to upward trend (EA, pages 12-21). However, new management plans are needed to reflect biological opinions concerning threatened and endangered species, a need for improved distribution of cattle on the Veach Allotment, and changes in actual use of the Veach Allotment related to classes of livestock and season of use. The environmental assessment (EA) documents the analysis of two alternatives to meet these needs, and a no action/no grazing alternative.

Decision

Decision Context: A Proposed Action was developed to meet the need for management plans that reflect current resource conditions and opportunities. Scoping and public comment identified four issues related to the Proposed Action (EA, pages 6-7):

- Effects to threatened, endangered, proposed or sensitive species or their habitat. Among the species of concern are the lesser long-nosed bat, American peregrine falcon, Mexican spotted owl, and northern goshawk.
- Effects to wildlife from construction of water trough on the Veach Allotment.
- Effects to economic viability of permittee operations, and returns to the local economy.
- Effects of grazing on the potential development of a wetland in the Cienega Pasture within the Gillespie Allotment.

Alternatives were developed to address these issues (below, and EA, pages 8-11). Prior to making this decision, I reviewed the administrative record, environmental assessment, and public comments received on the Veach, Gillespie and Grant Creek grazing authorization and AMP proposal. The environmental assessment documented a wide range of specific environmental effects of the proposed action, and disclosed that under current management, range conditions on the allotments have improved (EA, pages 12-21). The following text documents my decision and rationale for the Veach, Gillespie and Grant Creek Allotments.

Based upon my review of all alternatives, *it is my decision to issue a ten-year grazing permit that implements Alternative 3 (Proposed Action) for the Veach, Gillespie and Grant Creek Allotments.* This decision would authorize 1375 yearling animal months (AMs) on the Veach Allotment, 564 cow/calf AMs on the Gillespie Allotment, and 360 cow/calf AMs on the Grant Creek Allotment.

Although the Proposed Action included stocking rates for livestock that are conservative enough to prevent resource damage during years when precipitation and forage production are less than expected, I have modified my decision to limit utilization of the uplands to 45%, instead of the 50% originally proposed for the Veach and Grant Creek Allotments (EA, pages 5-6). Reducing the utilization cap will serve as additional assurance of resource protection in dry years when forage production is lower.

Under the 10-year term grazing permit, the AMP for the **Veach Allotment** will:

- Issue a 10-year term grazing permit for the allotment.
- Adjust administrative boundary to eliminate steep, upper-elevation areas "not capable" for grazing, to more accurately reflect grazing capacity and actual use.
- Maintain existing pastures.
- Adjust permit to reflect current use (from 275 cow/calf pairs grazing between November 1 and April 30, to 275 yearlings grazing between December 1 and April 30; that is, from 1650 cow/calf animal months to 1375 yearling animal months).
- Use annual operating instructions to limit utilization of forage species in designated key areas to 45% in upland vegetation and 40% in riparian vegetation.
- Monitor key areas to assure that forage utilization is within limits.
- Maintain existing range improvements.
- Replace water storage at Dripping Springs and add a pipeline and trough, to maintain proper cattle distribution.
- Use annual operating instructions to coordinate with burn plans, in order to reduce density of prickly pear and catclaw.

The AMP for the **Gillespie Allotment** will:

- Issue a 10-year term grazing permit for the allotment.
- Adjust administrative boundary to eliminate steep, upper-elevation areas "not capable" for grazing, to more accurately reflect grazing capacity and actual use.
- Continue permit for 47 cattle, year-long (equals 564 cow/calf animal months).
- Maintain existing nine pastures and growing season deferred rotation (graze seven pastures between March 1 and October 31; divide cattle between remaining two pastures from November 1 to February 28).

- Use annual operating instructions to limit utilization of forage species in designated key areas to 45% in upland vegetation and 40% in riparian vegetation.
- Monitor key areas to assure that forage utilization is within limits.
- Maintain existing range improvements.
- Use annual operating instructions to coordinate with burn plans.

