

**Decision Notice
and
Finding of No Significant Impact
Livestock Grazing Management
on the Rio Chiquito Allotment**

**USDA Forest Service, Carson National Forest,
Camino Real Ranger District
Taos and Rio Arriba Counties, New Mexico**

Introduction

The Rio Chiquito (33,903 acres) Allotment is located on the southwest corner of the Camino Real Ranger District within Taos and Rio Arriba counties; south and east of the Picuris Pueblo and the communities of Peñasco and Chamisal, and north of the community of Truchas, New Mexico. In compliance with the National Environmental Policy Act (NEPA), the environmental assessment (EA) for this allotment documents the analysis of alternatives to address the specific ecological, social, and economic needs of the area. The project record and EA are available for review at the Camino Real Ranger District.

Decision

I have reviewed the Carson National Forest Land and Resource Management Plan (hereafter referred to as “forest plan”) and the “Environmental Assessment for Rio Chiquito and Trampas Allotments.” This decision and the environmental assessment considered the best available science. The project record demonstrates a thorough review of relevant scientific information. Based on my review and the examination of the alternatives, I have decided to implement all components of Alternative B, the proposed action. My decision will authorize grazing management on the Rio Chiquito Allotment as follows:

Livestock grazing will continue to be authorized on the Rio Chiquito Allotment, with some modifications, as follows:

- Authorize from 103 cow/calf units + 6 bulls to 180 cow/calf units + 9 bulls to continue grazing on the Rio Chiquito Allotment, utilizing a 6-7 pasture rotational grazing system for up to a 4.5 month season between 5/1-5/16 through 9/15-9/30 (ie. 5/1-9/15 or 5/16-9/30). The 6-7 pastures to be used will be the Rio Chiquito, Cebadilla, Vallecitos, Cejita Mesa, Jacinto Canyon, and Lower Entrañas Pastures, and eventually a newly created Lower Ojito Pasture (created from the lower portion of the Cebadilla Pasture). The Cañada del Oso Pasture is not currently used by permitted livestock, due to difficulty of access and limited forage and water. This pasture will not be included in the rotational system, although incidental livestock use will be allowed. This pasture will primarily be dedicated to wildlife use.
- In approximately 1,531 acres of revegetation treatment areas within Cejita Mesa, Jacinto Canyon, and Lower Entrañas Pastures (Forest Plan management areas 11 and parts of 10 and 12): 1) Maintain the productivity of historic revegetation treatment areas (crested wheatgrass seeded areas) using prescribed burning, seeding, interseeding, brushhogging, or a combination of these methods. 2) Strive to maintain

- an average 4" herbaceous cover height throughout the grazing season. 3) Strive to achieve an average less-than-60% end of season utilization on crested wheatgrass.
- In Cejita Mesa Pasture: Repair Cejita East trick tank with a new apron and reservoir.
 - In Jacinto Canyon Pasture: Improve and expand the existing corral.
 - In Lower Entrañas Pasture: 1) Improve and expand the existing corral, which is shared with the Trampas Allotment. 2) Construct an earthen dam stock tank in the northwest portion of the Lower Entrañas Pasture.
 - In Cañada del Oso: Do not schedule this pasture in the grazing schedule, but realize that it may get minimal incidental use off of Cejita Mesa Pasture.
 - In Vallecitos Pasture: 1) install one trick tank in the western portion of the pasture and one earthen dam stock tank in the eastern portion of the pasture. 2) Work with the NM Department of Transportation to get their fence maintenance completed plus a cattle guard installed at the transfer station entrance on the highway right of way.
 - In Cebadilla Pasture: 1) Install a temporary, portable cattle guard near the Chamisal fuelwood area, to be removed following closure of the fuelwood area. 2) Construct an earthen dam stock tank near section 29. 3) Create a new Lower Ojito Pasture from the lower portion of the current Cebadilla Pasture by constructing approximately ½ mile of fence in section 24 and installing a cattle guard on FR160. 4) Construct an earthen dam stock tank in section 13. 5) Install a cattle guard on road that goes from FR160 to the community of Upper Ojito. 6) Extend the existing drift fence between Cebadilla and Rio Chiquito Pastures from approximately ½ mile to approximately 2 miles. 7) Construct an approximately 20' x 30' corral in Lower Ojito Pasture. 8) Install a cattle guard in section 20 at the forest boundary with the community of Llano San Juan. 9) Within the goshawk post fledgling area (PFA) in Cebadilla (and eventually Lower Ojito Pastures): maintain the Forest Plan standard of 20-40% maximum end of season utilization.
 - In Rio Chiquito Pasture: 1) Restore riparian/wetland function in the Osha Cienega meadow by implementing the actions of: a shorter season on the east side pastures, improving timing and duration of use with Rio Chiquito/Cebadilla drift fence, salting and herding. If monitoring after approximately 3 years indicates that an upward trend is not being achieved, construct a fence around the riparian portion of the Osha Cienega meadow to control the timing of livestock use within this portion of the pasture. 2) Construct a corral at the bottom of FR 639 in section 27 at a location where there are currently some panels, to be used primarily at the end of the season for livestock gathering.
 - Allotment-wide: 1) Use prescribed burning to maintain previously thinned and/or burned areas. This includes light to moderate burning of approximately 1,590 acres, the majority of which is within the ponderosa pine vegetation type (1,320 acres). 2) Within riparian areas: strive to maintain an average 6 inch herbaceous cover height throughout the grazing season/35% end of season utilization. 3) Within non-revegetation, non-riparian, and non-goshawk post fledgling areas: strive to achieve an average 40% end of season utilization to maintain/improve the vigor of the plants; 4) Within upland meadows, strive to maintain an average 4" herbaceous cover height throughout the grazing season to provide cover for wildlife prey base and sensitive species (voles etc). Monitoring will trigger movement of livestock seasonally and will be taken into consideration for the following grazing season. 5) Schedule grazing in the western pastures to begin earlier or last until the end of July to take advantage of abundant forage and to allow a shorter season of use in the Rio Chiquito and Cebadilla

