

USDA
Forest Service

Intermountain
Region

Sawtooth
National Forest

Fairfield Ranger
District



Decision Notice

And

Finding of No Significant Impact

For the

Gooding C&H Allotment Revision

November 26, 2008

DECISION NOTICE

BACKGROUND

The Fairfield Ranger District of the Sawtooth National Forest proposes to authorize continued cattle grazing through a term grazing permit on the Gooding C&H Allotment. The Gooding Allotment is located about 15 miles north of Fairfield, Idaho along the southern edge of the Smoky Mountains within the Sawtooth National Forest.

The Fairfield Ranger District administers a Term Grazing Permit for this allotment for 620 cow-calf pairs. Table 1 below provides permit and allotment statistics. (HMs = head months: the number of adult cattle multiplied by the number of months they plan to graze on the allotment)

Table 1 - - Gooding permit statistics

Allotment	Grazing Season	Cattle Grazed	Total Acres	Total HMs
Gooding	06/20 – 10/09	620 Cow/ Calf pairs	24,000	2294

Records of grazing impacts on the allotment are very sketchy or nonexistent prior to 1920. In 1961 the Rosetta and Gooding allotments were combined to form the present day Gooding Allotment. In 1965 a four-pasture rest-rotation grazing system was implemented. This system was changed in 1998 to a deferred-rotation. The rationale for this conversion was to help riparian areas recover from the effects associated with condensing grazing use into fewer pastures under rest-rotation. The rotation management system may be modified if monitoring results indicate a need to change to meet direction identified in this decision and the Sawtooth National Forest Land and Resource Management Plan (Forest Plan).

The National Environmental Policy Act (NEPA) required the Forest Service to assess and disclose the effects of the proposal prior to making a decision on whether or not to proceed with the proposed action. In compliance with NEPA requirements an Environmental Assessment (EA) was prepared for this project. My decision was guided by my review of the analysis presented in the EA, project record and from solicited comments.

SCOPE OF THE DECISION

The decision to be made as a result of this analysis is whether or not to continue to authorize livestock grazing on the Gooding Allotment as proposed in the EA, and if so, under what restrictions and mitigation. This decision does not require an amendment to the Forest Plan.

THE DECISION

I have decided to implement Alternative 2, as described in the *2008 Gooding C&H Allotment Management Plan Revision - Environmental Assessment (EA)*. This decision authorizes continued livestock grazing on the Gooding Allotment through a 10-year Term Grazing Permit. Livestock grazing will continue to be managed through an adaptive management strategy. The boundaries of the allotment, season of use, and permitted numbers remain unchanged from the current grazing

permit. The adaptive management strategy described in the EA provides for adjustment of practices consistent with monitoring results needed to meet direction established in this decision and the Forest Plan.

The following is a list of the key elements comprising the decision:

- The deferred grazing system designed to help maintain and establish desirable forage species will be continued with adjustments which limit grazing in King of the West, Tyrannis Creek, and lower Carrie Creek drainages to a period of no more than 10 days. Also, grazing in the Carrie Creek drainage above Trail 016 will be avoided. During the first grazing cycle (5 years) under this decision, stocking will be reduced to 65% (1500 HMs) of the current grazing permit. Additional monitoring data will be gathered to firm-up the carrying capacity of the allotment and determine the appropriate level of livestock use which can be sustained consistent with direction identified in this decision and the Forest Plan. Reduced grazing will be accomplished by either decreasing the number of livestock on the allotment or by shortening the period of use at the beginning or the end of the grazing season or a combination of these two actions. During this period, 35% of the permitted HMs will be placed in a status of non-use for resource protection. The 35% reduction is based on past actual use monitoring relative to compliance with Forest Plan direction and past tentative capacity analyses. Following this period, the grazing permit will be modified consistent with the monitoring results. Other permit requirements and/or adjustments to management practices and the grazing system may also be applied as part of this adaptive management process.
- A new ten year term grazing permit consistent with the current Forest Plan direction will be issued as a result of this decision. There are no changes from the existing grazing permit to the new grazing permit for the allotment boundary, season of use, or permitted numbers. Modifications to the new term grazing permit consistent with monitoring results may be made after the first grazing cycle and later if needed as an appropriate part of the adaptive management process.
- Livestock grazing will continue to be managed through an adaptive management strategy. The adaptive management strategy described in the EA provides for adjustment of practices consistent with monitoring results needed to meet direction established in this decision and the Forest Plan.
- The ongoing Sawtooth National Forest Noxious Weed Strategy (USDA, 1995) will be followed.
- Best Management Practices (BMPs) as referenced in the “Guide to the Use of BMPs on Grazing Lands” will be used.
- Existing key area monitoring will continue and additional key area monitoring will be established as needed.

