

DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT
for
TEASDALE RANGER DISTRICT
NORTH SLOPE CATTLE ALLOTMENT

DIXIE NATIONAL FOREST
WAYNE COUNTY

INTRODUCTION

The following cattle allotment on the Teasdale Ranger District has been 1) Analyzed to determine existing resource conditions, desired resource conditions, and prescriptions to move from existing to desired conditions (National Forest Management Act analysis--project file) and 2) Analyzed to determine the effects of livestock grazing, which are disclosed in an Environmental Assessment, pursuant to the requirement of the National Environmental Policy Act (NEPA) of 1969:

North Slope

The North Slope cattle allotment on the Teasdale Ranger District covers approximately 32,000 acres on the Aquarius Plateau- Boulder Mountain region in Wayne County in south central Utah (see location and vicinity map). Elevations range from 7,000 feet along the foothill range of the Fremont River basin to 11,000 feet along the Boulder Top rim.

Vegetation types range from pinyon-juniper and sagebrush, through ponderosa pine and aspen to spruce-fir forests.

Watersheds drain the allotment to the north to the Fremont River which is tributary to the Colorado River.

There is no designated wilderness within the Teasdale Ranger District. The North Slope Allotment provides a scenic view-shed of the Capitol Reef National Park which is approximately 10 miles from the allotment boundary.

Livestock currently graze National Forest System lands on the Teasdale Ranger District through the issuance of ten-year term grazing permits in compliance with the Dixie National Forest Land and Resource Management Plan (LRMP).

In addition, applicable standards and guidelines of the LRMP (including compliance with applicable laws, regulations and policies) are incorporated in the grazing permits authorizing livestock use on the Teasdale Ranger District allotments.

It is the intent of the Teasdale Ranger District to meet Forest Service multiple use objectives for obtaining proper utilization of available forage on suitable rangelands.

A comparison of the desired future condition for the range lands of this allotment and the existing range condition indicated that there is a need to

develop and implement a vegetation management program including prescribed fire. In addition the following needs were identified:

There is a need to increase monitoring of cattle on this allotment particularly in the intensive riparian management area (9B) of Fish Creek to insure continued improvement of the riparian plant structures.

DECISION

Based on the analysis documented in the Environmental Assessment, (supported by project file analyses, Biological Assessments, State Historical Preservation Office concurrence, and U.S. Fish & Wildlife Service concurrence), I have selected the Proposed Action. For a complete description of the Proposed Action and mitigation measures which will be required, refer to Chapter 2 of the EA.

Permitted Use

<u>Allotment Name</u>	<u>Total Acres</u>	<u>Proposed Livestock #</u>	<u>Season of Use</u>	<u>Grazing System</u>
North Slope	32,099	275	6/11 - 9/30	Dfrd-rotat

Structural Improvements

Additional interior fences may be constructed on this allotment. These are listed in Chapter 2 of the EA. The cost for these improvements will be equally shared by the Forest Service and grazing permittees on each allotment.

Stipulations to Implementation of the Selected Activity

In addition to the General terms and conditions which are standard to Part 2 of the Term Grazing Permit, Part 3 of the permits will include the following additional terms and conditions:

Land and Resource Management Plan Standards and Guidelines (S&G's) for utilization, streambanks and channel restoration, riparian area management, Threatened & Endangered Species, wildlife, plant and fish habitat.

Structural range improvement maintenance assignments.

Non-structural range improvement maintenance assignments.

Requirements for livestock distribution, including herding and salting.

Allotment Management Plans and Annual Operating Plans.

Requirements for cultural resource and Threatened, Endangered, Proposed and Sensitive plants, wildlife and fish clearances for any proposed range projects.

Monitoring

Monitoring requirements identified in the EA, Appendix A, will be implemented as part of this decision. The purpose of all monitoring activities will be to ensure that management objectives are being achieved as predicted in the EA. If monitoring results differ substantially from those discussed in the EA, a

determination of the cause will be made and corrective actions identified and implemented following the appropriate NEPA documentation.

REASONS FOR THE DECISION

The Forest Service mission is to provide a sustained flow of renewable resources while promoting a healthy and productive environment for the Nation's forests and rangelands. Objectives of the range management program include providing for livestock forage, while maintaining or improving environmental quality. It is National Forest System policy to 1) Use appropriate methods, including livestock grazing, for managing range vegetation; and 2) Issue term permits, generally for ten-year periods with appropriate terms and conditions, to allow use of range vegetation.