Pastures (note: this component of the proposed action is dependent on range readiness criteria and seasonal moisture conditions and may not occur every year). 6) Improve species composition and forage production of an estimated 30 acres in two small Kentucky bluegrass dominated meadows by implementing best management practices (such as adjusting the timing, intensity and duration of grazing; seeding; contour furrowing; combination of contour furrowing and seeding, prescribed burning). Maintain these meadow openings by removing small trees which have encroached into them. Pile or lop-and-scatter the slash. 7) Use herding and salting to achieve better distribution.

Mitigation Measures:

To mitigate resource impacts, the following measures will be implemented. The mitigation measures included here are limited to those for which the Forest Service has authority. These mitigation measures have been used on previous projects and are considered to be effective in reducing environmental impacts. With full implementation of applicable forest plan standards and guidelines, project design criteria and the prescribed mitigation measures, no potentially significant adverse environmental effects will be expected to occur.

Soil, Water and Vegetation

The objective is to safeguard water and soil resources under sustained forage production; manage sustained forage production and forage utilization by livestock while maintaining healthy ecosystems for all resource objectives (Best Management Practices FSH 2509.22, Chapter 20, Range Management).

Control livestock numbers and season of use (i.e., evaluate range readiness, assure only permitted livestock enter the allotment, monitor grazing utilization, assess soil and vegetation condition and trend).

Control livestock distribution (i.e., salting, riding, existing fences and watering facilities).

Heritage Resources

The objective is to protect heritage resources (archaeological sites) from direct or indirect impacts caused by ground disturbing activities associated with the construction of range facilities.

If any unrecorded sites are discovered during the course of project implementation, all project activities in the vicinity of the site(s) will cease and the district or forest archaeologist will be notified. Project will be modified or relocated to avoid impacts to cultural resource sites.

Prescribed fire

The objective is to protect Mexican spotted owl (MSO), riparian, and soil resources from direct or indirect impacts caused by prescribed burning activities.

To minimize any potential impacts to the MSO, new fence construction and prescribed fire within suitable MSO nesting habitat (protected and restricted habitat) will be done either outside the breeding season (March 1 to August 31), or will have protocol MSO surveys completed prior to implementation.

To minimize any potential impacts to riparian resources riparian buffers will include 50 feet around seeps, springs, wetlands and intermittent streams; 100 feet around perennial water.

To minimize any potential impacts to soil resources, the following best management practices will be applied:

- Only existing roads will be used to access the burn units.
- No new roads will be constructed under this proposed project.
- No vehicles will operate on wet roads or on wet soils during implementation. Vehicles will be allowed only on dry or frozen roads and soils, in order to minimize erosion impacts.
- Roads used in implementation: repair or maintain the existing roads that will be used, in order to prevent erosion, provide sufficient drainage, and prevent sedimentation to streams. Relief culvert outfalls must not deliver sediment to stream channels. Nor will they cause soil erosion.
- No vehicles will be used off-road on slopes over 40% for any treatments.
- When implementation is complete, the project area will be inspected to find any newly created ATV/truck trails, which will then be slashed or bermed closed sufficiently to discourage/prevent continued motorized use.
- All fire lines will be constructed using minimal impact suppression tactics.
- After the burn is completed, control lines will be covered with slash and berms pulled in to prevent soil erosion due to concentrated flow.

Monitoring

Implementation monitoring will include periodic inspections to ensure compliance with term grazing permit terms and conditions. For example, range readiness will be monitored before the grazing season begins, herbaceous cover heights may be measured during the grazing season and utilization will be monitored at the end of the season. Effectiveness monitoring will determine if grazing standards and guidelines, grazing prescriptions, and Allotment Management Plan practices are effective in accomplishing the planned objectives. For example, vegetation condition and trend will be monitored at approximately ten-year intervals. On the Rio Chiquito Allotment, implementation and effectiveness monitoring of riparian/wetland soils and vegetation of the Osha Cienega will be conducted and can include methods such as an “erosion bridge technique”.

Rationale for the Decision

Alternative B was developed by comparing the existing conditions on the Rio Chiquito Allotment with desired conditions and management direction provided in the forest plan. My decision meets the purpose of authorizing livestock grazing in a manner that balances permitted use with forest plan objectives and desired conditions for rangeland vegetation, soil, watershed, and wildlife habitat. It also meets the need to provide forage to support domestic livestock and contribute to the economic diversity and social well being of surrounding communities that depend on range resources for their livelihood; the need to maintain the herbaceous productivity of historic revegetation treatment areas in the western pastures of the two allotments; the need to improve the health of the riparian community in Osha Cienega; and the need to maintain and enhance meadows and forested openings to maintain or improve productivity of the herbaceous vegetation.

My decision meets the need to provide forage to support domestic livestock and contribute to the economic diversity and social well being of surrounding communities that depend on range resources for their livelihood. While concern was expressed by both the permittees and the NMSU Range Improvement Task force regarding the effect that authorizing a range of numbers would have on the permittees, I reviewed the grazing history of the allotment for the past 10 years and note that the range of numbers proposed on the Rio Chiquito Allotment is within the same range that has been actually stocked during this period. Resource conditions, especially as affected by weather patterns, are a primary factor in the ability of the allotment to sustain full permitted numbers on a year-to-year basis. This will not change and the range of numbers is a more realistic portrayal of the permit.