RATIONALE FOR THE DECISION

It is my decision to implement Alternative 2 based upon the results of the analysis that is documented in the Environmental Assessment prepared for this project, relevant Forest Plan direction, laws and regulations, and my review of public comments received during the analysis process.

I received a total of 16 letters on this project during multiple public comment periods (EA p.5). These comments reflect the diverse interests of the public regarding use of National Forest System lands. The analysis is not a voting process, but I have sought to carefully and objectively assess public comments; the EA, including the purpose and need; issues; and alternatives and their effects in reaching my decision.

Some of the strongest disagreements over the management of National Forest System lands involve individuals with differing views on how to best manage the public's lands. I believe my decision provides a good balance between the various social and resource needs within the project area at this time. I have considered the values and interests of the livestock permittee as well as the values and the experiences desired by other members of the public.

My decision to implement Alternative 2 is based on the following considerations:

- The analysis of Alternative 2 shows it to be consistent with the Sawtooth Forest Land and Resource Management Plan (EA pp.11-13). Monitoring has shown current management to be effective in meeting or supporting positive trends towards achieving objectives of the resources affected by livestock grazing with the exception of riparian areas in King of the West, Tyrannis and Carrie Creeks. As a result, grazing in King of the West, Tyrannis Creek, and lower Carrie Creek drainages is reduced to a period of no more than 10 days and grazing in the Carrie Creek drainage above Trail 016 will be avoided all together.
- This decision should contribute toward accomplishment of the Sawtooth Forest Plan Desired Condition of providing a sustainable level of forage, consistent with other resource management direction, through the Forest Service grazing permit system. In addition, rangeland forage quality will be maintained or improved in areas where vegetation and range management actions occur. (Forest Plan, p. III-44)
- This decision is intended to respond to the Sawtooth Forest Plan Goal of providing “for livestock forage within existing open allotments, in a manner that is consistent with other resource management direction and uses”. (Plan, p. III-44) An additional goal is to “Develop sustainable land uses and management strategies that contribute to economic development goals”. (p. III-78) The Sawtooth Forest Plan recognizes the continuing need for forage production and has determined that the Gooding C&H Allotment is capable and suitable to support grazing by domestic livestock. (Forest Plan Project Record)
- This decision is intended to meet the Sawtooth Forest Plan Objective of providing “a predictable supply of Forest goods and services within sustainable limits of the ecosystem that help meet public demand.” (Forest Plan, p. III-78)

I believe that implementation of Alternative 2 as described above will meet the goals and objectives outlined in the Sawtooth Forest Plan.

PURPOSE AND NEED

The current Allotment Management Plan (AMP) for the Gooding Allotment was approved in 1983. Since then a number of conditions affecting the allotment have changed and this AMP needs to be updated to address these changes. The purpose is to ensure allotment management achieves the desired condition as outlined in the Forest Plan. AMP revision will include:

- The Gooding AMP needs to be updated to be consistent with the Forest Plan. The current Forest Plan includes revised guidance (e.g., desired future conditions, goals, objectives, standards, and guidelines) relevant to grazing. It also adopts an adaptive management approach in recognition of the dynamic nature of Forest resources and their use. This is an iterative approach, incorporating regular resource monitoring and subsequent adjustment of management activities to ensure progress is made toward achieving the Forest Plan desired conditions.
- The number of special status plant and animal species (i.e., federally listed threatened, endangered, proposed, and candidate species, Forest Service sensitive species, and Forest Service management indicator species) has changed since the last AMP update, as have their management requirements (EA pp.64-67 & 69-73). The Gooding AMP needs to be updated to consider these changes.
- Routine management actions that have been prescribed in annual operating instructions (AOI) need to be incorporated into the Gooding AMP rather than being carried forward in the AOI from one year to the next.
- This action is also needed to comply with Public Law 104-19, Section 504(a): Establish and adhere to a schedule for the completion of the NEPA Act of 1969 (42 U.S.C. 4321 et seq.) analysis and decisions on all allotments within the National Forest System unit for which NEPA is needed (PL 104-19 section, General Provision 1995).

PUBLIC INVOLVEMENT

Public input about the future management of this allotment was solicited by mailing scoping requests to interested persons or organizations on February 11, 2004. This mailing list and a response review of scoping have been filed in the Project Record at the Fairfield District Office.

Nine responses were received during scoping period. The majority of public comments were concerned with fish and wildlife habitat or vegetative condition within riparian areas. Internal scoping was also conducted by the Forest Service to identify other resource related issues.

On April 5, 2005, a legal notice was published providing a formal 30-day comment period (April 6 - May 6, 2005) on the Proposed Action for the Gooding C&H Allotment Management Plan. A total of six more responses were received during this period.

A second formal 30-day notice and comment period was held from July 25 – August 25, 2008 with one organization commenting. Those individuals and organizations who commented during the first 30-day notice for this project (April 6 – May 6, 2005) do not need to re-submit their comments in order to retain their eligibility to appeal.

This project has also been listed in the Sawtooth Forest Schedule of Proposed Actions (SOPA) from January of 2003 through the first quarter of fiscal year 2009.

ISSUES

Scoping input was condensed to form key issues that guided the analysis documented in the EA. These issues are summarized below (EA p.5).

ISSUE 1 – Vegetation

Current livestock use may be affecting health, vigor, and diversity of upland and riparian vegetation, as well as Threatened, Endangered, Proposed, Candidate, or Sensitive plant species.

Vegetation – Riparian

Riparian vegetation is susceptible to grazing impacts. Livestock grazing may be affecting riparian (streams and springs) vegetative health, vigor, and diversity. Livestock grazing and the development of livestock watering facilities have affected many springs, seeps, and wet meadow areas within the Gooding Allotment. Cattle tend to congregate at these wet sites, consequently the immediately surrounding area often receives heavy impacts to the soil and vegetation.

Vegetation – Uplands

Livestock grazing may have an effect on upland vegetative conditions as well as some localized impacts along fences, in favorite livestock gathering areas, and along preferred trailing routes.

ISSUE 2- Wildlife

Livestock grazing may be affecting terrestrial Management Indicator Species (MIS) habitat, Threatened, Endangered, and Sensitive (TES) species habitat, elk winter range, migratory bird species habitat, and pollinators.

ISSUE 3- Fish and Aquatic Habitat

Livestock grazing may be affecting fisheries and aquatic habitat. Aquatic organisms, in particular, have a higher potential to be affected by grazing because cattle are continuously seeking water, lush forage, and shade associated with streamside riparian areas.

ISSUE 4- Recreation / Livestock Conflicts

Cattle grazing and trailing may affect trails causing trail damage. Livestock grazing may also displace recreationists from some dispersed camping sites.

ISSUE 5- Soils & Water Quality

Livestock grazing may be contributing to increased sediment delivery that may affect water quality. These factors include livestock that graze steeper slopes or use the riparian zones to access shade, water, or forage.

FINDINGS REQUIRED BY OTHER LAWS

Consistency with Forest Plan

This decision, as designed with required mitigation and management requirements, is consistent with Sawtooth Forest Plan goals and objectives and standards and guidelines (EA pp.7&8).

National Environmental Policy Act (NEPA)

The Environmental Assessment, Decision Notice, and Finding of No Significant Impact documents are in compliance with NEPA and the Council on Environmental Quality (CEQ) regulations (40 CFR 1500-1508) for implementing NEPA.

