

Record of Decision

Martin Basin Rangeland Project

USDA Forest Service
Humboldt-Toiyabe National Forest
Humboldt County, Nevada

Decision and Reasons for the Decision

Background

The Martin Basin Rangeland Project encompasses approximately 191,000 acres and includes eight cattle and horse allotments on the Santa Rosa Ranger District on the Humboldt-Toiyabe National Forest. Livestock grazing has occurred on the Santa Rosa Ranger District since the public lands were reserved for the establishment of the National Forest. In 1912, 14,600 head of cattle, 1,000 horses, and 150,000 sheep were authorized on the Santa Rosa Ranger District. Currently there are approximately 10,000 head cattle and 25 horses permitted on the Santa Rosa Ranger District.

I have reviewed the *Martin Basin Rangeland Project, Final Environmental Impact Statement (FEIS)* including all public and agencies' comments submitted regarding the document. The purpose of this decision is to determine the management direction for livestock grazing within the Indian, Westside Flat Creek, Rebel Creek, Buffalo, Granite Peak Martin Basin, Bradshaw, and the Buttermilk grazing allotments on the Santa Rosa Ranger District in accordance with the desired resource conditions within the respective allotments (*FEIS*, pg 1-4). There is a need to ensure that resource conditions are achieving the desired condition as provided for the Humboldt National Forest Land and Resource Management Plan (*FEIS*-pg1-5).

I have determined that the Final Environmental Impact Statement discloses a range of impacts that may occur as a result of livestock grazing and have concluded that no additional analysis is needed for me to make an informed decision regarding grazing within the Indian, Westside Flat Creek, Rebel Creek, Buffalo, Granite Peak Martin Basin, Bradshaw, and the Buttermilk grazing allotments on the Santa Rosa Ranger District of the Humboldt-Toiyabe National Forest.

Decision

It is my decision to implement elements of Alternative 1 (Current Management), Alternative 2 (Proposed Action) and Alternative 4. My decision has three steps. First, Alternative 1 (*FEIS* page 2-1), with the addition of specific **Management Direction** described in this Record of Decision (page 4) will be implemented. Alternative 1 provides the maximum utilization standards and other standards under which livestock will be managed. Secondly, the ecological condition assessment of the various vegetation communities within a respective allotment will be verified using the Matrices (*FEIS*-Appendix B-1 and B-2) described in Alternative 2 (*FEIS*, page 2-4). Thirdly, if the ecological condition is determined to be in an unsatisfactory condition, the District Ranger and the livestock permittee, as described in Alternative 4, will agree to changes in the grazing system and/or standards that will result in obtaining the desired vegetative

condition. The decision is subsequently referenced as the Selected Alternative in this Record of Decision.

In this section of the Record of Decision, I will discuss in more detail my decision and the rationale for the decision. I will discuss this decision in three components; which are, 1) grazing permit renewal, 2) vegetation condition management, and 3) grazing authorization for the current vacant allotments. The first element is whether to continue livestock grazing on the Indian, Westside Flat Creek, Rebel Creek, Buffalo, Granite Peak Martin Basin, Bradshaw, and the Buttermilk allotments.

Permit Renewal

The *Martin Basin Rangeland Project, Final Environmental Impact Statement* describes various current resource conditions by either allotments or project area (*FEIS-Chapter 3*). The resource conditions were described in terms of being 1) at desired ecological condition, 2) less than desired condition, or 3) below an ecological threshold. I reviewed the analysis to determine if there was evidence to suggest that past livestock use has resulted in an environmental condition, throughout the allotment, that was below an ecological threshold. In evaluating the overall resource condition, I focused on those resources that were identified as potentially significant issues (*FEIS* pages 1-10 through 1-12). This would include water quality, soil compaction, fisheries, wildlife, riparian habitat, vegetation (aspen and upland vegetation), heritage resources, and recreation. In the *FEIS*, the Interdisciplinary Team documented that within an allotment there are locations where environmental conditions are less than desirable, but other locations within the allotment conditions are either on an upward trend or at a desired condition. Most importantly is that the overall ecological conditions of the allotments have improved during the last 15 years (*FEIS*, Chapter 4-Current Management Alternative). Therefore, I have **not** selected Alternative 3 (No Grazing Alternative) and have decided to reauthorize livestock use within the allotments, by the issuance of a term grazing permit and updating of the respective Allotment Management Plans. This decision affects both occupied and vacant allotments within the Santa Rosa Ranger District.