Concerns were raised over “striving” to achieve certain stubble heights and utilization levels throughout the season. In implementing this decision, the objective is to achieve a light to moderate intensity of grazing, which Holecheck et al. (2004) found to result in a stable or upward range trend. This would then provide a more stable, reliable basis for the permittees’ livestock operations while helping to achieve soil, watershed and wildlife habitat desired conditions on the allotments.

My decision meets the need to maintain the herbaceous productivity of historic revegetation treatment areas in the western pastures of the Rio Chiquito Allotment. The Forest Service spent significant money and effort in the initial revegetation treatments on the allotment. The forest plan directs management to maintain that initial investment by maintaining the productivity of the treatment areas. There are other areas on the forest where the productivity of similar revegetation areas has been decreased so dramatically over the years that it would be very expensive to try to get it back. The situation on this allotment is that the areas are still very productive, but if we wait too long, they may reach a point where it would be difficult to maintain that productivity. For a minimal investment at this time, the productivity can be maintained into the future.

My decision meets the need to improve the health of the riparian community in Osha Cienega. I chose to stagger the implementation of riparian improvement measures for Osha Cienega in order to give the improvements that we are planning to do under any scenario (reducing time spent in eastern pastures, drift fences, cattle guards, etc) a chance to work prior to investing in an expensive enclosure fence. However, while my decision allows for this staggered

implementation, if it becomes apparent that the other measures are not achieving the desired improvements in the Osha Cienega riparian community, it directs the more intensive management (temporary enclosure fence) to be implemented at that time.

My decision also helps to meet the need to maintain and enhance meadows and forested openings to maintain or improve productivity of the herbaceous vegetation. As noted in the environmental assessment, the meadow component of coniferous forests has been declining over the past 100 years with the success of fire suppression efforts. This meadow component provides important wildlife habitat for many species, in addition to providing forage for grazing animals, both livestock, elk and other grazers. Some of the meadows have achieved a state where the species composition is dominated by Kentucky bluegrass and needs intensive management to change from that state. My decision meets both of these needs.

Three issues were identified during the public participation process. The NM Department of Game and Fish raised a concern that turkey habitat on the Rio Chiquito and Trampas Allotments may be negatively impacted by livestock grazing. Most of the components of their proposed alternative are being implemented in this decision. The component which we were not able to incorporate was rest in the eastern pastures. The interdisciplinary team and I considered it at length and note that rest is incorporated into the western pastures. However, the past history of grazing on the allotments had already shown difficulties in achieving proper distribution even when the two allotments were combined and run together as one allotment. The last decision separated the allotments into two in order to achieve more intensive management. Effects of the proposed action on wild turkey, a Carson NF management indicator species, were analyzed in the environmental assessment and it was shown to have no effect on population or habitat trends on the Carson NF. (EA pp. 97-98)

The NM Environment Department noted that livestock grazing can negatively affect high quality cold water fisheries in the Trampas River within the analysis area. Effects of the proposed action on Rio Grande cutthroat trout reported that grazing may have short term impacts to individuals and habitat, but no impact to overall population. Protections provided for riparian habitat in this decision will improve livestock distribution, which will reduce livestock impacts to fish habitat. Proposed burning will allow for buffers to riparian vegetation reducing the amount of sediment deposited in the stream caused by the removal of ground cover. For resident trout and aquatic macro invertebrates (CNF management indicator species) the EA reports that livestock grazing in alternative B would continue, but riparian habitat would maintain proper function as a filter for sediment. In turn, good water quality to support macro invertebrate populations would be maintained. Under this decision, grazing and prescribed burning may have short-term impacts to localized aquatic macro invertebrate habitat and individuals, but would not impact diversity or change habitat or population trends on the Carson NF. (EA pp. 109-112)

Alternatives Considered

Besides alternative B, 12 alternatives were considered, but were eliminated from detailed analysis. The no action alternative (alternative A) was analyzed and used as a baseline to compare the effects of alternative B. Alternative A would have discontinued domestic livestock grazing on the allotment.

Public Involvement

The proposal was listed in the Carson National Forest Schedule of Proposed Actions since January 2009. The proposal was provided to the public and other agencies for comment during a 30-day scoping period beginning on February 6, 2009. A total of 10 responses were received. Permittees participated in the planning process by attending meetings with the district. Using public responses, issues were identified and alternatives were developed to address these issues. The alternatives were provided to the public during a 30-day notice and comment period beginning on July 2, 2009. A legal notice of availability was published in *The Taos News* in accordance with 36 CFR 215.5(b). A total of eight comments were received. Three significant issues were identified (EA, pp. 13-14):

Significant Issue #1: NM Department of Game and Fish raised a concern that turkey habitat on the Rio Chiquito and Trampas Allotments may be negatively impacted by livestock grazing.

Significant Issue #2: NM Environment Department noted that livestock grazing can negatively affect high quality cold water fisheries in the Trampas River within the analysis area.

Significant Issue #3: A concern was raised that proposing a range of numbers to be stocked would have a negative economic and social impact on the grazing permittees.

The remainder of the concerns and requests for clarifications were addressed in chapter 1 and in chapter 3.

Finding of No Significant Impact

Based on the interdisciplinary environmental analysis, review of the NEPA criteria for significant effects, and my knowledge of the expected impacts, I have determined this decision will not have a significant effect on the human environment therefore an environmental impact statement will not be prepared. This determination is based on the following factors:

- (a) **Context** – The physical and biological effects of the proposed actions and alternatives described in the environmental assessment are site-specific actions limited to this analysis area. The significance of the proposed action is evaluated within the context of the Camino Real Ranger District and Taos and Rio Arriba counties.
- (b) **Intensity** – The severity of the environmental effects of the proposed projects, were considered in evaluating intensity (40 CFR 1508.27).

