

DECISION NOTICE AND
FINDING OF NO SIGNIFICANT IMPACT

**AUTHORIZATION OF GRAZING ON THE
ICE CAVES HORSE AND CATTLE ALLOTMENT**

USDA FOREST SERVICE
GIFFORD PINCHOT NATIONAL FOREST
MT. ADAMS RANGER DISTRICT
SKAMANIA COUNTIES, WASHINGTON
T.5N, R.9E; T.5N, R.10E; T.6N, R.9E; and T.6N, R.10E, Willamette Meridian

BACKGROUND

An Environmental Assessment (EA) has been prepared for authorization of grazing on the Ice Caves Horse and Cattle Allotment. The project area is located in the Cave-Bear Creek and the Little White Salmon subwatersheds, just west of Trout Lake, within the Mount Adams Ranger District, Gifford Pinchot National Forest. The legal land description of the area is: T. 5N, R. 9E; T. 5N, R. 10E; T. 6N, R. 9E; and T. 6N, R. 10E, Willamette Meridian.

Ice Caves Grazing Allotment consists of approximately 31,996 acres and Forest Service records indicate use of the allotment for grazing cattle since 1911. Ice Caves is an existing allotment and currently managed as both primary and transitory range under a ten-year term grazing permit. The permit was recently re-issued and will expire at the end of 2012. The permit authorizes 200 cow/calf pairs on the allotment from June 15th through September 30th (700 AUMs).

The purpose of the proposed action and an action alternative in the EA is to continue to permit livestock grazing with necessary modifications to comply with Forest Service sensitive species policy and allotment utilization standards. There is also a need to achieve or maintain resource conditions in accordance with current law, policy, and Forest Plan direction.

Congress included language in the Rescission Act of 1995 (Public Law 104-19, Section 504) that requires the Forest Service to identify all allotments for which NEPA analysis is needed, and to prepare and adhere to a schedule for conducting an assessment of grazing actions under NEPA. In response to the Rescission Act, the Forest Service established a fifteen-year schedule for completion of this work. In the meantime, section 504(b) and (c) of the act allows the Forest Service to continue to issue grazing permits on existing allotments where NEPA has not yet been completed (or may be outdated) as long as the terms and conditions of the permit are not changed. Currently, the Ice Caves Horse and Cattle Allotment is managed as both primary and transitory range under a ten-year term grazing permit. The permit was recently re-issued and will expire in 2012.

DECISION

Based upon my review of the alternatives and analysis in the EA, I have decided to implement Alternative B, with modifications. This decision will be used to update the Allotment Management Plan (AMP) for the Ice Caves Allotment to ensure its consistency with standards and guidelines associated with the 1990 Gifford Pinchot National Forest Land and Resource Management Plan, as amended. The updated AMP will provide guidance for the Ice Caves Grazing Allotment for the next ten years.

Alternative B

This alternative would continue to authorize grazing on the Ice Caves Allotment. A drift fence would be constructed to prevent grazing livestock from entering the South Prairie area to protect botanical sites, Mardon skipper butterfly sites, and riparian areas in Lower Lost Creek. The drift fence requires the construction of approximately 3.5 miles of fencing and the installation of five cattle guards. The fence will be designed to be let down during the winter months to minimize damage from snow accumulation and to permit wildlife passage. The permittee will be required to maintain the fence and cattleguards.

Grazing could occur periodically “behind” the drift fence, at the discretion of the Forest Service, if needed to meet objectives for Mardon skipper butterflies and *Sisyrinchium*. Livestock grazing in the remainder of the allotment would continue to be permitted under management systems designed to meet Forest Plan standards and guidelines.

Authorized livestock would initially include 88 cow/calf pair for 3.5 months (308 AUMs). This is a reduction from the current permit which allows 200 cow/calf pair for 3.5 months (700 AUMs). These numbers could be adjusted depending on the previous years utilization monitoring and the results of other resource monitoring indicators. Livestock entry and exit dates will not be firm and will be adjusted to meet range readiness, allowable use standards, Forest Plan standards and guidelines, and resource conditions. Historically, livestock have been allowed on the allotment from June 15th through September 30th.

Grazing schedules would be developed in the annual operating instructions (AOI) for the permittee based on an evaluation of grazing from the previous season and the resource conditions of the current season. The schedule would be corrected the following year by changing any or all of the following: season of use, allowable use standard, stocking rate, timing of livestock use or use of temporary range improvements.