However, I will not allow unacceptable resource conditions that are directly related to livestock use to persist. I will require that livestock use results in an upward trend in ecological condition for those resources that are not in satisfactory ecological condition, while also maintaining current ecological condition for those resources that are in desired ecological condition. This requirement can best be achieved by monitoring the effects of livestock use and proper administration of the grazing program.

Thus, the second part of my decision is in regards to monitoring/management of the vegetation conditions on the Indian, Westside Flat Creek, Rebel Creek, Buffalo, Granite Peak Martin Basin, Bradshaw, and the Buttermilk grazing allotments.

Management of Vegetation Condition

The *Martin Basin Rangeland Project, Final Environmental Impact Statement* analyzed the effects of three approaches, excluding the no-grazing alternative, to livestock management. The *FEIS* analyzed Current Management (Alternative 1), an ecological based approach (Alternative 2-Proposed Action), and an emphasis on permittee/agencies/interested parties' partnerships (Alternative 4) as various approaches to monitoring grazing management, while achieving

desired vegetation condition. The three alternatives provide a sufficient basis for my decision as to how to administer livestock grazing on the Indian, Westside Flat Creek, Rebel Creek, Buffalo, Granite Peak Martin Basin, Bradshaw, and the Buttermilk grazing allotments.

Alternative 1 is a continuation of the Current Management, as provided for in Amendment #2 (*FEIS*-Appendix A-2) of the *Humboldt National Forest Land and Resource Management Plan*. Implementation of this livestock management approach has resulted in improved ecological condition in numerous areas and vegetation communities within the Project Area. As previously stated, Alternative 1 will be implemented as minimum standards.

Alternative 2 establishes Matrices for vegetation communities and includes various attributes that describe specific elements that define the ecological condition. The Matrices were developed based on current scientific information regarding what elements can be measured to determine ecological condition (*FEIS*-Appendix B-2). The Matrices describe three ecological condition categories, i.e. 1) at desired ecological condition, 2) less than desired condition, or 3) below an ecological threshold. In order to ensure that affected livestock permittees and other interested parties have a common understanding of this evaluation process, the collaborative approach identified in Alternative 4 will be implemented. If monitoring or subsequent inventories indicate that a specific vegetative community cannot be described as being in desired ecological conditions, modifications to the current grazing system will be implemented. This may require a reduction in the annual standards and/or a change in the current grazing system. The changes will be agreed to by the livestock permittee and the District Ranger. The default standards will be those identified in the Matrices, as associated with the condition class in the specific Matrix. These standards (*FEIS*, pg 2-4, 2-5-Tables 1-T and 2-T) will be applied if 1) the livestock permittee and District Ranger agree to the standards or 2) the livestock permittee does not elect to propose effective alternative standards. The protocol for the classification will initially be done in accordance with Alternative 2 (*FEIS*-page2-4).

The results of this effort will be the basis for the Forest Service to develop an Allotment Management Plan in partnership with the livestock permittee. The AMP will identify “key areas” for future monitoring of resource conditions as a result of livestock grazing. These areas will be monitored both for short-term and long term resource conditions. Specific grazing strategies will be developed jointly by the permittee and Forest Service and incorporated in the Annual Operating Instructions for each specific grazing season. I envision that based upon the results of monitoring and discussions amongst all parties involved in the implementation of the grazing program, changes may be made in either the monitoring protocol, location of monitoring, or grazing systems. This collaborative approach is part of my decision and is described in Alternative 2 (*FEIS* page 2-6).