The AMP for the Grant Creek Allotment will:

- Issue a 10-year term grazing permit for the allotment.
- Adjust administrative boundary to eliminate steep, upper-elevation areas "not capable" for grazing, to more accurately reflect grazing capacity and actual use.
- Use annual operating instructions to limit utilization of forage species in designated key areas to 45% in upland vegetation non-growing season use, and 40% upland vegetation growing season use and 40% in riparian vegetation.
- Monitor key areas to assure that forage utilization is within limits.
- Continue permit for 30 cattle, year-long (equals 360 cow/calf animal months).
- Maintain existing range improvements.
- Maintain existing three pastures and deferred rotation system.
- Use annual operating instructions to coordinate with burn plans

Rationale: This decision is supported by the following rationale:

When compared to other alternatives considered in detail, Alternative 3 provides the best balance between making forage available to livestock operators and improving resource conditions. It will assure that upward trends in range vegetation will continue, at a rate at least equivalent to current management practices, and provide an extra degree of assurance that resources will be protected during times of drought. The rationale for specific elements of the decision is described below:

(a) *Adjustment of Allotment Boundaries:* Elimination of steep upper-elevation areas "not capable" for livestock grazing provides a more realistic picture of the areas impacted by grazing (EA, pages 2-4; Maps 2a & 2b). In particular, this adjustment more accurately depicts the extent of Mexican spotted owl habitat impacted by grazing (EA, page 35).

(b) *Forage Utilization:* Adjustments to utilization guidelines, relative to the Proposed Action, are relatively minor and will have effects within the range of variability depicted in the environmental analysis conducted for this project (EA, page 12-27). Differences are most likely to consist of a slightly higher rate of improvement in range conditions and added resource protection in periods of drought, compared to Alternative 2 or Alternative 3 as originally proposed (EA, pages 13-21). These levels of utilization will not interfere with the development of vegetation in the Cienega pasture of the Gillespie Allotment, which is not likely to become a wetland (EA page 17; project record documents. 38-44, 48, 49, 61).

(c) *Range Improvements:* The decision will improve cattle distribution and permit faster improvement of rangeland vegetation by replacing water storage at Dripping Springs and adding a pipeline and trough (EA, page 15). Mitigation measures (see below) will require the inclusion of wildlife escape ramps in the trough.

(c) *Monitoring*: The decision provides for monitoring of forage use to act as a guide to the Forest Service and permittee in making needed adjustments in annual operating instructions (see below). Monitoring to keep utilization at or below 45% of current year's growth will maintain grazing pressure on rangeland vegetation at a sustainable, moderate level (EA, pages 13-21).

(d) *Permitted Numbers*: The stocking rate for the allotments will allow continued improvement of National Forest lands. Alterations in permitted numbers are minor, reflecting recent actual use of the allotments (EA, pages 2-4, 13-21). Permitted numbers will maintain jobs, government receipts and payments to counties at levels comparable to current management (EA, pages 38-39).

In the future, it may be necessary to develop additional livestock and wildlife waters and improvements beyond those currently proposed. Any additional future projects will follow standard agency planning and public involvement processes. Mitigation and monitoring requirements discussed below will be incorporated in the final AMP.

Mitigation: The following mitigation practices will be employed to further reduce potential environmental effects:

- Cattle will be moved into normally dry areas when forage is available and water is present, to reduce grazing pressure on areas where cattle normally congregate.
- Salt and protein supplement will be placed on good forage ¼ mile from water, roads, major trails, or other natural livestock concentration areas. Every time salt or protein blocks are put on the allotment they will be put on a different site from the one previously used.
- Best management practices (EA, page 8) for grazing will be used to further reduce environmental affects.
- Range improvements will be located to avoid impacting agaves.
- New water troughs will be constructed with wildlife escape devices.

Monitoring: I have selected the key areas for monitoring forage utilization. The key areas were selected consistent with the management guidelines in the Coronado Land and Resource Management Plan on page 22. A key area map is included in the project record (Doc.31, & 32); however, key areas may be relocated as needed to best meet the objective of improved rangeland condition (EA, page 4), without additional NEPA analysis. Key forage species to be monitored will be selected on site and will consist of native perennial species that are palatable to livestock. The Safford District Range Staff Officer and the permittee will be responsible for monitoring livestock use to assure that use levels stay below 45% in uplands and 40% in riparian areas. Monitoring of key forage plants in key areas will occur at least every three years, and will include observations of ground cover and grazed plant frequency. 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 Forest.