Continuous grazing will be avoided in riparian areas, meadows (including Peterson Prairie) and wetlands. Short-duration grazing will be applied as feasible to provide greater opportunity for future re-growth. Utilization of the current year’s growth on key species will be 30 percent in these areas and cattle will be physically removed from these areas as utilization levels dictate. Utilization of woody species will be limited. Livestock will be moved from riparian areas and wetlands if they begin to show a preference for woody species. In transitional range, allowable use will be 40 percent of the current year’s growth on key species. Forage utilization will be determined using the *Utilization Studies and Residual Measurements Interagency Technical Reference* (Technical Reference 1734-3, revised 1999).

Use of the Lost Creek Ditch will be discontinued and instead water will be piped from Lost Creek to one or more water troughs. Approximately two miles of piping will be required. Five cubic feet per second (cfs) could continue to be diverted, as long as this action does not cause downstream temperatures in Lost Creek to exceed State of Washington stream temperature standards of 16° C.

Under this decision there will be no change to the use of Peterson Prairie as a holding pasture during round-up. The utilization standard within Peterson Prairie will be 30%. Additional engineering controls will be required at the water trough in Peterson Prairie to prevent the direct diversion of water for human consumption, and prevent backflow and possible contamination of the system.

Under this alternative, the existing Cave Creek Beaver and Waterfowl enclosure fence will be redesigned and reconstructed to meet Forest Service standards. The fenceline on the north side of the enclosure will be expanded to the west (approximately 500 feet) to allow for more effective weed control of a known infestation of western houndstongue (*Cynoglossum officinale*). The holding pen within South Prairie will be discontinued and a new holding pen outside the drift fence will be constructed, if needed by the permittee.

The approximate locations of improvements along with a landscape-level analysis of the effects are disclosed in the Ice Caves EA. Site specific locations of the drift fence, enclosures, and water pipes were not included in this evaluation because exact locations are not yet determined. Placement of these improvements requires finessing the fence, pipeline, etc. locations onto the landscape. It is impractical to conduct this level of detail on multiple alternatives. When these specific locations are laid out, heritage resource and/or botanical surveys will be conducted and sites protected if necessary. Any other survey or additional analysis needs will also be identified at that time. A separate decision pursuant to the National Environmental Policy Act may be needed if fence construction (as mitigated) has the potential to significantly impact heritage sites or has landscape effects not disclosed in the Ice Caves EA.

Modifications to Alternative B

The description of Alternative B in the EA states that the holding pens at Peterson Prairie would be discontinued in the fall and that the existing Peterson Prairie Corral would be enlarged to approximately one acre with cattle being supplementally fed during the fall round-up. I have decided not to include enlarging the corral as part of this decision, and use of Peterson Prairie will remain as it is. Utilization will be in late summer-early fall and limited to 30 percent in Peterson Prairie which according to the analysis in the EA will provide enough protection for both Mardon skippers and *Sisyrinchium*. Cattle will be physically removed from these areas as utilization levels dictate.

Grazing and Administrative Practices (Already Occurring)

- Range readiness in the spring/early summer will be based on soil and vegetation conditions. The soils are required to be firm and sufficiently dry to prevent compaction and displacement. The plants need to reach the defined stage of growth at which grazing may begin without causing permanent physiological or compositional changes to the vegetation.

- Cattle grazing is prohibited within the 80-acre Cave Creek Beaver and Waterfowl enclosure, Peterson Prairie campground, Coyote Seed Orchard, Ice Caves Picnic Area or Atkisson Snow-Park.
- Cattle will continue to be excluded from the heritage site near Lost Meadows.
- Salt will not be placed within a quarter mile of riparian areas, meadows, sensitive plant species or known Survey and Manage plant sites, or isolated aspen groves. Salt will be placed in a trough and not be used to encourage livestock use of primary range.
- In partnership with the permittees, new infestations of invasive weeds will be identified and reported annually to the Forest Service. The Forest Service, in partnership with the Skamania County Weed Board, will treat houndstongue growing at the Cave Creek Wildlife Special Area, priority noxious weed infestations located in meadows or Sensitive species habitat within the allotment (including Cave Creek Wildlife Special Area, Lost Meadow, South Prairie, Lost Creek drainage), and priority roadside infestations of noxious weeds within the allotment. Treatments will occur as funding allows. In addition, the Forest Service, in partnership with the Skamania County Weed Board, will inventory, record and prioritize newly discovered infestations for treatment.
- Applicable grazing standards will be monitored and evaluated for needed corrective actions (utilization, bank stability, soil compaction, etc.).