The ecological assessment will be done, at a minimum, in accordance with the schedule identified in the *FEIS* (*FEIS* pg 2-6) with the exception for those streams that contain Lahontan cutthroat trout. Those streams, as identified in the Biological Opinion from the U.S. Fish and Wildlife Service and referenced in the **Management Direction** portion of this Record of Decision will be completed in 2006.

If through this partnership process for implementation grazing program on the Indian, Westside Flat Creek, Rebel Creek, Buffalo, Granite Peak Martin Basin, Bradshaw, and the Buttermilk grazing allotments, there is disagreement between all parties, I, as the responsible official will

determine the appropriate action to ensure that ecological conditions are being maintained. However, I fully expect that this will be an unnecessary action. I do not anticipate a frequent need to implement this portion of the decision.

Vacant Allotments

I am authorizing grazing in both the Bradshaw and Rebel Creek Allotments, which are currently vacant. Both allotments have been vacant for more than 10 years. I have reviewed the *FEIS* and determined that overall these allotments are in functioning ecological condition. For the Bradshaw Allotment, grazing will be authorized and the actual allocation will be done through standard Forest Service administrative processes. For the northern portion of Rebel Creek Allotment, which includes the Rebel Creek and Wood Canyon Creek drainages, grazing will be authorized according to the appropriate Forest Service procedures. For the southern portion of the Rebel Creek Allotment, which include Rock Creek, Antelope Creek, McConnell Creek and Dog Creek, grazing will be authorized and the use shall be for current livestock permittees whose allotment are rested for restoration after fire, drought, or other resource conditions.

Management Direction

The above discussion describes my decision regarding the general direction for livestock management with the Indian, Westside Flat Creek, Rebel Creek, Buffalo, Granite Peak Martin Basin, Bradshaw, and the Buttermilk allotments. I am also providing specific management direction by either resource or allotment(s).

Heritage Resources

Continued implementation of the Rangeland Memorandum of Understanding between the Nevada State Historic Preservation Office (SHPO) and the Forest Service will address effects to heritage sites (FEIS-pg 2-8).

Sensitive Plants

Future planned activities that are likely to concentrate livestock use, such as salting, placement of watering sources, and placement of temporary handling facilities, shall not occur any closer than 0.25 miles of known sensitive and rare plant locations. Future livestock concentrating activities would not occur in potential habitat for sensitive plant species until surveys are performed. Where placement has already affected known sensitive and rare plant locations, the activity will be evaluated for its adverse effects and a determination would be made on whether or not mitigation is required to provide adequate protection. Surveys in potential habitat will also include existing activities that concentrate livestock use.

Sage Grouse

In order to ensure minimal impact to sage grouse breeding complexes, livestock would not be allowed to use the Martin Basin, Buttermilk, West Side Flat Creek, Granite Peak and Indian allotments earlier than the current "on date" (*FEIS* pg 2-1) unless data is provided to demonstrate that livestock use will not significantly affect sage grouse. If it is determined that an earlier on date is necessary to meet resource objectives and will not adversely impact sage grouse, then the District Ranger will coordinate with the livestock permittee and the Nevada Department of Wildlife regarding the management actions.

For the Bradshaw allotment, the on date would be similar to the adjacent allotments.

Pygmy Rabbits

Future planned activities that are likely to concentrate livestock use, such as salting, placement of watering sources, and placement of temporary handling facilities, will avoid known locations of pygmy rabbit burrows.