Accomplishment of the Purpose and Need

The Purpose and Need, as described in Chapter 1 of the EA, is met with the Proposed Action (Selected Action).

Consistency with the Dixie National Forest Land and Resource Management Plan

I have evaluated details of my decision with the Dixie National Forest Land and Resource Management Plan (LRMP) goals and objectives, as well as standards and guidelines (S&Gs), for consistency with the LRMP. This decision is consistent with the LRMP. More specifically, the Proposed Action (Selected Action) perpetuates the achievement of the Desired Condition of the Forest as described in LRMP, IV 18-23.

Effects on the Environment and Responsiveness to Issues

The detailed analysis in Chapter 4 of the EA discloses how the Proposed Action (the Selected Action) responds to the issues and affects the resources. The Selected Action will:

1. Provide proper use criterion for riparian and wet meadow forage utilization that will protect the multiple benefits of riparian habitat and associated vegetation.
2. Maintain habitats and populations for all threatened, endangered, and sensitive wildlife, fish, and plant species.
3. Result in a determination of "No Effect" to any historic or prehistoric sites within this allotment.
4. Result in a) Positive net economic benefits to permittees and rural communities, b) No adverse social effects, and c) No adverse effects to rural lifestyles.
5. Provide forage utilization by the appropriate class of livestock as determined by suitability characteristics of soil, vegetation, topographic, and climatic characteristics.
6. Provide levels of stocking and proper forage utilization that ensure the achievement of identified future conditions of forest rangeland resources.

7. Provide seasons of use that utilize the range during the proper season; and, where sensitive resources occur, protect and perpetuate species populations.

8. Provide grazing systems that are compatible with topographic and vegetation landscapes and that a) Promote utilization of suitable rangelands with uniform and proper distribution and, b) Reduce frequency and intensity of use on key areas and key species.

9. Provide range improvements to improve livestock management effectiveness, efficiency, and intensity.

10. Provide an emphasis on adaptive management which directs a) Proactive monitoring by the Interdisciplinary (resource) Team (IDT) to evaluate progress toward meeting management objectives, and b) Implementation of "adapted management" strategies until the desired outcome is achieved.

PUBLIC INVOLVEMENT

The scoping effort for issuance of term grazing permits expiring on December 31, 1995 began with notification in the Dixie National Forest March-May NEPA Report of Activity for 1995. During March, each Ranger District forwarded copies of an information letter to each grazing permittee on their respective districts. During Annual Operating Plan meetings, which were generally concluded prior to March 31, processes for issuance of permits were again reviewed with each permittee. The June-August NEPA Report of Activity for 1995 once again reiterated notification of the pending NEPA process. On July 11, a 23-page Grazing Scoping Notice was mailed to over 400 interested publics; including permittees, special interest groups, other agencies, congressional offices, and interested citizens; whose names are maintained on the Forest NEPA mailing list. This scoping notice identified the allotments requiring NEPA analysis, showed their location on a map, described the proposed action and the decision to be made, included a specific request for public comment, and provided a response form.

The period for receiving scoping comments ended on August 11. However, comments received before July 11 and after August 11 were included in the scoping response analysis. All comments received during scoping are a matter of public record and are included in the project file for issuance of term grazing permits.

Twenty-six individuals or organizations responded with comments. Specific allotment comments were received from 14 permittees. Four organizations provided discussion they wanted applied to all allotments. Two local government agencies responded with concerns specific to the Pine Valley Ranger District, and the Governor's Office of Planning and Budget provided constructive comments for resource management. Comments received from five concerned citizens were both allotment specific and general.

Overall, permittee responses were in favor of the proposed actions and provided discussion regarding connected actions. Organizations asked for reviews of range suitability, a full range of alternatives, and the preparation of an EIS. Generally, their discussions revolved around the need for the Dixie National

Forest to follow correct NEPA procedures rather than supporting or opposing the proposed actions.

This scoping analysis did not reveal the identification of any issues significant enough to drive the creation of any alternatives other than the Proposed Action and the No Grazing alternative.

The EA was released for a 30-day pre-decisional review on October 11, 1995. The document was mailed to over --- individuals and organizations who had specifically commented during the scoping process or who had indicated an interest in receiving EA's on this or similar topics. ----- individuals or organizations responded during the review. --- of those comments was opposed to the Proposed Action.