Mitigation Measures Included in Alternative B

1. As required by the U.S. Fish and Wildlife Service, noise-generating disturbance (such as blasting, heavy equipment, or saw activity during construction of improvements) in occupied or unsurveyed, suitable spotted owl nesting habitat will be prohibited between March 1 and July 30. A Forest Service wildlife biologist will need to be contacted for locations of occupied nesting sites or unsurveyed habitat.
2. Use of pelletized or certified weed free feed on all National Forest System lands will be required starting on January 1, 2009 (EIS, 2005, Standard 4). Appropriate language will be added to the Annual Operating Instructions.
3. Require permittee to use only certified weed free straw when on national forest lands, by adding provision to Permit and Annual Operating Instructions (EIS, 2005, Standard 3).
4. Require permittee to clean all livestock operations equipment (livestock trailers/stock trucks) prior to moving onto the Allotment, by adding a provision to Permit and Annual Operating Instructions. This cleaning shall remove all soil, plant parts, seeds, vegetative matter, or other debris that could contain or hold seeds. Only livestock trailers and the equipment necessary to transport livestock will be cleaned, unless other vehicles will travel outside the road prism (i.e. vehicles that may enter meadows etc. during fence/corral repair, etc.), in which case these vehicles should also be cleaned. All subsequent entries of equipment to the Allotment shall be treated in the same manner (EIS, 2005, Standard 2).
5. Activities in the vicinity of the Lost Creek Ditch will be designed to preserve the integrity of the ditch as an historic feature.

6. All significant cultural resource sites will be avoided when conducting any ground-disturbing projects. The agreement with Washington SHPO will be followed. This includes the protection of a two-acre site adjacent to Lost Meadows.

Recommendations Included in Alternative B

I have decided to include the following noxious weed recommendations in addition to the mitigations listed above. Items 1-3 are recommended based on *Guide to Noxious Weed Prevention Practices*, 2001)

1. The Forest Service may provide informational materials and/or training to permittees as needed, in order that the permittees have knowledge sufficient to identify, document and control weeds.
2. The permittee will ensure that livestock are clean (without caked mud on their coats) and free of seeds clinging to their coats (particularly important in terms of houndstongue control). Livestock may be visually inspected by Forest Service personnel prior to turn-out onto the National Forest. If caked mud or seeds are observed on livestock, the Forest Service may require that the permittee clean the affected livestock before release.
3. Encourage the permittee to report new noxious weed infestations, in a format to be provided by the Forest Service as an attachment to Annual Operating Instructions.

Adaptive Management

This alternative focuses on end results for the resource, as opposed to adhering to specific seasons or a permitted livestock number. The course of action is to use an adaptive management approach where resource indicators will be monitored over time to determine if management activities are reaching the desired outcome. If not, changes in grazing management practices, including timing, frequency, intensity, and duration could be adjusted to bring grazing activities into line with project objectives. Changes in grazing management will be based on resource recovery with the goal of meeting or moving toward the desired future condition. Monitoring will occur over time, as prescribed by a monitoring plan. Monitoring in the Ice Caves Allotment includes both implementation indicators (monitored during and/or at the end of each season) and long-term effectiveness indicators, monitored less frequently (every 2-5 years). A detailed monitoring report was completed in conjunction with this decision and can be found in Appendix F of the Ice Caves EA. The evaluation of results will be used by the interdisciplinary team and the District Ranger to make adjustments to management as needed to ensure adequate progress towards the defined desired future condition. All adaptive actions will be within the scope of effects documented in the Ice Caves EA, or a supplemental NEPA analysis will be completed.

RATIONALE

My decision to continue grazing in the Ice Caves Allotment is based on the ability to provide adequate control measures to ensure resource protection needs for Mardon skipper butterfly and *Sisyrinchium* and meet rangeland and riparian standards and guidelines.

The 260-acre South Prairie Bog is identified in the Gifford Pinchot National Forest Land and Resource Management Plan as a Special Interest Area. The special features of interest in the South Prairie Bog are botanic and geologic. It is clear that botanical species, primarily *Sisyrinchium sarmentosum*, a Region 6 sensitive species, are one of the primary reasons this area was established as a special interest area (Forest Plan, C-2). The Forest Plan states that livestock grazing may be permitted if it does not detract from the special feature(s) and public use and enjoyment. The analysis in this EA regarding grazing impacts on *Sisyrinchium* shows that if allowed, the intensity and duration of any livestock grazing must be strictly controlled.