This alternative meets requirements under the National Forest Management Act, National Historic Preservation Act and Endangered Species Act (see below).

Other Alternatives Considered

Three alternatives were considered in detail, including a No Action/No Grazing alternative. No alternatives were dropped from detailed study. The alternatives considered in detail are briefly

described below (also see the EA, pages 5-6 and 8-11). The alternative descriptions below do not reflect the modified utilization limits in my decision.

Alternative 1: No Action/No Grazing

Under this alternative, use of the grazing allotments by domestic livestock would be discontinued. No term grazing permit would be issued. All existing structural improvements including water developments would remain in place but would not be maintained. Periodic monitoring of structural improvements (at least once every ten years) will be used to determine whether removal or maintenance is needed. Removal or maintenance would be authorized by a separate decision.

Alternative 2: Continue Current Management

The **Veach Allotment** contains 13,271 acres, of which 6,671 are classified as capable for livestock grazing. Areas classified as "not capable" primarily consist of steep slopes in the upper elevations of the allotment. The current grazing permit (Doc. 5) expires in 2002. It allows grazing of 275 cow/calf pairs in one pasture for a six-month period (1650 cow/calf animal months; November 1 to April 30). However, annual operating instructions (Doc. 31) allow the allotment to be grazed for only five months, by 275 yearlings (1375 yearling animal months; December 1 to April 30). Annual operating instructions limit utilization of forage species in key areas to 50% in upland vegetation types and 40% in riparian vegetation types. Improvements on the Veach Allotment consist of 15.4 miles of fence (including 7 miles of boundary fence), 1 corral, and 11 water developments (stock ponds, springs, tanks, etc.). The metal water storage tank at Dripping Springs would be replaced. No other construction or reconstruction of improvements is undertaken.

The **Gillespie Allotment** consists of 8,234 acres, of which 5,662 are considered capable for grazing. Areas classified as "not capable" primarily consist of steep slopes in the upper elevations of the allotment. The current grazing permit (Doc. 4) will expire in 2002. There are nine pastures: Gillespie Mountain, Righthand, Mountain Trap, Windmill, Cienega, North, East, Rincon and South (Map 2a). Forty-seven cattle are rotated through seven pastures between March 1 and October 31 in a short-duration grazing system. Between November 1 and February 28 the cattle are divided between the remaining two pastures (564 cow/calf animal months). Annual operating instructions limit utilization of forage species in key areas to 45% in upland vegetation and 40% in riparian vegetation. Improvements on the Gillespie Allotment consist of 19.2 miles of fence, 2 corrals, 15 water developments (wells, stock ponds, springs, tanks, etc.), and about 1 mile of pipeline. No construction or reconstruction of improvements is undertaken.

The **Grant Creek Allotment** consists of 5,325 acres, of which 2,888 are classified as capable for grazing. Areas classified as "not capable" primarily consist of steep slopes in the upper elevations of the allotment. The current grazing permit (Doc. 4) expires in 2002. There are three pastures: Upper Grant Creek, Lower Grant Creek and Gold Gulch (Map 2a), grazed by 30 cattle year-long in a deferred rotation grazing system (360 cow/calf animal months). Annual operating instructions (Doc. 32) limit forage utilization in key areas to 50% for non-growing season use, 40% in upland vegetation during the growing season and 40% in riparian vegetation.

Improvements on the Grant Creek Allotment consist of 10.5 miles of fence, 1 corral, 1 spring and 2 miles of pipeline. No construction or reconstruction of improvements is undertaken.

Alternative 3 (Proposed Action)

The Safford Ranger District proposes to issue new 10-year term grazing permits for the Veach, Gillespie and Grant Creek Allotments, and to develop AMPs for each allotment. The following is a description of proposed management practices for the allotments:

Veach Allotment:

- Issue a 10-year term grazing permit for the allotment.
- Adjust administrative boundary to eliminate steep, upper-elevation areas "not capable" for grazing, to more accurately reflect grazing capacity and actual use.
- Maintain existing pastures.
- Adjust permit to reflect current use (from 275 cow/calf pairs grazing between November 1 and April 30, to 275 yearlings grazing between December 1 and April 30; that is, from 1650 cow/calf animal months to 1375 yearling animal months).
- Use annual operating instructions to limit utilization of forage species in designated key areas to 45% in upland vegetation and 40% in riparian vegetation.
- Monitor key areas to assure that forage utilization is within limits.
- Maintain existing range improvements.
- Replace water storage at Dripping Springs and add a pipeline and trough, to maintain proper cattle distribution.
- Use annual operating instructions to coordinate with burn plans, in order to reduce density of prickly pear and catclaw.