1. Impacts that may be both beneficial and adverse

Both beneficial and adverse impacts and their significance were discussed for the alternatives considered in detail. Effects were lessened or eliminated through alternative design and mitigation (EA, pp. 2-12, 18-22). None of the adverse effects were determined to be significant, singularly or in combination. The beneficial effects of the action do not bias my finding of no significant environmental effects. The anticipated environmental effects and their intensity have been disclosed for each alternative in chapter 3 of the EA (pp. 29-117). Beneficial impacts were not used to minimize the severity of any adverse impacts. The proposed uses of National Forest System lands will not result in any known significant irreversible resource commitments or a significant irreversible loss of soil productivity (EA,

pp. 45-76), water quality (EA, pp. 45-76), wildlife habitats (EA, pp.77-112) , heritage resources (EA, pp. 112-113) or recreational opportunities (EA, pp. 114-115). In reaching my conclusion of no significant impacts, I recognize that this project is likely to have impacts, which are perceived as negative, as well as positive.

2. The degree to which the proposed action affects public health or safety

Grazing activities do not constitute a threat to public health or safety. This decision does not involve national defense or security. Livestock grazing has occurred in the same types of vegetation on the Carson National Forest for many years and there is a high degree of site-specific knowledge on the implementation and effects of livestock grazing.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas

There are no unique characteristics of the geographic area that will be significantly affected by my decision. There are no effects to prime farmlands or ecologically critical areas. Approximately 14.5% of the Trampas Allotment is located within the Pecos Wilderness Area. Livestock grazing was an authorized activity within this area prior to its designation as a wilderness area, but it has not been an authorized activity since 1993. I have decided not to authorize livestock grazing within 200 acres of the Wilderness area portion of the allotment as it would not comply with the Wilderness Act of 1964. Wilderness characteristics of the Pecos Wilderness located within the analysis area will be maintained. The Wild and Scenic River eligibility status of the Rio de las Trampas and San Leonardo will be maintained. Neither alternative proposes occupation or development within the 100-year floodplain of any waters within the Rio Chiquito or Trampas allotments. See significance factor #8 for discussion related to historic or cultural resources.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial

Because this decision provides for maintaining and improving vegetation, soil, and water resource conditions on the Rio Chiquito and Trampas allotments, the activities associated with this decision will not significantly affect the quality of the human environment, and the effects are unlikely to be highly controversial in a scientific sense. No evidence has been presented that raises substantial questions as to the correctness of the environmental consequences that have been estimated. I have considered the best available science in making this decision. The project record demonstrates a thorough review of relevant scientific information.

The effects on the human environment are not likely to be highly controversial based on the involvement of forest resource specialists, other agencies, and the public. The public scoping for project initiation received 10 responses and the 30-day comment period generated 8 responses. After reviewing the project record and EA, I am confident the interdisciplinary team reviewed the comments and (1) incorporated them into alternative B, (2) addressed them in the appropriate resource section, or (3) provided a response that is documented in the project record. It is my judgment, while portions of the public disagree with various

components of the project, and have raised concerns related to the action alternative, there is no unusual or high degree of controversy related to this project.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks

This decision has no known effects on the human environment that are highly uncertain or involve unique or unknown risks. All of the effects of the selected alternative are similar to those taken into consideration and disclosed in the Carson forest plan's final environmental impact statement chapters 2 and 4. Livestock grazing is an historic use and has been practiced on the Carson National Forest for 100 years (EA, p. 30).

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration

This decision does not represent a precedent for future actions with significant effects or represent a decision in principle about a future consideration. The environmental assessment is site-specific and its actions incorporate those practices envisioned in the Carson forest plan and are within forest plan standards and guidelines.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts

Along with the effects of other past, present, or reasonably foreseeable actions implemented or planned in the area, there are no significant cumulative effects of this decision. The EA describes the anticipated cumulative effects for each of the affected resources (EA pp. 29-117). After reviewing the EA, I am satisfied none of the cumulative effects of my decision are significant.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the national Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources

The archeological clearance and inventory standards and accounting report for the allotment were signed on September 22, 2009. [71] Continuing grazing practices will have no adverse effect on heritage resources from implementing this decision. There will be no effect to sites listed on the National Register of Historic Places, because these site types are not being adversely impacted by current livestock grazing levels and the proposed action will retain or reduce the number of livestock within the allotment. Approximately 15 acres for 3 trick tanks, 3 corrals, 3 cattle guards, 3 stock tanks, 2 holding or gathering pens, and 1 test hole for a stock tank received archeological clearance, since no heritage resources were located during surveys for these projects. Additional projects fall within the boundaries of previous heritage resources surveys and no heritage resources sites are located within these proposed project areas, therefore, these undertakings will have no effect on heritage resources. [38]

Any future ground-disturbing improvements on the allotment not covered in this EA or previous archaeological clearance would be subject to a future archeological clearance from

NM SHPO. This is in compliance with the USFS Region 3 “Standard Consultation Protocol for Rangeland Management: First Amended Programmatic Agreement Regarding Historic Property Protection and Responsibilities” (EA, pp. 112-113).