Fisheries Resources

Under the Endangered Species Act, federal agencies are required to use their authority for the conservation of threatened species. The following direction is intended to improve and maintain habitat associated with Lahontan cutthroat trout populations:

- a) livestock utilization of riparian herbaceous cover shall not exceed 35 percent utilization during the 2006 grazing season. Future utilization (annual indicators) levels will be set based on the 2006 stream and riparian vegetative group assessments, baseline data, and other monitoring and inventory as it becomes available;
- b) livestock utilization of riparian woody vegetation shall not exceed 20 percent of the annual leader growth of mature riparian shrubs or 20 percent of individual seedlings. Future utilization (annual indicators) levels will be set based on the 2006 stream and riparian vegetative group assessments, baseline data, and other monitoring and inventory as it becomes available;
- c) livestock streambank alteration levels shall not exceed 10 percent of an LCT occupied or essential stream reach.

These requirements will be applied to the following streams (by allotment):

Long Canyon Creek - (Martin Basin Allotment)
Indian Creek - (Granite Peak Allotment)
South Fork Indian Creek - (Granite Peak Allotment)
Andorno Creek – (Buffalo Allotment)
Falls Canyon Creek - (Buffalo Allotment)
Three-mile Creek - (West Side Flat Creek Allotment)

This direction is consistent with the Biological Opinion issued by the US Fish and Wildlife for the Martin Basin Rangeland Project.

Monitoring

Monitoring will be in done, at a minimum, in accordance with the Monitoring Plan described in the Proposed Action. This plan is described on page 2-8 of the *FEIS*. The Forest will prepare an annual monitoring report regarding the status of the implementation of this decision and the results of any monitoring that has occurred, both short term and long term, within each allotment.

Alternatives Considered

The *FEIS* considers three alternatives in addition to the Proposed Action. A detailed description is provided in Chapter 2 of the *FEIS*. As previously stated, my decision includes portions of the three of the alternatives. The following is a summary of each alternative considered in detail.

Alternative 1 - Current Management (No Action) current Allotment Management Plans would

continue to guide the management within the Project Area. Levels of allowable utilization are provided for in Amendment #2 of the Humboldt National Forest Land and Resource Management Plan.

Alternative 2 - Proposed Action would provide for management of livestock use based on the vegetation condition of eight vegetation community types. Livestock management strategies are adjusted depending upon the specific ecological condition determine during the assessment of the vegetation condition.

Alternative 3 - This alternative would phase out grazing at the end of a five year period.

Alternative 4 - This alternative emphasizes the development of a collaborative process with grazing permittees for evaluating resource conditions and determining appropriate management requirements.

Alternatives Considered but not Analyzed in Detail

An alternative that emphasized the restoration for the landscape was proposed by Western Watersheds. This alternative was not considered in detailed because many of the proposed restoration techniques are addressed in the Alternative 3 or are outside the scope of the analysis, i.e. road closures (*FEIS*-pg 2-12).

How the decision responds to Public Concerns

The following is a discussion of how I have responded to public issues identified during scoping period and responses to both the Draft and Final Environmental Impact Statement.

Soil and Water Resources

Concerns were expressed that livestock grazing would impact both water quality and soil productivity, which would have an adverse effect on vegetation health and fisheries habitat. In response to this issue the use of the matrices will result in identifying the specific attributes that define water quality or soil productivity. In concert with the assessment, the selected alternative provides for adjustments in livestock management that need to occur to ensure that water quality and soil productivity will not be adversely impacted as a result of livestock use. For example, the Stream Group matrix includes specific “stream water quality” attributes and defines a quantifiable parameter for each ecological condition. If the assessment determines that as a result of livestock use a particular stream reach is not in a “functioning condition” based upon the sum of the measurable attributes, the Forest Service and the permittee will develop adjustments in the livestock use of the specific site. This collaborative approach has proven to be successful in implementing changes in livestock management to achieve desire ecological conditions.

Fisheries

Numerous comments were submitted regarding the potential impacts to Lahontan cutthroat, a federally listed species. This decision incorporates the terms and conditions provided for in the Biological Opinion, issued by the U.S. Fish and Wildlife Service, regarding the Martin Basin Rangeland Project.

