Decision Notice and Finding of No Significant Impact

BIG SPRINGS CATTLE AND HORSE "ON-OFF" ALLOTMENT

USDA Forest Service, Intermountain Region
Mountain Home Ranger District, Boise National Forest
Elmore County, Idaho

September 2009

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USDA Forest Service, Intermountain Region
Mountain Home Ranger District, Boise National Forest
Elmore County, Idaho

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DECISION

Based on my review of the information documented in the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments Environmental Assessment (EA) (September 2009), the Finding of No Significant Impact documented below, public comments, and other documents contained in the project file, I have decided to implement the proposed action alternative for the Big Springs Cattle and Horse "On-Off" Allotment (Big Springs Allotment). Specifically, the selected alternative continues to authorize 80 cow/calf pairs on the "on" (National Forest System, NFS) portion of the allotment for a grazing season of July 1 to October 15. This results in a utilization of 281 head-months of forage (HMs) of forage on NFS land per year. Grazing by 120 cow/calf pairs on the "off" (non-NFS land) portion of the allotment would continue for the same season.

My decision is to continue current allotment management with no changes. It authorizes continued livestock grazing at current permitted numbers and season, consistent with standards and guidelines specified in the Term Grazing Permit, as supplemented by Annual Operating Instructions (AOIs), the 2003 Revised Boise National Forest Land and Resource Management Plan (Forest Plan), management prescriptions, and monitoring requirements.

These standards may be modified to accelerate attainment of the desired conditions, and include:

- Maximum forage utilization of representative areas within each pasture containing NFS land will not exceed the values shown below at the end of the growing season. Those utilization levels are as follows:

  Riparian Areas: Maximum 45 percent use or retain a minimum 4-inch stubble height of hydric greenline species whichever occurs first (Forest Plan Standard RAST01, p. III-45).

  Upland Vegetative Cover Types: 40 percent use (Forest Plan Standard RAST01, p. III-45).

- Livestock salting is prohibited in Riparian Conservation Areas (RCAs) (Forest Plan Standard RAST04, III-45). Place salt no closer than ¼ mile from water and not within 100 feet of designated roads. Move salt from areas where utilization standards have been met (Terms and Conditions).

- All water developments must provide access and escape to and from water for all types of wildlife (This requirement is a part of the Terms and Conditions for the allotment that exceeds the requirements of Forest Plan Standard RAST09, p. III-45).

- Bulls must test negative for Trichomoniasis before entering NFS land (This requirement is in the Annual Operating Instructions).
- Only certified noxious weed-free hay, straw, or feed is allowed on NFS land (Forest Plan Standard NPST01, p. III-36).
- On all lands outside of designated travelways, motorized use is prohibited, unless otherwise authorized (Forest Plan Standard REST04, p. III-64).

There would continue to be some flexibility in allotment administration allowed for weather conditions, range readiness, and livestock needs. If the forage is fully utilized or the Forest Service determines that further grazing would damage resources, the permittee may be required to remove livestock early.

The selected alternative includes continued monitoring of the allotment through grazing permit administration, which includes monitoring forage utilization and inspections of range improvements (water developments, fences, corrals, etc.) as needed.

All existing range improvements, such as fences and water developments, are required to be brought to properly functioning condition each grazing season prior to livestock entering the allotment as defined in the Term Grazing Permit (see Project Record). There are no additional improvements proposed for this allotment.

As a result of the 2006 North Sheep decision (*Western Watersheds Project v. USFS*, Case No. CV-05-189-E-BLW, District Court of Idaho), Forest Plan Capability Analyses and Site-Specific Capability Analyses are required for all allotments. These analyses have been completed for the Big Springs Allotment and the Rangeland Management Specialist has determined that there is sufficient capable rangeland to support permitted numbers on this allotment (EA, Section 3.2.2.1).

The Big Springs Allotment encompasses about 2,300 acres, including about 950 acres of NFS land and 1,350 acres of private land. The allotment is located within the boundary of the Sawtooth National Forest, but is under the administrative authority of the District Ranger of the Mountain Home Ranger District of the Boise National Forest.