Gillespie Allotment:

- Issue a 10-year term grazing permit for the allotment.
- Adjust administrative boundary to eliminate steep, upper-elevation areas "not capable" for grazing, to more accurately reflect grazing capacity and actual use.
- Continue permit for 47 cattle, year-long (equals 564 cow/calf animal months).
- Maintain existing nine pastures and growing season deferred rotation (graze seven pastures between March 1 and October 31; divide cattle between remaining two pastures from November 1 to February 28).
- Use annual operating instructions to limit utilization of forage species in designated key areas to 45% in upland vegetation and 40% in riparian vegetation.
- Monitor key areas to assure that forage utilization is within limits.
- Maintain existing range improvements.

Grant Creek Allotment:

- Issue a 10-year term grazing permit for the allotment.
- Adjust administrative boundary to eliminate steep, upper-elevation areas "not capable" for grazing, to more accurately reflect grazing capacity and actual use.
- Use annual operating instructions to limit utilization of forage species in designated key areas to 45% in upland vegetation non-growing season use, and 40% upland vegetation growing season use and 40% in riparian vegetation.
- Monitor key areas to assure that forage utilization is within limits.
- Continue permit for 30 cattle, year-long (equals 360 cow/calf animal months).
- Maintain existing range improvements.

- Maintain existing three pastures and deferred rotation system.

Public Involvement

A Scoping Report was prepared and mailed to interested parties for review and comment on April 16, 1999. One comment on the Scoping Report was received. Based on the comments and additional analysis, issues were finalized (EA, pages 8-11). On December 11, 2000, an environmental assessment was distributed for public review. The Notice of EA Availability was published in the Eastern Arizona Courier on December 20, 2000. The comment period ran for 30 days until January 19, 2001. Five responses were received. A response to comments was prepared and is attached to this decision. Using the comments from the public, other agencies, and other interested parties such as American Indian tribes, the interdisciplinary team identified several issues regarding the effects of the proposed action. Main issues of concern included effects on threatened, endangered and sensitive wildlife species, viability of permittee operations and returns to the local economy, and effects on the potential development of a wetland on the Gillespie Allotment. The alternative analysis addressed these issues.

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:

1. Impacts from this site-specific project are both beneficial and adverse. Beneficial effects did not influence my finding of no significant impacts. Adverse effects are short-term in nature and will not impair land productivity or wildlife's continued existence. The long-term effect of continued improvement of the rangeland will be beneficial. The environmental assessment contains a complete discussion of the anticipated effects on pages 11-39.
2. No effects to public health or 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 three allotments.
4. The effects of my decision are limited to the three allotments. While the environmental analysis process has documented expected environmental effects from my decision, there was agreement by the Interdisciplinary Team that resource improvement trends on the allotment will continue.
5. The environmental effects of this decision are typical for this type of agency action. The estimated effects do not indicate any unique or unknown risks to the environment.

My decision does not establish any future precedent for other actions that may have a significant environmental effect. Future actions will be evaluated through the NEPA process and will stand on their own as to environmental effects and project feasibility.

7. Cumulative effects to my decision were considered. Cumulative effects, primarily for soils, wildlife and vegetation resources were not deemed significant when added to the expected effects from my decision (EA, pages 7, 15, 19, 21, 28; Project Record, Docs. 35, 37, 44, 72, 73).

8. My decision will have no adverse effect to districts, sites, heritage resources or cause loss or destruction of significant scientific, cultural, or historical resources (EA, page 37; Project Record, Doc. 37).

