



United States
Department of
Agriculture

Forest
Service

Prescott National Forest

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File Code: 1570-1/2200

Date: May 4, 2004

Leslie Glustrom
4492 Burr Place
Boulder, CO 80303

**CERTIFIED MAIL – RETURN
RECEIPT REQUESTED**

RE: Appeals #04-03-09-0016 through 20-A215, Antelope Hills, Sand Flat, Perkinsville, Muldoon, and China Dam Allotment Decisions, Chino Ranger District, Prescott National Forest

Dear Ms. Glustrom:

This is my review decision concerning the appeal you filed regarding the Decision Notices and Findings of No Significant Impact, which authorize grazing and implement the grazing management strategy on the above-named allotments.

BACKGROUND

District Ranger Jackson issued 5 decisions on February 2, 2004, for the above-named Allotments. The decisions resulted in the selection of the following alternatives and authorizations:

- Antelope Hills Allotment, Alternative 5, which authorizes 936-1200 animal unit months (cow/calf) to graze a variable season between 1/1 and 12/31 annually.
- Sand Flat Allotment, Alternative 5, which authorizes a range of 280–300 head of cattle (cow/calf) to graze from approximately 12/18 to 5/15 annually.
- Perkinsville Allotment, Alternative 5, which authorizes a maximum of 3,192 animal unit months (cow/calf) to graze October 15–June 15 annually.
- Muldoon Allotment, Alternative 5, which authorizes 131-170 head of cattle (cow/calf) to graze a variable season between 1/1 and 12/31 annually.
- China Dam Allotment, Alternative 5, which authorizes 160 head of cattle (cow/calf) to graze 11/1–5/31 annually.

The District Ranger is identified as the Responsible Official, whose decisions are subject to administrative review under 36 CFR 215 appeal regulations. Pursuant to 36 CFR 215.17, an attempt was made to seek informal resolution of your appeals. The record indicates that informal resolution was not reached.



My review of this appeal has been conducted in accordance with 36 CFR 215.18. I have reviewed the appeal record and the recommendation of the Appeal Reviewing Officer. My review decision incorporates the appeal record.

Since one analysis was done for the group of allotments and the appellant's issues are the same for all allotments, the five appeals have been combined for one response.

APPEAL REVIEWING OFFICER'S RECOMMENDATION

The Appeal Reviewing Officer concluded that: a) decision logic and rationale were generally clearly disclosed; b) the benefits of the proposals were identified; c) the proposals and decisions are consistent with agency policy, direction and supporting information; d) public participation and response to comments were adequate.

APPEAL DECISION

After a detailed review of the record and the Appeal Reviewing Officer's recommendation, I affirm the Responsible Official's decisions concerning the above-named Allotments, which authorize grazing and implementation of management actions.

My decision constitutes the final administrative determination of the Department of Agriculture [36 CFR 215.18(c.)].

Sincerely,

/s/ Mike Baca
MIKE BACA
Appeal Deciding Officer
Deputy Forest Supervisor

Enclosure

cc: David M Stewart, Berwyn Brown, Linda L Jackson, Constance J Smith, Joy Kimmel

REVIEW AND FINDINGS

of

Leslie Glustrom's

Appeals #04-03-09-0016 through 0020-A215

Antelope Hills, Sand Flat, Perkinsville, Muldoon, and China Dam Allotments

ISSUE 1: Range, soils, vegetation, watershed, wildlife, and economic analyses.

Contention: The appellant contends that the range, soils, vegetation, watershed, wildlife, and economic analyses are inadequate, inappropriate, and inappropriately reported.

Response: The Chino Project Record indicates that no significant resource issues were identified during scoping. The record also indicates public comments received in 2000 and 2003 regarding resources were addressed in the effects analysis in Chapter 3 of the environmental assessment (EA). Chapter 1 of the EA describes the existing and desired resource conditions and establishes objectives to continue to move allotments toward desired resource conditions. The monitoring plan provides for implementation monitoring to ensure the decisions are implemented as written, and for effectiveness monitoring to determine if management practices are effective in moving resource conditions on the allotments toward desired resource conditions.

Chapter 3 of the EA discloses the direct, indirect, and cumulative effects on vegetation, soils and watershed, and wildlife and native fish. The effects on heritage resources, wilderness resources, and air quality are also disclosed. Numerous tables summarizing effects on various resources are also presented throughout chapter 3. Additionally, the record contains in excess of 40 documents presenting detailed resource and economic information supporting the analysis and disclosure of effects in the EA. Mitigation measures are disclosed in Chapter 2 of the EA. Appendix 3 of the EA describes Best Management Practices to be implemented on the allotments in accordance with the Clean Water Act and the Intergovernmental Agreement signed by the Forest Service and the Arizona Department of Environmental Quality.

Finding: The Responsible Official conducted an appropriate level of analysis and provided the necessary documentation to support that analysis.

ISSUE 2: Compliance with the Forest Plan.

Contention: The appellant contends the decision notices and environmental assessment fail to comply with the Prescott National Forest Plan.

Response: Table 2.6 in the EA and Document 550 present a comparison of Forest Plan goals related to management of rangelands by alternative and a discussion whether the various alternatives comply with Forest Plan Direction. In the Decision Notice and Finding of No Significant Impact (DN/FONSI) the Responsible Official concludes her decision is consistent with the Forest Plan's long-term goals and objectives.

Finding: The record indicates the Responsible Official adequately considered compliance with the Prescott National Forest Plan in the analysis and subsequent decision.

ISSUE 3: Compliance with federal laws.

Contention: The appellant contends the Decision Notices and EA fail to comply with federal law. The appellant cites NEPA, NFMA, FLPMA, and MUSYA.

Response: In the DN/FONSI the Responsible Official documents the rationale why the decisions are consistent with applicable federal laws.

Finding: The record indicates that the Responsible Official has complied with all applicable federal laws.