The allotment is located in Elmore County, Idaho, about 25 miles northeast of Mountain Home. It is located in Township 1 South, Range 10 East, sections 2, and 10 to 15, Boise Meridian (Figure 1).

PURPOSE AND NEED

The need for this action is to authorize the appropriate level of livestock use within the Big Springs Allotment under updated management direction designed to achieve management objectives and move existing resource conditions toward desired conditions. Authorizing continued grazing would address the objectives of the range management program in the National Forest System and the goals and objectives in the Boise National Forest Land and Resource Management Plan (Sections 1.4 and 1.6 of the EA).

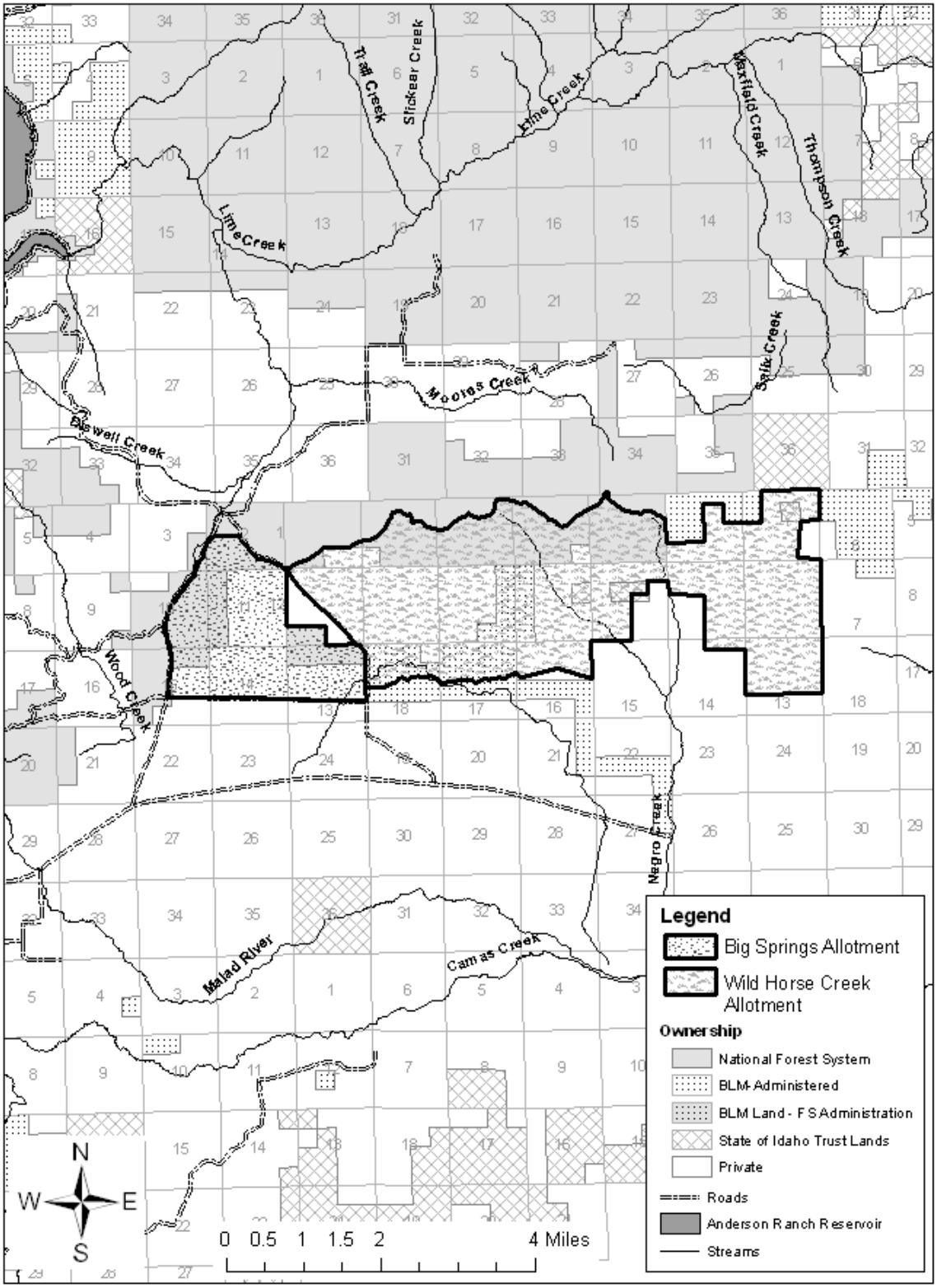

Figure 1. Location of the Big Springs Allotment.
The Big Springs Allotment is the western allotment of the two allotments delineated on this map.