In addition Mardon skipper butterfly, a federal candidate species, depends on grass meadow habitat for its larval stage. The analysis shows that light grazing with adequate controls is necessary to protect mardon skipper butterfly habitat.

The Ice Caves Allotment has been in use for many decades and has been grazed by the same permittee's family for over 70 years, with the permit passed on from father to son. The cattle numbers have changed dramatically over the years. Although the analysis shows a continuing downward trend of available forage because of loss of transitory range, I feel it is important to continue to provide the the current permittee the opportunity to use the allotment as long as it can be managed within the standards and guidelines set forth in the Forest Plan and other applicable law and policy. In order to properly manage the allotment, achieve desired conditions, and protect sensitive resources and species, a reduction in numbers and an investment in range improvements is necessary. There may be some debate about the economics and benefits of this investment given the short-term predicted life of the allotment (loss of forage within the next 10 years). However, there are intangible values associated with continued grazing, such as maintaining the history and relationship the permittee has with the land, maintaining the agricultural/ranching lifestyle and loss of open space (development of private ranches).

Of the two action alternatives that allow for continued grazing, Alternative B best meets the purpose and need of this project and also allows greater flexibility for future management of *Sisyrinchium* habitat. The drift fence provides protection over a larger area for *Sisyrinchium* population dispersal and landscape protection. It also allows for future opportunities to graze "behind" the drift fence if it is determined that some limited grazing is beneficial to the plant. Alternative B bests meets the Aquatic Conservation Strategy and Clean Water Act by piping the water from Lost Creek into troughs. This will eliminate the concern for fish passage at Lost Creek dam and elevated water temperature within Lost Creek. Piping the Lost Creek diversion will ensure flows over the dam for fish passage and reduce the quantity of water diverted for livestock use. Using adaptive management in conjunction with monitoring, needed adjustments may be made over time as vegetation conditions and forage availability change.

I have modified Alternative B to maintain the current use in Peterson Prairie. The late season use and 30% utilization standard are adequate to protect resource values in the holding pens.

I do believe that this analysis shows that the Ice Caves allotment has a limited capacity to continue in the long term as a grazing allotment. The predicted loss of forage on transitory range shows that within 10 years much of the available forage will be gone. If the current permittee were to vacate this allotment, the recommendation would be to re-evaluate its suitability as an allotment prior to re-authorizing a new permit to a new permittee.

Other Alternatives Considered

Alternative A—Limited Change to Current Management (Proposed Action)

In this alternative, livestock grazing would continue to be permitted under current management. Authorized livestock would be authorized at 93 cow/calf pairs for 3.5 months (325 AUMs). The permitted numbers of cattle would be reduced by approximately 50 percent under this alternative.

Six cattle exclosures would be constructed to protect approximately 445 acres of habitat for the Mardon skipper butterfly and *Sisyrinchium*. These exclosures would also protect some riparian features within the allotment. To implement these exclosures, approximately 9.1 miles of fence would be built by the Forest Service and maintained by the permittee. The fence would be designed to be let down during the winter months to minimize damage from snow accumulation and to permit wildlife passage. The permittee would be responsible for annual let down of fences.

Alternative C—No Grazing

Under this alternative, no permitted livestock grazing would occur on the Ice Caves Grazing Allotment. The permittee would be given two years written advance notice of the cancellation of the permit, as provided for under 36 CFR 222.4(a)(1). Existing fences would be removed at Forest Service expense. The existing developed spring (Peterson Prairie) would be retained for wildlife use. Water developments would be removed, such as the Lost Creek Ditch Diversion. Livestock driveways and trails would be maintained and would be allowed to revegetate naturally, or may be seeded if needed. Corrals would be removed at Forest Service expense.

Alternatives Considered but not Fully Developed

Rest/Graze – Adaptive Management

Under this alternative, the Ice Caves Allotment would be managed under a two year on/ two year off rest cycle. The two year “off” period would begin in the season following adoption of the decision. During the two year “on” period, livestock grazing would be allowed full access to the Allotment, except as indicated below. Livestock grazing to be permitted under management systems designed to meet Forest Plan standards and guidelines. During the two year “off” period, no livestock grazing would be allowed within the Allotment. This alternative would focus on end results for the resource, as opposed to specific seasons or a permitted number. This alternative is based on the principle of applying adaptive management, as described in Alternative B. This alternative was dropped because it was not feasible for the permittee to continue operations on the allotment once every third year. Lack of available pasture during the “off” years and necessity to sell off herd were not acceptable.