Vegetation Condition

Many comments were submitted regarding the need to ensure the non-riparian vegetation is maintained in a “functioning” condition. As described for the riparian vegetation, the Selected Alternative provides for an assessment of the five non-riparian vegetation types. Based upon the assessment, adjustments in livestock management will occur if the vegetation type is not in a functioning condition.

Use of Matrices

Comments were received regarding the scientific validity of the matrices. Upon the development of the matrices, I requested a scientific review by both internal agency and external agencies scientists/resource professionals of the documents. All reviews supported the science in which they were developed and expressed no strong objections to their accuracy.

In addition to the validity comments, numerous individuals were uncertain as to the appropriateness of the use of matrices as a determination of ecological conditions. In response to these concerns, I have included a collaborative process in implementing the assessment in order to achieve an understanding of the attributes and determinations identified in the Matrices.

Wildlife Species

Numerous comments were received regarding wildlife species that could be affected by livestock grazing. Under the selective alternative areas in poor condition for wildlife would be identified through application of the matrices. The conditions described in the matrices reflect the vegetative and other physical attributes for good wildlife habitat.

Management Indicator Species

- Sage Grouse, Mule Deer

The Santa Rosa Ranger District currently has a large population of sage grouse and primary summer range for mule deer. Meadow and upland habitat conditions will remain static and improve as grazing standards are reviewed. These habitats are essential to sage grouse and mule deer during the nesting, brood rearing, fawning and wintering seasons.

- Northern Goshawk

On the Santa Rosa Ranger District goshawks depend solely on aspen stands for nesting and are the limiting factor in goshawk production. Foraging habitat is currently in satisfactory condition. Aspen conditions are expected to improve as areas in poor condition are identified through the application of the matrices. Aspen stands which currently provide larger trees for nesting and a diverse understory of young aspen will continue to be grazed under current management standards. Those areas that are reviewed and do not meet desirable habitat conditions, as defined in the aspen matrix, would be changed to improve aspen conditions and thus work toward increased goshawk production.

Federally Listed Threatened, Endangered and Forest Service Sensitive Species

There are no known federally listed wildlife species that occur on the Santa Rosa Ranger District. Bald eagles may occasionally fly over the district but there is no suitable nesting, foraging or wintering habitat for them to inhabit.

Several Forest Service Sensitive Species occur on the district including spotted bat, Townsend's big-eared bat, flammulated owl, peregrine falcon, three toed woodpecker, northern goshawk and Columbia spotted frog. All of the birds are not directly affected by livestock grazing except northern goshawk as described above. Columbia spotted frog have the potential to be negatively affected if riparian areas are overgrazed or have poor water quality. As identified under the selected alternative, habitat conditions for spotted frogs would improve.

Public Involvement

The following is a summary of the primary public involvement activities which have occurred during the planning process for this project:

- A Notice of Intent to prepare an Environmental Impact Statement was published in the Federal Register on December 30, 2002.
- Scoping Letters were sent to the District-wide mailing lists including all potentially interested individuals, groups, agencies, and tribes on January 9, 2003.
- A legal Notice regarding the project was published in the Humboldt Sun Newspaper on January 14, 2003.
- A legal Notice regarding the project was published in the Reno Gazette Journal on January 15, 2003.
- Copies of the Draft Environmental Impact Statement were sent to all potentially interested parties on March 24, 2004.
- A Notice of Availability of the Draft Environmental Impact Statement was published in the federal register on April 2, 2004.
- Legal Notice's regarding the availability of the Draft Environmental Impact Statement was published in the Humboldt Sun Newspaper on April 9, 2004 and again on April 16, 2004.
- Legal Notice's regarding the availability of the Draft Environmental Impact Statement was published in the Reno Gazette Journal on April 9, 2004 and again on April 14, 2004.
- A notice extending the comment period on the Draft Environmental Impact Statement was published in the federal register on May 21, 2004.
- Copies of the Final Environmental Impact Statement were sent to all potentially interested parties for public comment on July 5, 2005.
- A Notice of Availability of the Final Environmental Impact Statement was published in the federal register on July 15, 2005.
- A legal notice regarding the availability of the Final Environmental Impact Statement was published in the Elko Daily Free Press on July 15, 2005. The *FEIS* was issued in June 2005 for a 45 day comment period.