DECISIONS TO BE MADE

As disclosed in Section 1.5 of the EA, I am making the following decisions for the Big Springs Allotment:

1. Whether to authorize continued grazing on the Big Springs Allotment.
2. If grazing is allowed to continue, whether management changes would likely be necessary to address the Forest Plan's goals, objectives, and desired future conditions for the NFS land in this allotment; and
3. Whether the resulting action would likely result in significant impacts necessitating the preparation of an environmental impact statement (EIS).

RATIONALE FOR DECISION

This decision best meets the purpose and need for the project. My reasons for proceeding with this action are as follows:

1. Authorizing continued grazing will address the objectives of the range management program in the National Forest System and the goals and objectives in the Boise National Forest Land and Resource Management Plan.
   a. The objectives of the range management program in the National Forest System are:
      - To manage the range vegetation to protect basic soil and water quality resources, provide for ecological diversity, improve or maintain environmental quality, and meet public need for interrelated resource use [FSM 2202.1(1)].
      - To integrate management of range vegetation with other resource programs to achieve multiple use objectives contained in forest land and resource plans [FSM 2202.1(2)].
      - To provide livestock forage, wildlife food and habitat, outdoor recreation, and other resource values dependent on range vegetation [FSM 2202.1(3)].
      - To contribute to the economic and social well being of people by providing opportunities for economic diversity and by promoting stability for communities that depend on range resources for their livelihood [FSM 2202.1(4)].
      - To provide expertise on range ecology, botany, and management of grazing animals [FSM 2202.1(4)].

Authorization to graze the specific area is needed through a project-level NEPA decision (FSH 2209.13 Chapter 91). If the decision is made to authorize livestock grazing, Allotment Management Plans (AMPs) implement the applicable management direction from the NEPA decision.

   b. The Forest Plan provides for the multiple-use and sustained yield of goods and services from the forest. Forest plans determine the capability and suitability of the plan area and establish programmatic direction including goals, objectives, standards, guidelines, and monitoring requirements. Forest Plan management direction for rangeland resources includes the following goals:

- Provide for livestock forage within existing open allotments, in a manner that is consistent with other resource management direction and uses.
- Manage rangelands using controlled livestock grazing, range structural and non-structural improvements, vegetative and ground rehabilitation, fire, and timber management in various combinations to meet desired conditions.
- Manage upland vegetation on suitable rangelands to maintain or restore hydrologic function and soil productivity of watersheds containing allotments.
- Manage herbaceous and shrub vegetation on suitable rangelands to meet resource objectives in an efficient manner.
- Manage livestock grazing within riparian areas to accommodate the maintenance or restoration of aquatic and riparian processes and functions.
- Coordinate livestock grazing to address conflicts with other resource uses in a manner that is consistent with Forest Plan management direction.

The selected alternative was designed to comply with the Forest Plan and the livestock grazing standards and guidelines that it promulgates as a means of eventually achieving the Forest Plan's goals.

The Forest Plan at the programmatic level identified the NFS lands within this allotment as suitable for livestock grazing. The Forest Plan also contains direction for proper management of livestock within the allotment. That direction provides desired conditions for rangeland resources, for which the long-term goals are

> A sustainable level of forage, consistent with other resource management direction, is available for use through the Forest Service grazing permit system. Rangeland forage quality is maintained or improved in areas where vegetation management projects and range management actions occur. Riparian areas continue to be a focal point for providing vegetative diversity, landscape capability, soil productivity, wildlife habitat, proper stream channel function and water quality important to sustaining beneficial uses. Riparian areas are functioning properly and/or have improving trends in vegetative composition, age class structure and vigor. Upland range vegetation is contributing to proper hydrologic function. The composition and densities of shrubs, grasses and forbs are variable and dynamic across the landscape (Forest Plan, p. III-44).