Season Long Grazing (Current Management)

The National Forest Service Range Program recommends using current management as the proposed action in the NEPA analysis. However the management must meet all applicable laws, polices, standards and guidelines. Preliminary analysis showed that current management could lead to a trend toward federal listing of *Sisyrinchium sarmentosum* without added mitigation measures.

Under this alternative, livestock grazing would continue, however it would be adjusted to reflect reduced numbers based on the 2004 grazing capacity study. All applicable standards and guidelines from the current Forest Plan and the Northwest Forest Plan would be met. Any requirements from consultation under Section 7 of the Endangered Species Act or other legal requirements would be addressed through Forest Plan Standards and Guidelines.

This alternative would have two options for grazing within Peterson Prairie:

- Option A – Continue to utilize/graze the holding pens in the fall. Allowable use would be 30 percent utilization of the forage within the two Peterson Prairie fall holding pens.
- Option B – Discontinue utilization of the holding pens in the fall. Instead, enlarge the existing Peterson Prairie corral to approximately one acre and supplemental feed the cattle during the fall round-up.

This alternative was dropped because it was determined to cause a trend towards federal listing of *Sisyrinchium* and would therefore not meet the project objective of ensuring that livestock utilization within meadow habitats is managed and monitored to provide for protection and reproduction of *Sisyrinchium* and Mardon skipper butterfly (*Polites mardon*).

FINDING OF NO SIGNIFICANT IMPACT (40 CFR 1508.27)

Based on the site-specific environmental analysis documented in the EA and the comments received from the public, I have determined that this is not a major Federal action that would significantly affect the quality of the human environment; therefore, an Environmental Impact Statement is not needed. This determination is based on the design of the selected alternative, with mitigations, and the following factors:

1. Adverse and beneficial impacts have been assessed and found to be not significant. The analysis considered not only the direct and indirect effects of the projects but also their contribution to cumulative effects. Past, present and foreseeable future actions have been included in the analysis (EA, Range Resources 36-42; Financial Analysis 43-46; Invasive Plants 49-52; Aquatic Resources 62-79; Wildlife 94-106; Botany 112-123; Special Habitats 127; Heritage Resources 129-130). Adverse effects from Alternative B have been reduced or eliminated through project design and mitigation measures (EA, 19-21). No significant cumulative or secondary effects were identified.
2. The project will not have a significant effect on public health or safety. No public health and safety issues were raised during scoping. There is no history of cattle and public safety concerns on the allotment or the Forest.
3. There will be no significant effect to areas with unique geographic characteristics. No historic or cultural resources will be affected with this proposal (EA, 130). The action

will not have a significant effect on park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas. The project is expected to benefit riparian areas, as well as other areas of concern in the allotment through range improvements. Approximately 26.1 acres of riparian area in South Prairie and 1.8 miles of lower Lost Creek and South Prairie Lake tributaries will be protected from livestock grazing with a drift fence, 500 feet of streambank will be protected from livestock grazing with the expansion of the Cave Creek enclosure, and the piping of the Lost Creek Ditch will save 4 cfs of diverted water from Lost Creek (EA, 71-73, 77, 78).

The lower portion of the allotment contains the South Prairie Bog, a Special Interest Area identified in the Forest Plan for its botanical and geological features. *Sisyrinchium sarmentosum*, a Region 6 sensitive species, is one of the primary reasons this area was established as a special interest area. Protection of this species was a driving force in the development of the alternatives for this analysis. Alternative B excludes South Prairie Bog from cattle grazing, and will ensure the protection of *Sisyrinchium* as well as other biological and geological features unique to the area.