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973

The U.S. Dept. of Interior Fish and Wildlife Service provided a list of threatened and endangered species that occur in Taos and Rio Arriba counties for consideration in the analysis. The Southwestern willow flycatcher, black-footed ferret, interior least tern, and Rio Grande silvery minnow did not warrant further analysis, since habitat or critical habitat units were not present or the forest was not within the range of the species (EA, pp. 77-82). Mexican spotted owl was analyzed. There are no critical habitat units for Mexican spotted owl (MSO) on the Camino Real Ranger District (EA, pp. 77-82). A biological assessment determined the grazing activities authorized in this decision “May Affect, Not Likely to Adversely Affect” the MSO or its habitat. [56] This effect determination is based on the grazing criteria used in this analysis (EA, pp. 77-82) that is found in the Framework for Streamlining Informal Consultation for Livestock Grazing Activities (2005). Consultation with the U.S. Fish and Wildlife Service was conducted and concurrence was received on October 14, 2009.

10. Whether the action threatens a violation of Federal, State or local law or requirements imposed for the protection of the environment

Implementation of the selected alternative or any of the action alternatives considered in detail will not violate any Federal, State, or local law or requirements imposed for the protection of the environment. Including:

- Clean Water Act (EA, pp. 45-76)
- Clean Air Act, as amended in 1977 (EA, pp. 76)
- Endangered Species Act of 1973, as Amended (EA, pp. 77-82)
- Executive Order 11990 of May, 1977 [Wetlands] (EA, 45-76)
- Executive Order 11988 of May, 1977 [Floodplains] (EA, pp. 45-76)
- Executive Order 13186 of January, 2001 [Migratory Bird Treaty Act] (EA, pp. 99-109)

Finding of Consistency with Other Laws – (see significance factor 10)

This decision is consistent with the National Forest Management Act (NFMA) and the Carson Forest Plan. This decision is also in compliance with the National Environmental Policy Act.

Forest Service Administrative Review or Appeal Opportunities

Opportunities under CFR 215

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. Only individuals and organizations who submitted written or oral comments during the 30-day comment period for the proposed action may appeal this decision. An appeal must be mailed, faxed or e-mailed to the Appeal Deciding Officer within 45 days of publication of the legal

notice of this decision in *The Taos News*. The publication date 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.

Mail: Appeal Deciding Officer, Forest Supervisor Kendall Clark.
Carson National Forest
208 Cruz Alta Rd.
Taos, NM 87571
Fax: (575) 758-6213
E-mail: appeals-southwestern-carson@fs.fed.us

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). Hand-delivered appeals can be submitted at the above office during normal business hours from 8:00 to 4:30 weekdays (excluding holidays).

The appeal must have an identifiable name attached or verification of identity will be required. A scanned signature may serve as verification on electronic appeals. Appeals must meet the content requirements of 36 CFR 215.13-15. Any appeal must be postmarked or submitted to the Appeal Deciding Officer within 45 days of the date of publication of this legal notice.

Opportunities under CFR 251

Decisions related to the issuance, denial, or administration of written instruments to occupy and use National Forest System lands may be appealed by permit holders under 36 CFR 251. A Notice of Appeal must be consistent with 36 CFR 251.90 and filed simultaneously with the Carson National Forest Supervisor, Appeal Reviewing Officer and Camino Real District Ranger, Deciding Officer. The notice of appeal must be filed within 45 days from the day after the written notice of the decision being appealed. 36 CFR 251 appeals should be sent to:

Mail: Appeal Deciding Officer, Forest Supervisor Kendall Clark.
Carson National Forest
208 Cruz Alta Rd.
Taos, NM 87571
Fax: (575) 758-6213
E-mail: appeals-southwestern-carson@fs.fed.us

and

Mail: Camino Real District Ranger
Deciding Officer for Santa Barbara Allotment
P.O. Box 68
Peñasco, NM 87553
Fax: (575) 758-6236

A permit holder may appeal the decision under 36 CFR 215 or 36 CFR 251, but not both. Appeals may be filed electronically, as described above under the 36 CFR 215 process.

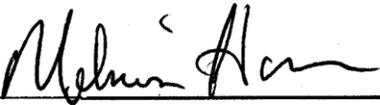
The deciding officer is willing to meet with permit applicants or holders to hear and discuss any concerns or issues related to this decision. This decision may be implemented during an appeal, unless the Reviewing Officer grants a stay under 251.91.

Implementation Date

If an appeal is filed within the 45-day time period, implementation may begin on, but not before, the 15th business day following the date of the last appeal disposition. If no appeal is filed within the 45-day time period, implementation of this decision may begin on, but not before, the 5th business day following the close of the appeal filing period.

Information

For additional information, contact Melvin Herrera at the Camino Real Ranger District, at the address listed above, or by phone at (575) 587-2255