OTHER ALTERNATIVES CONSIDERED

In order to consider a reasonable range of alternatives, the ID Team developed seven potential alternatives to the Proposed Action and a No Action alternative. These seven alternatives were considered, but eliminated from detailed study. These are described in Chapter 2 of the EA.

The No Action alternative was considered in detail in the EA. Under this alternative, no permits with term status would be issued to allow grazing of livestock. Existing range improvements and land treatments would be maintained only if considered beneficial to other uses. This alternative did not meet the Purpose and Need nor did it comply with the provisions of the 1995 Rescission Bill (P.L. 119-105), which directs the re-issuance of all expiring permits.

COMPLIANCE WITH THE FOREST PLAN, OTHER LAWS AND REGULATIONS

Based on my review of the analysis presented in the EA, Chapter 4, and the supporting project file documentation, Biological Assessments, and concurrence from the SHPO and USF&WS; I have determined that the Selected Action is in compliance with the Dixie National Forest Land and Resource Management Plan, the National Forest Management Act of 1976, the Clean Water Act of 1948 (as amended in 1972 and 1987), the American Antiquities Act of 1906, the Historic Preservation Act of 1966, and the Endangered Species Act of 1973, as amended. In addition, no floodplains or wetlands will be affected as defined in Executive Orders 11988 and 11990.

I have determined that the analysis process was consistent with Section 8 of the Public Rangelands Improvement Act of 1978. Ample opportunity for consultation, cooperation, and coordination occurred throughout the analysis process.

I have also determined that my decision is consistent with Section 504 of the 1995 Rescission Bill (P.L. 104-19) which directs that term grazing permits, which expire before the NEPA analysis is complete, be re-issued on the same terms and conditions and for the full term of the expired or waived permit. The permits issued to graze livestock on this allotment do not expire prior to December 31, 1995 and the NEPA analysis, concluded with this decision, is completed prior to term permit expirations. As instructed by the law, upon

in detail in the EA, Chapter 4, by resource area, and in the paper entitled "Effects of Livestock Grazing at Proper Use on the Dixie National Forest", incorporated in the EA by reference.

5. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. All known effects are adequately discussed or referenced in the EA, Chapter 4, and were determined from professional experience, education, and/or scientific literature.
6. These actions do not set a precedent for other projects that may be implemented to meet the goals and objectives of the LRMP. The Selected Alternative was specifically designed for these grazing allotments, and addressed the site-specific purpose and need for this project. Prescribed livestock management practices are relative to this allotment, only, and do not set a precedent for these types of actions on other grazing allotments.
7. There are no known significant cumulative effects between this project and other projects implemented or planned in the area. This is substantiated in the cumulative effects discussion for each resource area in Chapter 4 of the EA.
8. There are no known historic resources affected (EA, Chapter 3, Table 4; Chapter 4). While each site-specific structural improvement has not yet been reviewed by the Forest Archeologist, structural improvements have not been proposed in areas of known sites. Surveys will be completed prior to construction, and the improvement will be moved, or the site mitigated, if conflicts with historic resources arise (EA, Chapter 2; Chapter 4).
9. There are no known federally listed (or proposed for listing) endangered or threatened plant or animal species within this allotment which will be adversely affected by the Selected Alternative (EA, Chapter 3, Table 4; EA, Chapter 4; Biological Assessment located in the Project File; Paper, "Effects of Livestock Grazing at Proper Use on the Dixie National Forest"--incorporated by reference).
10. The actions do not threaten a violation of Federal, State, or local laws or requirements imposed for the protection of the environment. My conclusion is based on a review of the EA, Chapter 4; concurrence with the Selected Action by the Utah SHPO and the USF&WS; and based on the input from other federal, state, and county agencies which we have received to date on this project.

IMPLEMENTATION AND ADMINISTRATIVE REVIEW

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215.7. Any written appeal must be postmarked or received by the Appeal Deciding Officer, Regional Forester Dale N. Bosworth, Intermountain Region Office, 324 25th Street, Ogden, UT 84401, by December 31, 1995, which is 45 days following the date that the legal notice of this decision was published in the Daily Spectrum newspaper, St. George, Utah.

Appeals must meet content requirements of 36 CFR 215.14. For further information on this decision, contact Marvin R. Turner, District Ranger, Teasdale Ranger District, P.O. Box 99, 138 East Main, Teasdale, UT 84773 (801) 425-3702.

If no appeal is received, implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

RESPONSIBLE OFFICIAL

MARVIN R. TURNER
District Ranger

DATE