4. The effects of this project on the quality of the human environment are not likely to be highly controversial. The analysis completed and comments received did not identify any significant controversy or disagreement concerning effects of the decision on the quality of the human environment. Comments were received that centered around the effects from livestock grazing to *Sisyrinchium* and the Mardon skipper. For both species, Forest Service biologists disclosed effects with the assumption that utilization would be limited to 30% in meadow and riparian areas. Based on the comments received, there is not agreement over whether the utilization standards will be adhered to (see Response to Comments, Appendix E); however, no controversy was raised over the effects to the species if the 30% utilization is met.
5. The effects of this project are not highly uncertain, and do not involve unique, or unknown risks. The Ice Caves Allotment is an existing allotment and the Gifford Pinchot National Forest has authorized similar range improvements on the allotment as well as other allotments on the Forest.
6. This action will not establish a precedent for future actions with significant effects because other similar actions have occurred in the past. The decision implements the Gifford Pinchot Forest Plan, as amended (EA, 6-8).
7. The activities are not related to any other actions or part of a larger action that would result in any known cumulatively significant impacts on the environment (EA, 40, 45, 51, 73, 74, 78, 96, 97, 99, 101-103, 105, 106, 117, 120-123, 127).
8. It was determined that the action will not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or cause loss or destruction of significant scientific, cultural, or historical resources (EA, 130). The Lost Creek Ditch within the allotment has been determined eligible to the National Register of Historic Places, and mitigation has been included to

preserve the integrity of the ditch as an historic feature (EA, 26, 130). In addition, a mitigation measure was included in Alternative B stating that all significant cultural resource sites will be avoided when conducting any ground-disturbing projects and the agreement with Washington State Historic Preservation Officer will be followed (EA, 26).

9. The action does not adversely affect any endangered or threatened species or critical habitat as determined by the Endangered Species Act of 1973. No threatened or endangered fish or other aquatic species or designated critical habitat are known to be present in water bodies within the allotment boundaries (EA, 57). The allotment contains potential habitat for one federally listed endangered species (gray wolf); three federally listed threatened species (grizzly bear, bald eagle, northern spotted owl); and designated northern spotted owl critical habitat (EA, 80). A discussion of each of these species is included in the EA with a determination that the project would have *no effect* to any of the species or their critical habitat (96, 97). There are no federally threatened or endangered botanical species known within the allotment (EA, 106).
10. This action does not threaten a violation of any Federal, State, or local law. The action was designed to bring grazing on the Ice Caves Allotment into compliance with all applicable laws (EA, 2 and 4). The project complies with Executive Order 12898 regarding environmental justice. No disproportionately high adverse human or environmental effects on minorities and/or low-income populations were identified during the analysis and public information process (EA, 130).

OTHER FINDINGS AND REQUIRED LAWS AND REGULATIONS

Alternative B is consistent with Management Area goals, desired future conditions, and standards and guidelines identified in the Gifford Pinchot National Forest Land and Resource Management Plan, as amended (Forest Plan).

It is consistent with **late-successional reserve** (LSR) objectives. A portion of the allotment is located in late-successional reserves and managed late-successional areas (EA, 7, 8). Range related management that does not adversely affect late-successional habitat is permitted within both late-successional and managed late-successional areas (EA, 7, 8).

There will be no significant adverse effects to Forest Service, Region 6 **sensitive species**. No sensitive aquatic species are found within the allotment (EA, 58). A determination of *may impact individuals or habitat, but will not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species* is warranted for terrestrial mollusks (EA, 95, 102). Cattle grazing may impact mollusks along stream channels; however, stream channels that may be impacted by cattle comprises a small percentage of suitable habitat in the allotment so the potential to impact populations of these species is minor (EA, 102). Sensitive botanical species within the allotment include *Sisyrinchium sarmentosum*, *Chrysolepis chrysophylla* and several fungi and lichen species (EA, 106). A determination of *may impact individuals or habitat, but will not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species* was given to *Sisyrinchium sarmentosum*, and sensitive fungi species (EA,

113, 118, 122). A Forest Service botanist determined that the action would have no impact on *Chrysolepis chrysophylla* or sensitive lichen species (EA, 113, 120, 122).

I have considered the effects to **management indicator species** (MIS) as disclosed in the EA (EA, 90-92, 103-105). MIS on the Gifford Pinchot National Forest include pileated woodpecker and other cavity excavating and late-successional species, elk, deer, wood duck, and goldeneye duck.

The project is consistent with the **Aquatic Conservation Strategy** (ACS) objectives. A complete ACS evaluation that includes a description of the existing condition, important physical and biological components of the watersheds within the allotment, and how the action maintains the existing condition or moves it within the range of natural variability was completed and included in Appendix D of the EA. As a result of that analysis I find that the project “meets” or “does not prevent attainment” of the Aquatic Conservation Strategy objectives.