MELVIN HERRERA
Camino Real Acting District Ranger

11. 6. 2009

Date

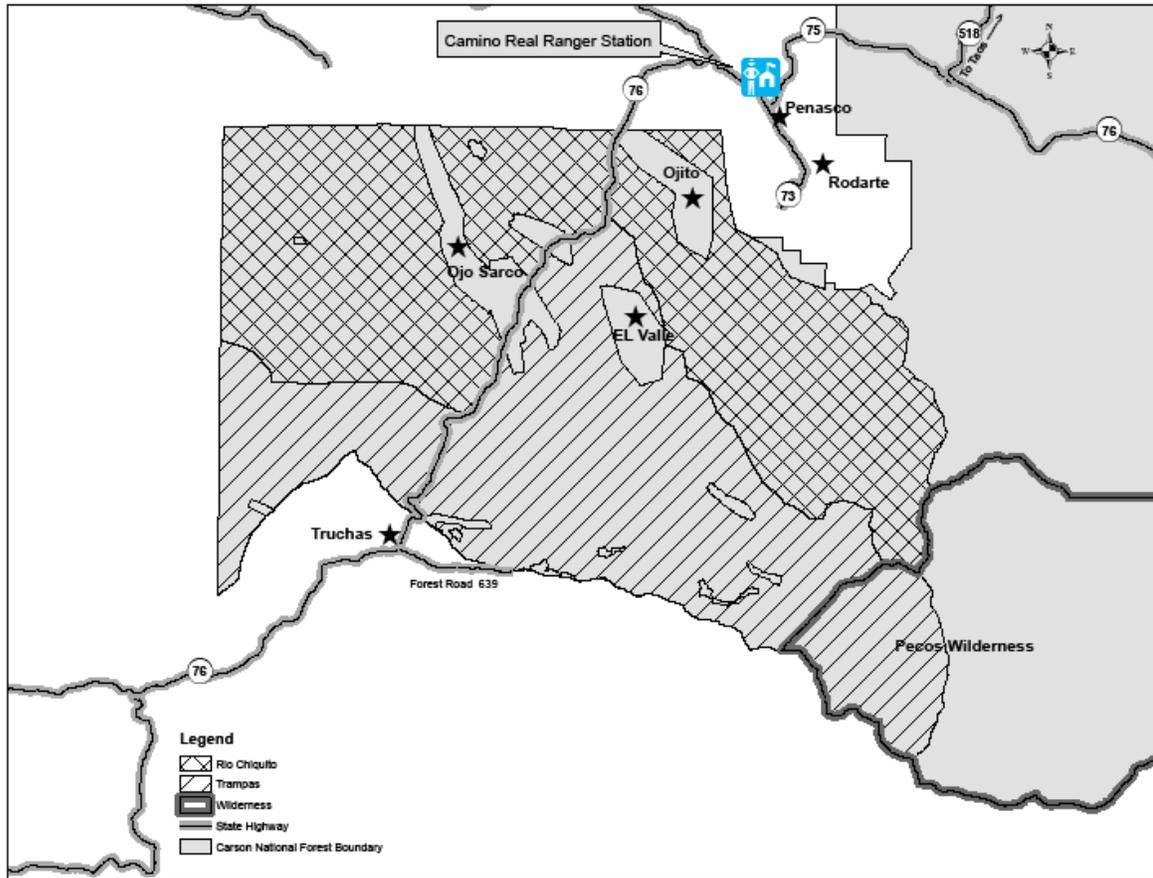


Figure 1. Rio Chiquito and Trampas Allotments General Location and Pasture Map

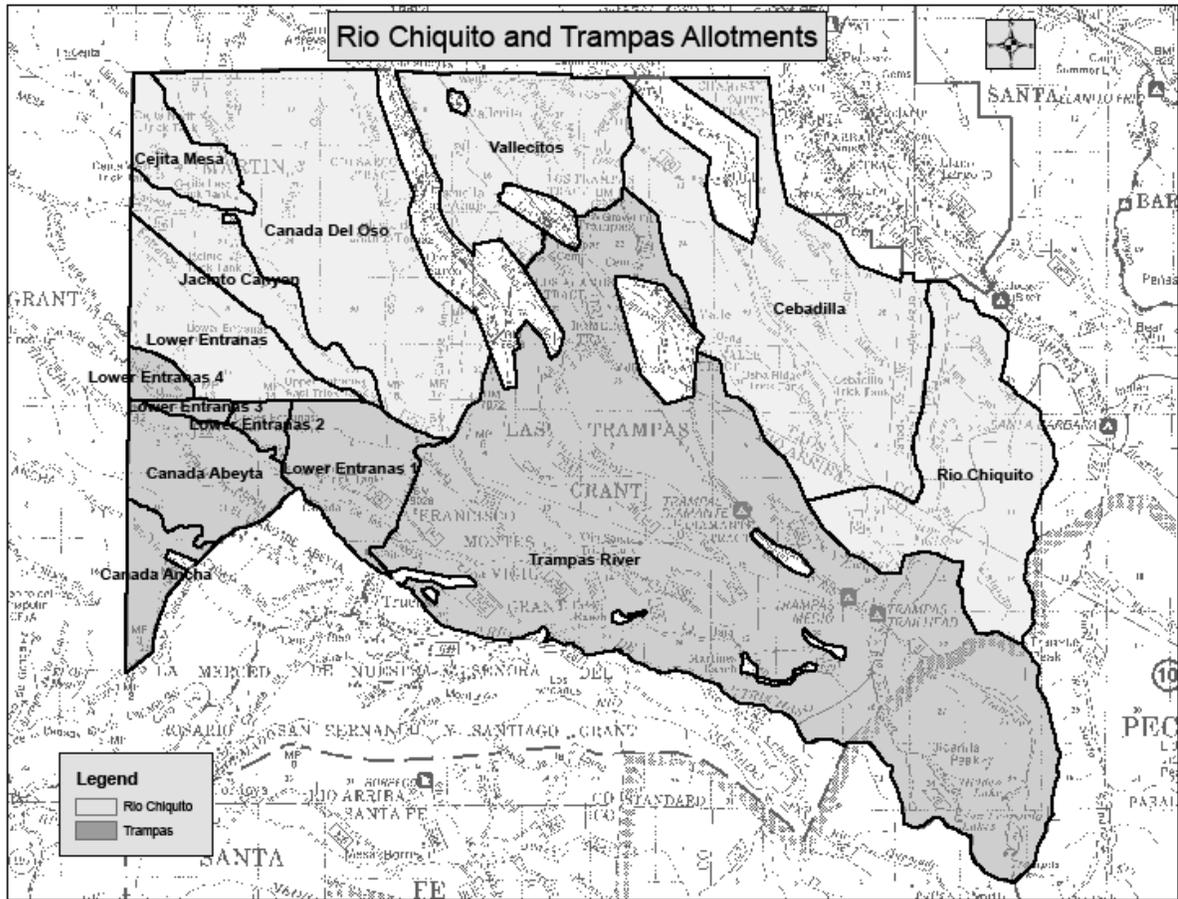