A total of 30 letters were received in response to the initial solicitation. Comments were extracted from those letters and processed to determine which were substantive and which were non-substantive. Substantive comments were then assessed to determine which constituted significant issues that would guide the preparation of the environmental impact statement. A copy of all letters and comments from individuals and organizations are on file in the project record.

Findings Required by Other Laws and Regulations

This decision is consistent with the intent of the Humboldt National Forest Land and Resource Management long-term goals and objectives listed in Chapter 1 of the *FEIS*. The project was

designed in conformance with the Humboldt FLRMP standards and appropriate guidelines. After considering the discussion of environmental consequences (*FEIS*, Chapter 4) I have determined that the decision is consistent with other applicable laws and regulations.

Migratory Bird Treaty Act and Executive Order

This decision is in compliance with the act, subsequent executive order, and memorandum of understanding between the USDI Fish and Wildlife Service and USDA Forest Service, which provides for the protection of migratory birds. If new requirements or direction result from subsequent interagency memorandums of understanding pursuant to Executive Order 13186, the decision will be evaluated to ensure that it is consistent.

National Environmental Policy Act (NEPA)

The Environmental Impact Statement and this Record of Decision is in compliance with NEPA and the Council on Environmental Quality (CEQ regulations 40 CFR 1500-1508) for implementing NEPA.

Endangered Species Act (ESA) of 1973 (as amended)

Information concerning threatened and endangered plant, fish, and wildlife species is included in chapters three and four of the *FEIS*, in correspondence with USFWS, and in detailed discussions contained in the Biological Assessments (Project File). The U.S. Fish and Wildlife have issued a Biological Opinion regarding *Martin Basin Rangeland Project*.

Clean Water Act

Based on discussions in chapters three and four of the *FEIS* and the Project Record concerning hydrology, this decision is consistent with the Clean Water Act and amendments. No permits are required for implementation of the decision.

Wild and Scenic Rivers Act

Within the Project Area, the East Fork of the Quinn River has been found to be eligible for further consideration under the Wild and Scenic Rivers Act. Additional studies must be conducted before the river might be recommended to Congress for actual designation. Until these studies are completed the Outstandingly Remarkable Values must be protected. This decision will not affect the potential eligibility, classification, listing, or Outstandingly Remarkable Values under the Wild and Scenic Rivers Act.

Executive Order 11990 of May 1977 (Wetlands)

This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that an analysis be completed to determine whether adverse impacts would result. Based on discussions in chapters three and four of the *FEIS* and the Project Record concerning wetlands, the decision complies with EO 11990 by maintaining and restoring riparian conditions.

Executive Order 11988 of May 1977 (Floodplains)

This order requires the Forest Service to provide leadership and to take action to (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risks of flood loss, (2) minimize impacts of floods on human safety, health, and welfare, and (3) restore and preserve the natural and beneficial values served by flood plains. Based on discussions in

chapters three and four of the *FEIS* and the Project Record concerning floodplains, the decision complies with EO 11998 by maintaining floodplain integrity.

National Historic Preservation Act (1966) and American Antiquities Act (1906)

Based on discussions in chapters 3 and 4 of the *FEIS* and the Project Record concerning Heritage Resources, it has been determined there will be no adverse effects to any Historic Properties with this decision. Consultation with the Nevada State Historic Preservation Office occurred and a letter agreeing with the Forest determinations of “no adverse effect” was received on March 28, 2006.

Clean Air Act (1977 as amended)

This decision is in compliance with the Clean Air Act, which defines the National Ambient Air Quality Standards (NAAQS) for various sources of pollutants that must be met to protect human health and welfare, including visibility. This decision will also meet all NAAQS.