The allotment lies in Forest Plan Management Area 1 – *Lower South Fork Boise River,* as designated by the Forest Plan and within management prescription category (MPC) 6.1 – *Restoration and Maintenance Emphasis within Shrubland and Grassland Landscapes* (Forest Plan, pp. III-92-93):

The project record contains a checklist documenting each interdisciplinary team (IDT) resource specialist's consideration of the selected alternative's consistency with Forest Plan standards and guidelines.

2. This decision adequately addresses the concerns expressed in public comments.

   a. Disclosure of whether the selected alternative has the potential to adversely impact the Lime Creek watershed or any other watersheds that may contain bull trout or other native trout populations. The selected alternative will not cause

measurable effects to water quality (EA, Section 3.9.2). The selected alternative will have "no effect" on bull trout because the Big Springs Allotment does not occur within any potential or existing bull trout population, or designated critical habitat (EA, Sections 3.7.1 and 3.9.1). Potential negligible improvements in water quality with negligible improvements in stream temperature, and slight reductions in sediment, would occur as vegetative conditions within and outside of RCAs continue on an improving trend where not currently meeting desired conditions (EA, Section 3.6.2.1.1). As vegetation conditions in the allotment improve where not currently meeting desired conditions, the potential for sediment inputs would continue to decrease and width to depth ratio and streambank condition would improve negligibly (EA, Section 3.6.2.1.2).

b. Disclosure of whether the selected alternative has the potential to increase infestation and spread of noxious weeds. The selected alternative would likely result in some minor noxious weed spread by livestock (EA, Section 3.4.2.1).

c. Disclosure of whether the selected alternative has the potential to affect water quality or the health or condition of springs, seeps or intermittent or ephemeral drainages. The selected alternative will not cause measurable effects to water quality (EA, Section 3.9.2). The effects of grazing on the upland soil-hydrologic, and RCA functions and processes should be maintained where currently functioning appropriately, and trending toward desired condition where currently not at desired conditions. Further, negative effects from cattle grazing on water quality and associated beneficial uses would likely be reduced on NFS land because this alternative requires proper use of streamside riparian vegetation and minimal use in those areas identified as needing improvement (EA, Section 3.6.2.1).

d. Disclosure of whether the selected alternative has the potential to cause erosion of soils on steep granitic slopes. There is little likelihood for the selected alternative to cause soil erosion on steep granitic slopes (EA, Section 3.3.2.1.3)

e. Disclosure of whether the selected alternative has the potential to affect microbiotic crusts. The analysis for this indicator concludes there is limited, if any, potential for the selected alternative to affect biological soil crusts (EA, Section 3.3.1.3.4).

f. Disclosure of whether the selected alternative has the potential to adversely affect native plants. On average, the density of bunchgrasses and native forbs are lower than desired across the non-forested part of the allotment (EA, Section 3.5.1.2). This is due to high sagebrush densities that have developed from the lack of fire or other disturbances and not from the grazing activities that would continue under the selected alternative.

g. Disclosure of whether the selected alternative has the potential to affect mule deer, elk, sage-grouse and other wildlife populations. The selected alternative may impact individuals but is not likely to cause a trend to federal listing or loss of viability to sage-grouse (EA, Section 3.8.2). It will not restrict movement of big game species during spring and fall migrations or have any other discernable effect on these species (EA, Section 3.8.3).

h. **Disclosure of whether the selected alternative has the potential to affect important, listed, special status, MIS or other animal species of management concern.** The selected alternative will have "no effect" to Canada lynx (*Lynx canadensis*) (Threatened), yellow-billed cuckoo (*Coccyzus americanus*) (EA, Section 3.8.1.1), or Columbia River bull trout (*Salvelinus confluentus*) (EA, Section 3.7.1). The selected alternative "would not likely jeopardize continued existence or adversely modify proposed critical habitat" for slickspot peppergrass (*Lepidium papilliferum*) (EA, Section 3.5.2.1.1). The selected alternative will not affect Management Indicator Species white-headed woodpecker (*Picoides albolarvatus*) (also a Sensitive species) or pileated woodpecker (*Dryocopus pileatus*) (EA, Section 3.8.1.2.3).