Figure 2. Rio Chiquito and Trampas Allotments Pasture Boundaries

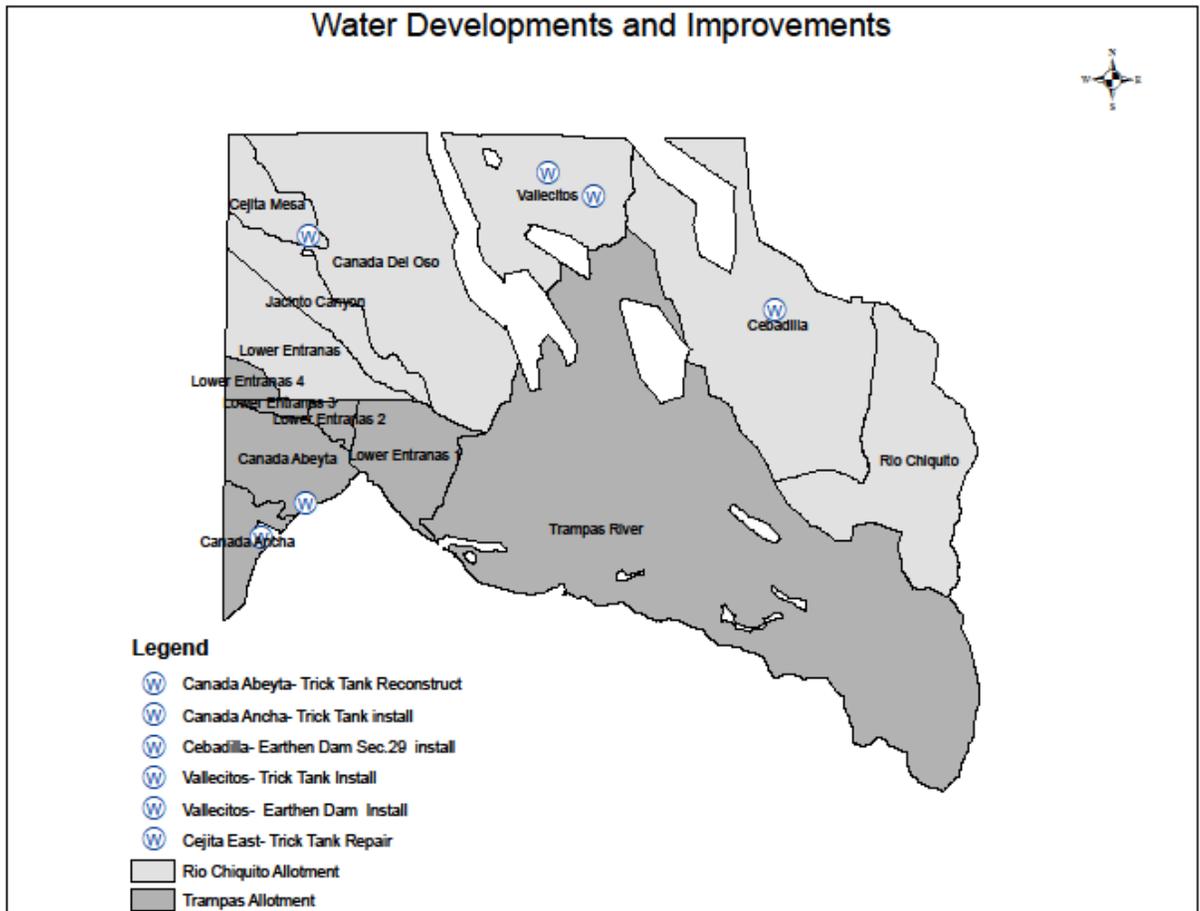


Figure 3. Proposed Action - Water Developments and Improvements

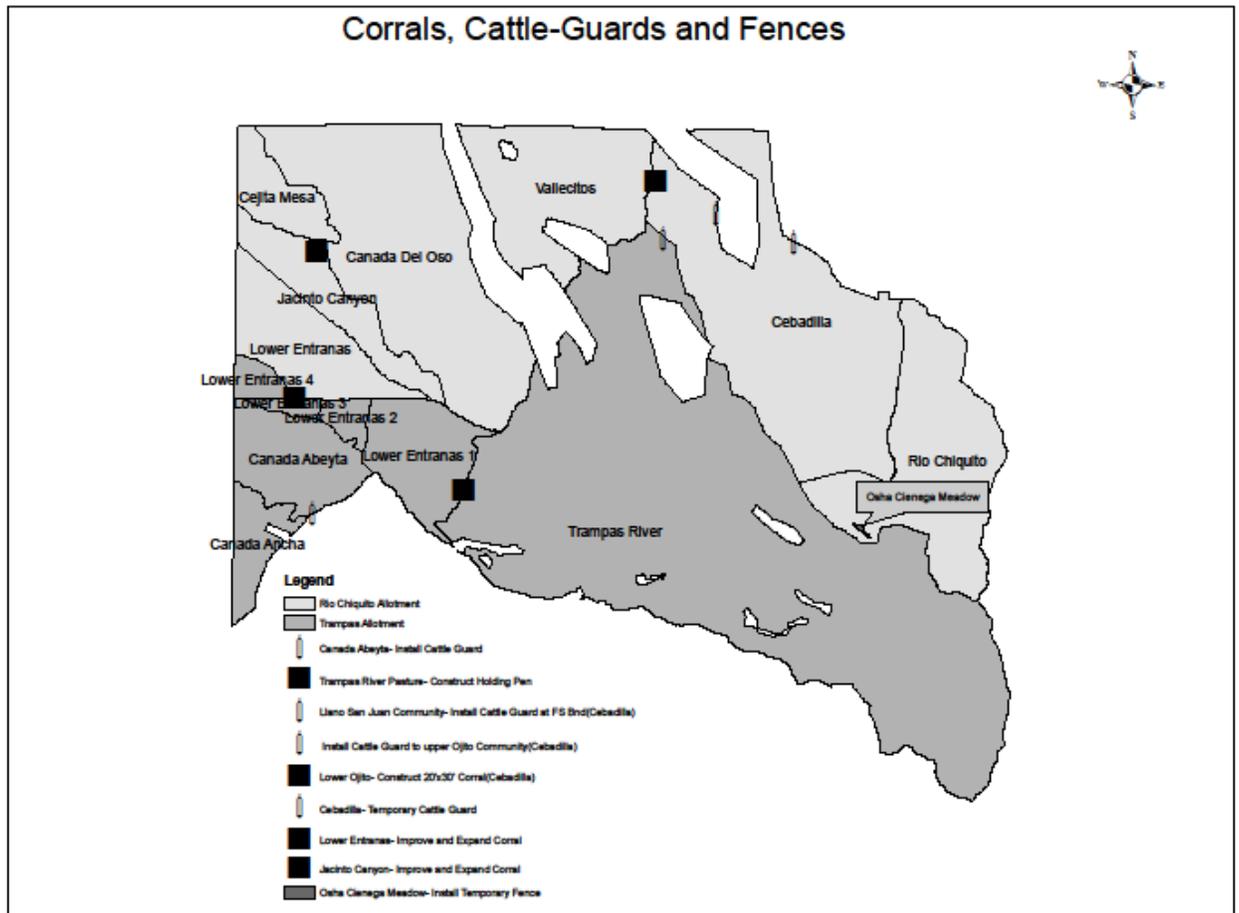