9. Findings documented in the Forest-wide Biological Assessment of Ongoing and Long Term Grazing on the Coronado National Forest, Supplement No. 1 determined that the proposed action will have no effect on the Mexican spotted owl, aplomado falcon, Apache trout and jaguar. It is not likely to adversely affect the Chiricahua leopard frog. The U.S. Fish and Wildlife Service concurred with these findings in their Final Biological Opinion, dated October 25, 2002 (AESO/SE 2-21—98-F-399R1). Formal consultation with U.S. Fish and Wildlife Service was completed based on findings that the proposed action may adversely affect the lesser long-nosed bat. The Service concluded that the proposed action is not likely to jeopardize the continued existence of the species or to result in incidental take. Therefore, no terms and conditions to minimize take were stipulated in the incidental take statement.

10. Findings documented in the Interdisciplinary Team Biologist's Biological Assessment and Biological Evaluation (Project Record, Docs. 72 & 73) show that the selected alternative is expected to maintain or improve wildlife habitat for many species analyzed.

11. This proposal is in full compliance with all federal, state and local law requirements. Local and tribal governments were consulted concerning this project.

Findings Required by Other Laws and Regulations

This decision to issue ten-year term grazing permits and prepare allotment management plans is consistent with the intent of the forest plan's long term goals and objectives listed on pages 62-66. The project was designed in conformance with plan standards and incorporates appropriate land and resource management plan guidelines for livestock grazing and wildlife (Land and Resource Management Plan, pages 15-23, 31-38, 47-49, 62-74, 79-82).

National Forest Management Act: The Coronado Land and Resource Management Plan (LRMP) was finalized on August 4, 1986. The Code of Federal Regulations (CFR) at 36 CFR 219 guides Forest planning. 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 authorizations and AMPs for each of the three allotments have been deemed consistent with the long term goals and objectives listed on pages 9-11 of the current Coronado LRMP. The LRMP designated the allotments as suitable for grazing and this area was included in Management Areas 1, 4, 7 and 9 (LRMP, pages 47-82). There were no identified effects to Management Indicator or sensitive species that would affect their long-term viability (EA, pages 32-36; Project Record, Docs. 35, 72 & 73).

Other NFMA consistency findings relate to the management of suitable timberlands. The allotments do not contain any suitable timberlands; therefore, the other NFMA consistency requirements do not apply.

Endangered Species Act: Formal consultation with U.S. Fish and Wildlife Service was completed as part of the Forest-wide re-initiation of consultation on on-going and long term grazing on the Coronado National Forest. The conclusions of this consultation, described in Section 9 above, 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 report was completed and found "no adverse effect." It was forwarded to the State Historic Preservation Officer for concurrence with the determination. The concurrence was received and is included in the project record (Project Record, Doc. 37). Consultation with Indian tribes occurred (Project Record, Docs. 21, 24, 37, 45-47).

Executive Order 12898 (Environmental Justice). This decision does not impose disproportionately high adverse human health or environmental effects on minority or low-income populations. American Indian tribes were consulted regarding the proposed action (see above) and effects analyzed in the EA (pages 36-37).

Implementation Date

This project will not be implemented sooner than five business days following the close of the appeal filing period established in the legal notice published in the Eastern Arizona Courier. 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 actually constructing any range improvements. Field preparation work needed to implement this decision (e.g., location of monitoring sites and final fence locations, etc.) may proceed.

Administrative Review or Appeal Opportunities

This decision is subject to appeal in accordance with 36 CFR 215.7. 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, Special Assistant, (505) 842-3305. Appeals must be filed within 45 days of the date of legal notice of this decision in the Eastern Arizona Courier.

Relative to issuance of the term grazing permits, the permittees may choose to appeal under the regulations listed at 36 CFR 251, Subpart C. Permittees must select which administrative review regulation (36 CFR 215 or 251) they will opt to use, because they cannot use both for the same appealed decision. An appeal by the permittee under the 36 CFR 251 regulations must be filed with the Supervisor, Coronado National Forest, 300 West Congress, Tucson, Arizona, 85701. The Forest Supervisor's Office contact for 36 CFR 251 appeals is Margaret Walker, Range Program Leader, (520) 670-4561.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Chuck Duncan, District Range Staff Officer, Safford Ranger District, P.O. Box 709, Safford,

Arizona, 85548 Chuck Duncan can also be reached by phone at (520) 428-4150 or (520) 670-4715.

George Asmus
GEORGE ASMUS

District Ranger
Safford Ranger District

1-21-03
Date

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