i. **Disclosure of whether the selected alternative has the potential to affect current vegetation communities.** After reviewing the EA, I have determined that the selected alternative under existing standards, guides, terms and conditions, would not have a substantial effect on vegetation conditions on the Big Springs Allotment (EA, Section 3.4.2.1). Annual grazing by livestock can reduce fine fuels (grass) in rangeland cover types, lowering fire intensity and interrupting the rate and extent of spread of fire across the landscape. Where sagebrush canopies are heavy and consistent across a landscape, grazing has little effect on fire frequency and rate of spread. Independent of current grazing, the sagebrush structure of these types will remain or continue towards dense continuous cover types and will remain outside the range of natural variability until treatment or a wildfire event occurs. Livestock grazing in riparian areas causes temporary impacts that do not have a permanent impact to the riparian resource except at some localized sites. Trampling by livestock stirs soil and could potentially provide disturbed areas where noxious weeds could become more readily established. Rush skeletonweed will continue to spread and increase in density on the allotment with or without the presence of livestock grazing. Permittees will continue to monitor the allotment and report new noxious weed infestations in the project area. The permittees provide an early detection resource for identifying new infestations due to their frequent presence, extensive travel through the allotment, and desire to prevent the spread of these weed species. Changes in range management activities through the years have led to a substantial improvement in vegetative condition on the allotment. Static or improving trends in soil cover and vegetation condition will continue. Management consistent with current Forest Plan standards will maintain conditions where riparian resources are currently at the desired condition or move toward achieving desired conditions in the long term.

j. **Disclosure of whether the selected alternative has the potential to affect water quality – including sediment, algae, fecal coliform, and such things as the potential for toxic algae in downstream reservoirs.** There is no potential for the selected alternative to result in toxic algae in downstream reservoirs (EA, Appendix: Response to Comments, page 62). The selected alternative will not cause measurable effects to water quality (EA, Section 3.9.2). The effects of grazing on the upland soil-hydrologic, and RCA functions and processes should be maintained where currently functioning appropriately, and trending toward desired condition where currently not at desired conditions. Further, negative effects from cattle grazing on water quality and

associated beneficial uses would likely be reduced on NFS land because this alternative requires proper use of streamside riparian vegetation and minimal use in those areas identified as needing improvement (EA, Section 3.6.2.1).

k. **Disclosure of whether the selected alternative has the potential to affect rare plant communities.** The selected alternative may impact individuals, but will not likely contribute to a trend towards federal listing or loss of viability to the populations or species of slender-leaf moonwort (*Botrychium lineare*), beautiful bryum (*Bryum calobryoides*), small (least) phacelia (*Phacelia minutissima*), bugleg/wholeleaf goldenweed (*Pyrrocoma insecticruris* (syn. *Happlopapus insecticruris*)) (EA, Section 3.5.2.1).

l. **Disclosure of whether the selected alternative has the potential to combine with the effects of roading.** The EA considered the potential accumulation of effects of roads with the effects of the selected alternative on detrimental disturbance to soils, total soil resource commitment, and noxious weeds (EA, Section 3.3). I have determined that these effects are negligible because there are no designated roads on the Big Springs Allotment. Vehicular use on the allotment is restricted to that necessary for allotment management and very little potential for additional detrimental disturbance or total soil resource commitment exists. Total detrimental disturbance and total soil resource commitment on the allotment is within Forest Plan standards. With the exception of the unclassified roads and trails, there are no other designated or authorized travel routes within the allotment's boundaries. Disturbance from the use and maintenance of these roads and trails can leave disturbed sites that are susceptible for noxious weed establishment; however, with the exception of the livestock or the permittee's vehicles as the transport mechanisms, there are no other motorized sources of noxious weeds.

m. **Disclosure of whether the selected alternative has the potential to affect aspen communities.** There are no aspen stands on the Big Springs Allotment (EA, Section 3.4.1.2).

n. **Disclosure of whether the selected alternative has the potential to impact cultural sites.** Implementation of the selected alternative would likely result in either no effect or no adverse effect to historic properties (EA, Section 3.9.9).