Federal & State Permits Required

No State or Federal (other than Forest Service) permits are required to implement the Proposed Action or any other alternative.

Endangered Species Act

This Act (ESA) provides for the protection and conservation of threatened and endangered plant and animal species. A biological assessment/evaluation consistent with the requirements of this act was prepared based on the proposed action (EA pp.64-67 & 69-73). Concurrence on the findings in the Biological Assessment was received from the U.S. Fish and Wildlife Service in a letter dated June 9, 2005.

National Historic Preservation Act

This Act provides for the protection of prehistoric and historic resources. Archeological site investigation did not reveal known sites that would be jeopardized by the activity of grazing (EA pp.7&8) If further investigation reveals additional sites and the activity of grazing is suspected to have a detrimental effect, then site protection will be implemented. Concurrence from the Idaho State Historic Preservation Office has been obtained. There will be no effect to heritage resources.

Migratory Bird Treaty Act

This Act and subsequent Executive Order and Memorandum of Understanding (MOU) between the USDI Fish & Wildlife Service and USDA Forest Service provide for the protection of migratory birds. Based on the analysis, the Proposed Action is consistent with this Act.

Environmental Justice

In accordance with Executive Order 12898, all action alternatives were assessed to determine whether they would have disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority or low-income human populations. This assessment considered such programs, policies, and activities. No effects were identified during scoping or the formal 30-day comment period on the Proposed Action.

Inventoried Roadless Areas

The project area includes inventoried roadless areas (IRAs). There are no new roads proposed, therefore the Proposed Action and alternatives to the Proposed Action will not affect the status of IRAs.

Research Natural Areas / Recommended Wilderness

There are no Research Natural Areas or Recommended Wilderness within the project area.

APPEAL RIGHTS AND IMPLEMENTATION

Decision Subject to Appeal

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer. Written comments must be submitted to: USDA - Forest Service, Appeal Deciding Officer, 324 25th Street, Ogden, UT 84401; (801) 625-5605. The Notice of Appeal may alternatively be faxed to: USDA, Forest Service, (801) 625-5277, ATTN: Appeals Deciding Officer; mailed electronically in a format (pdf, txt, rtf, or document compatible with Microsoft Office applications) to: appeals-intermtn-regional-office@fs.fed.us; or hand delivered between the hours of between 8:00 am and 4:30pm, Monday through Friday except legal holidays at Federal Building, 324 – 25th St., Ogden. Contents of an appeal must meet the requirements of 36 CFR 215.14. 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.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the Twin Falls Times-News, the newspaper of record. The publication date in the Times-News, newspaper of record, 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.

Individuals or organizations who submitted comments during the comment period specified at 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

IMPLEMENTATION DATE

If no appeals are filed within the 45-day time period, implementation of the decision will occur on, but not before, five business days from the close of the appeal filing period. If appeals are filed, implementation will occur on, but not before, the 15th business day following the date of the last appeal disposition.

CONTACT PERSON

For further information on this decision, contact John Shelly, Fairfield Rangeland Management Specialist, at (208) 764-3202.

FINDING OF NO SIGNIFICANT IMPACT

FINDINGS

I have reviewed the Council on Environmental Quality Regulations for significance (40 CFR 1508.27) and I have determined this decision is not a major Federal action that will significantly affect the quality of the human environment. Therefore, an Environmental Impact Statement will not be prepared. This determination is based on the completed environmental analysis and assessment for this project and was made considering the following factors of context and intensity:

A. Context

The effects of the proposed project are localized with implications for only the immediate area. Cumulative effects of past management, combined with the current proposal, ongoing activities and reasonably foreseeable actions are displayed and discussed in Chapters 3 and 4 of the 2008 Gooding Allotment Management Plan Revision EA and in the project file. These effects were considered in my determination. The selected alternative is consistent with the management direction and the standards and guidelines outlined in the 2003 Sawtooth National Forest Plan.