I find that the project is consistent with the **Clean Water Act**. Temperatures in Lost Creek will be reduced through piping the diversion. Increased flows will allow for fish passage over the dam. The aquatic analysis that supports this finding can be found in the EA (Riparian areas, Stream Banks and Aquatic Species Habitat, 71-74; Water Quantity and Quality, 77, 78).

There will be no significant adverse effects to **Survey and Manage** species. Both terrestrial and aquatic mollusks habitat is found within the allotment (EA, 95, 96). There are a total of 18 botanical Survey and Manage species with potential habitat within the allotment. Surveys were conducted for all Survey and Manage species in compliance with the 2001 Survey and Manage Record of Decision (USDA and USDI 2004).

PUBLIC INVOLVEMENT:

The Ice Caves Horse and Cattle Allotment proposal was listed in the Gifford Pinchot quarterly, planning newsletter. A scoping letter detailing the proposed action was sent to interested members of the public on April 18, 2003, and available for comment until May 12, 2003. Scoping comments were received from representatives of Gifford Pinchot Task Force, Conservation Northwest (formerly Northwest Ecosystem Alliance), Washington Department of Fish & Wildlife Service, US Fish & Wildlife Service, the Berry Botanical Garden, Klickitat County Board of Commissioners, the Xerces Society, and eight individuals. In addition, as part of the public involvement process, the agency met with the permittee on several occasions to discuss the proposal.

A preliminary analysis of the effects of the proposed action and alternatives to the proposed action (a preliminary EA) was available on February 20, 2007 for a 30-day comment period. Comment letters were received from representatives of Gifford Pinchot Task Force, Washington Department of Fish & Wildlife Service, US Fish & Wildlife Service, the Washington State Department of Natural Resources, the Environmental Protection Agency, Dan and Joan Fry (the permittees), Conservation Northwest, Washington Native Plant Society, Western Watersheds Project, Inc., seventeen individuals and 29 postcards (as part of a Gifford Pinchot Task Force letter-writing campaign). On March 8, 2007, a meeting was held with individuals, non-profits

and governmental agencies that had comments and questions related to the preliminary EA. Using the comments from the public and Federal, state and non-profit agencies, the interdisciplinary team developed a list of issues to address. Some of the key issues included concerns over conflicts with wildlife and/or recreation, the spread of noxious weeds, and potential impacts to botanical species. A complete list and discussion of significant issues can be found on pages 11-14 in the EA. A specific discussion of comments can be found in Appendix E, Response to Comments.

In addition to the traditional public comment venues, the Ice Caves Allotment was discussed during the Southwest Washington Province Advisory Committee (PAC) meetings. A Forest Plan Monitoring field trip was held on September 29, 2004 in order to review activities on the Ice Caves Allotment. On November 9, 2006, a PAC meeting was held in which Forest Service staff gave a slide presentation and update on Ice Caves Allotment planning and proposed alternatives.

APPEAL RIGHTS:

This decision is subject to administrative review (appeal) pursuant to 36 CFR, part 215 (revised, June 2004). In addition to the option of filing under 36 CFR, part 215, the permittee also has the option to file an appeal under 36 CFR, part 251 (one or the other, but not both). The written appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at:

Gifford Pinchot National Forest
Claire Lavendel, Appeal Deciding Officer,
10600 N.E. 51st Circle, Vancouver, WA 98682

FAX (360) 891-5045
email: appeals-pacificnorthwest-giffordpinchot@fs.fed.us.

The office business hours for those submitting hand-delivered appeals are: 8:00 AM to 4:30 PM Monday through Friday, excluding federal holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), Word (.doc), or portable document format (.pdf). In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification. E-mails submitted to email addresses other than the one listed above, or in formats other than those listed or containing viruses, will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the *Columbian*, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in the *Columbian* is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

PROJECT IMPLEMENTATION:

Implementation of this decision may occur on, but not before, 5 business days from the close of the 45-day appeal filing period described above. If an appeal is filed, implementation may not occur for 15 days following the date of appeal disposition (36 CFR 215.10).

The EA can be downloaded from the Forest web site at <http://www.fs.fed.us/gpnf> in the Projects & Plans section. For further information contact Erin Black, Mt. Adams Ranger District, 2455 Highway 141; Trout Lake, WA 98650; Phone: (509) 395-3411; Email: ekblack@fs.fed.us.

RESPONSIBLE OFFICIAL:

/s/ Nancy Ryke
NANCY RYKE
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