Figure 4. Proposed Action - Corrals, Fences & Cattle Guards

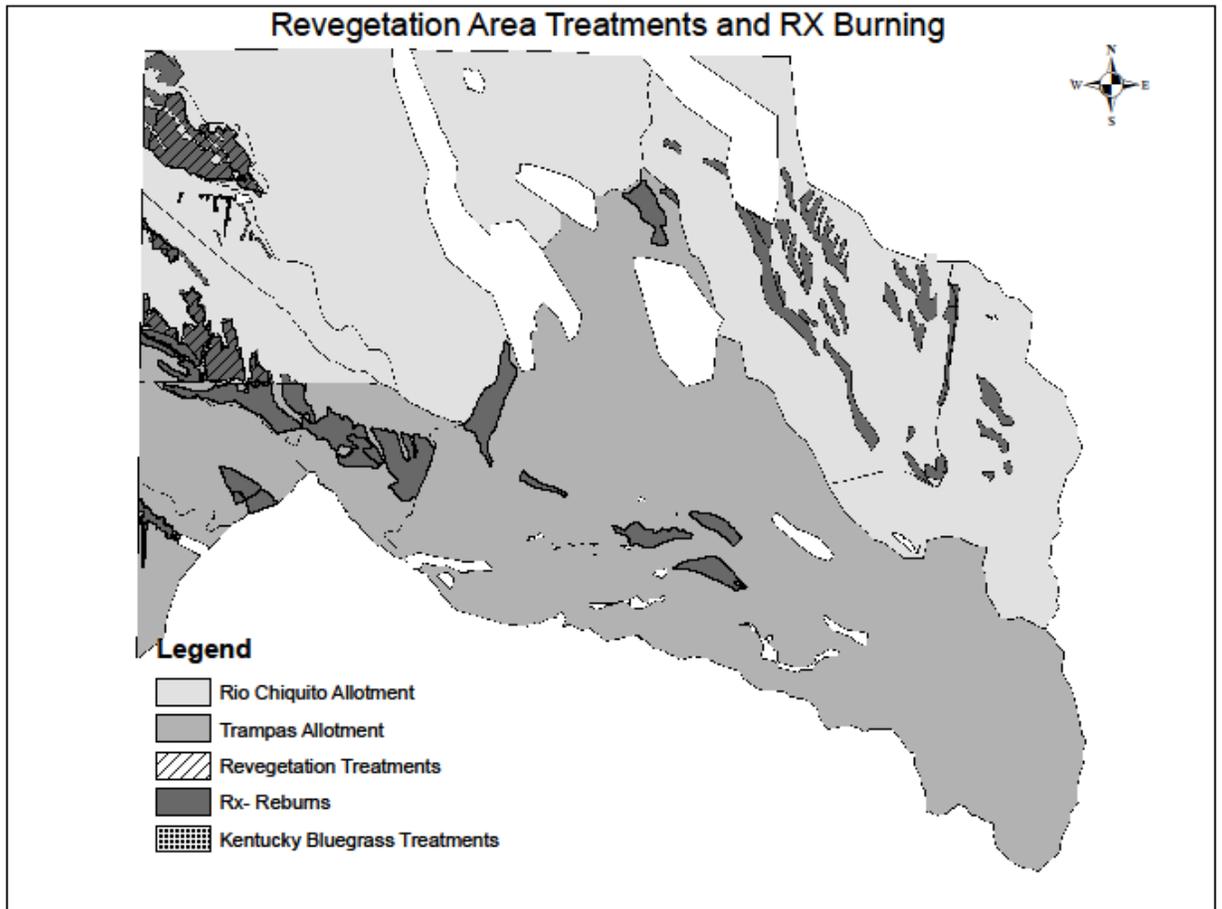


Figure 5. Proposed Action – Revegetation Area Treatments, Prescribed Burns, and Meadow Treatments