National Forest Management Act (NFMA) (36 CFR 219.27)

Management action and practices prescribed in this decision provide for adequate resource protection, including soils and water, riparian, wetlands, and vegetation resources. The mitigation measures and management requirements specified and described in chapter 2 of the *FEIS* and reiterated in this decision document provide needed resource protection in accordance with the National Forest Management Act.

Federal Licenses and Permits

No federal licenses or permits are required.

Environmental Justice (E.O. 12898)

During the course of this analysis, none of the alternatives considered resulted in any identifiable effects or issues specific to any minority or low-income population or community. The agency considered all public input from persons or groups regardless of age, race, income status, or other social/economic characteristics.

I examined community composition, as required under E.O. 12898, and found no minority or low-income communities to be disproportionately affected under any of the alternatives. This was not raised as an issue during scoping.

Secretary of Agriculture Memorandum (1827) Prime Farmland, Rangeland, and Forestland

The decision is in accordance with Secretary of Agriculture Memorandum 1827 and Department Regulation 9500-3 for prime farmland, rangeland and forest land.

Research Natural Areas

No Research Natural Areas will be affected by the Proposed Action or alternatives.

Energy

The decision will not have any unusual energy requirements.

Inventoried Roadless Areas

Inventoried Roadless Areas (IRAs) contain natural landscapes where human activities have not had a significant impact, and the areas meet criteria for potential wilderness designation under

the Wilderness Act of 1964 (LRMP, pg IV-2). Both allotments contain IRAs (see revised FLRMP.) This decision will not affect nor irretrievably alter the natural condition of Inventoried Roadless Areas.

Environmentally Preferred Alternative

The CEQ regulations 40 CFR 1505.2 require the ROD identify the alternative(s) that could be considered environmentally preferable. The environmentally preferred alternative is defined by CEQ as: (1) the alternative that causes the least damage to the biological and physical environment, and (2) the alternative that best protects, preserves, and enhances historical, cultural, and natural resources. Based on a comparison of the environmental consequences of all alternatives considered in detail in Chapter 4, Alternative 3 – Grazing Phased Out would result in the least environmental disturbance on National Forest System lands and would be the environmentally preferred alternative. The Selected Alternative achieves the best balance and widest range of uses of the environment, while ensuring sound grazing management practices are required components of this action. A monitoring program will be implemented to track progress toward desired future resource conditions.

Implementation

If no appeals are filed within the 45 day time period, implementation of this decision may occur no sooner than 50 days following publication of the legal notice of my decision in the Elko Daily Free Press, published in Elko, Nevada. Project implementation is expected to begin in 2006.

Appeal Rights

This decision is subject to administrative appeal. Organizations or members of the general public may appeal this decision according to Title 36 CFR Part 215. The appeal must be filed within 45 days of the date that legal notification of this decision is published in the Elko Daily Free Press, Elko, Nevada, the official newspaper of record. The written Notice of Appeal must be filed with:

Jack Troyer
Regional Forester
USDA Forest Service Intermountain Region
324 25th Street
Ogden, UT 84401

It is the responsibility of those who appeal a decision to provide the Regional Forester with sufficient written evidence and rationale to show why the decision by the Forest Supervisor should be changed or reversed. This written Notice of Appeal must:

- *State that the document is a Notice of Appeal filed pursuant to 36 CFR Part 215;*
- *List the name, address, and if possible, the telephone number of the appellant;*
- *Identify the decision document by title and subject, date of the decision, and name and title of the Responsible Official;*
- *Identify the specific change(s) in the decision that the appellant seeks or portion of the decision to which the appellant objects; and*
- *State how the Responsible Official's decision fails to consider comments previously provided, either before or during the comment period specified in 36 CFR 215.6 and, if applicable, how the appellant believes the decision violates law, regulation, or policy.*

Contact Person

For additional information concerning this decision, contact:

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/s/ Robert L. Vaught

June 2, 2006

Robert L. Vaught
Forest Supervisor

[DATE]

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