B. Intensity

The following were considered in evaluating intensity:

1. **Environmental Effects** - I considered beneficial and adverse impacts associated with the alternatives as presented in Chapter 3 and 4 of the EA and in the project file. These impacts are within the range of effects identified in the Forest Plan. The overall impact of the selected alternative (Alt. #2) will be beneficial, with no significant adverse impacts. Impacts from the selected alternative are not unique to this project. Previous projects involving similar activities have had non-significant effects. On this basis, I conclude that the specific and cumulative adverse effects of the selected alternative are not significant.
2. **Public health or safety** - I find there are no known effects on public health and safety. (EA –Chapters 3 & 4) This project does not involve national defense or security.
3. **Unique characteristics of the area** - Based on field reviews, literature research, the Forest Plan and information in the EA and project file, I find there are no significant effects on unique characteristics such as historic or cultural resources, park lands, prime farm lands, wetlands, or wild and scenic rivers. Based on field reviews, literature research, the Forest Plan, and information in the EA and project file, I find there are no significant adverse effects anticipated to any environmentally sensitive or critical resource. I conclude the selected alternative will have no effect on these unique resources (See EA Chapter 4).
4. **Controversy** - I find the effects on the human environment are not highly uncertain, are very unlikely to involve unique or unknown risks and are not likely to be highly controversial because there is no known scientific controversy on the impacts of the project. There are opposing opinions regarding the proposed action and alternative;

however, there is no substantiated controversy over the effects themselves. The EA documents and discusses the effects in Chapter 4 and there is additional documentation on effects in the Project Record. Public comments and opinions are contained in the Project Record and summarized in the EA, Chapter 1, Issues and the Response to Comments.

5. **Uncertainty** - I find the effects analysis shows the effects are not uncertain and do not involve unique or unknown risk (see EA - Chapter 4). The selected alternative is well defined and located over a limited area. The project has little potential to present unknown risks to the human environment. The livestock grazing activities do not involve unknown risks and the effects are similar to those experienced in the past years of this activity. The EA discloses the effects to the environment and no effects were considered unknown or uncertain (Chapter 4).
6. **Precedent** - The selected alternative is similar to other projects on the Sawtooth National Forest and on the National Forest System and does not set a precedent. Any future decisions will need to consider all relevant scientific and site-specific information available at that time. All proposed actions are allowed under the Forest Plan. This decision does not preclude the consideration and advancement of other proposals related to recreational opportunities in the area.
7. **Cumulative Impact** - I find the cumulative impacts are not significant. This action is unrelated to other actions with the potential to cumulatively contribute to significant impacts. Cumulative effects are addressed in each resource section in Chapter 4 of the EA. Past, present, and foreseeable future projects that interact with the selected alternative are few, and the combined effects are not significant. Impacts due to the selected alternative will not contribute to negative, long-term cumulative effects to any threatened, endangered, or sensitive species on the Fairfield Ranger District or Sawtooth National Forest.
8. **National Register of Historic Places; Significant scientific, cultural or historic resources** - I find the action will have no adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The project area was surveyed and there are no known sites being affected by grazing activities (EA pp.7&8). I find the action will not cause loss or destruction of significant scientific, cultural, or historical resources.
9. **Endangered or Threatened Species** - I find the action will not adversely affect any federally listed or proposed endangered or threatened species or Forest Service listed sensitive species or their critical habitat. The Forest Service prepared Biological Assessments for all threatened and endangered species found in the area and those Biological Assessments concluded there will not likely be any adverse effect on the listed species (EA pp.64-67 & 69-73). The Forest Service prepared Biological Evaluations for all Forest Service sensitive species. Those Biological Evaluations concluded that there will be no trend toward federal listing from implementation of the selected alternative. These documents are available for inspection in the Project Record.

A concurrence letter dated June 9, 2005 was received from USFWS, which is available for inspection in the Project Record.

10. **Legal Requirements for Environmental Protection** - I find the action is consistent with Federal, State, and local laws and requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the Sawtooth National Forest Land and Resource Management Plan. This action does not threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment.

Based on the above, I find that there are no significant impacts and therefore an environmental impact statement will not be prepared.

SIGNATURE

/s/ Mike Dettori

MIKE DETTORI
District Ranger

11-26-2008

Date

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