PUBLIC INVOLVEMENT

This allotment analysis was originally scoped with a letter that was mailed to several interested agencies, groups, and individuals in 2005 with the intent of determining issues that might have required the development of alternatives. Comment letters were received from the Idaho Conservation League and the Western Watersheds Project. The Forest Service's consideration of comments received that expressed opposition or concern with the proposed action is attached to the EA as Appendix A.

As required by 36 CFR §215.5(b),the Forest Service published a "Legal Notice of Proposed Action" in *The Idaho Statesman*, the newspaper of record, on March 9, 2009. About this same time, proposed action letters that included specific instructions for establishing appeal eligibility were also sent out to interested groups who had previously submitted scoping comments in 2005. The 30-day legal notice

and comment period for this analysis expired at 11:59 p.m. on April 8, 2009. No comments were received during the 30-day legal notice and comment period.

ALTERNATIVES CONSIDERED

Alternatives Considered in Detail

Based on public input, the IDT identified no unresolved conflicts to analyze in depth that would result in the need to develop and consider alternatives to the proposed action (36 CFR §220.7(b)(2)(i)). Based on its consideration of public input, the IDT recommended and I approved the proposed action and a no grazing alternative to the proposed action.

The proposed action for the Big Springs Allotment was "Continued Grazing." This was also the no action alternative, because the Forest Service proposed no changes to existing management of the allotment. The proposed action is described in detail beginning on page 3 of the EA and on pages 1 and 2 of this Decision Notice.

I also considered the no grazing alternative. Under the no grazing alternative, grazing on NFS land would have been eliminated no sooner than two years after the implementation of the decision selecting this alternative. The no grazing alternative would have required a minimum of two years' notice to the permittee before being implemented. Once implemented, the no grazing alternative would have eliminated livestock grazing on 950 acres of NFS land. This alternative would have eliminated 281 head months of grazing opportunity on NFS land for the permittee's herd.

The no grazing alternative would also have required the removal of approximately three miles of fence and one water development on NFS land once livestock grazing on NFS land is phased out. A pond that exists on NFS land would remain in place, but would have been no longer available to the permittee's livestock after two years.

The no grazing alternative included the assumption that the private landowner would have continued to graze cattle on the non-NFS land at the same intensity and duration for which it is currently grazed – 120 cow/calf pairs from July 1 to October 15. In order for the private landowner to effectively graze their private property and to prevent livestock trespass on NFS land, the landowner would have needed to construct four miles of fence on the private land in the allotment adjacent to the National Forest boundary.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the Council on Environmental Quality (CEQ) regulations for significance (40 CFR §1508.27) and have determined that this decision is not a major federal action that will significantly affect the quality of the human environment, either individually or cumulatively. Preparation of an Environmental Impact Statement (EIS) pursuant to Section 102(2)(c) of the NEPA is not required. This determination is based on the following factors, as outlined in 40 CFR §1508.27:

a. The decision to continue to authorize grazing will be limited in geographic application (40 CFR §1508.27(a)).

The amount of land affected by this decision is a small subset of the public and private land within the proclaimed boundaries of the Sawtooth National Forest in Elmore County, Idaho. The Big Springs

Allotment encompasses about 2,300 acres, including about 950 acres of NFS land and 1,350 acres of private land on a Ranger District of about 540,000 acres and in a county of about 1.9 million acres.

b. The decision to continue to authorize grazing does not cause significant beneficial or adverse impacts (40 CFR §1508.27(b)(1)).

The selected alternative continues to authorize the appropriate level of livestock use within the allotment under updated management direction to achieve management objectives and move existing resource conditions toward desired conditions. Specifically, the selected alternative continues to authorize 80 cow/calf pairs on the "on" (NFS) portion of the allotment for a grazing season of July 1 to October 15. This results in a utilization of 281 head-months (HMs) of forage on NFS land per year. Grazing by 120 cow/calf pairs on the "off" (non-NFS land) portion of the allotment would continue for the same season. There will be some flexibility in allotment administration allowed for weather conditions, range readiness, and livestock needs. There will be no need for significant changes to allotment boundaries or construction of fences by the permittee to keep cattle off NFS lands as would be required under the no grazing alternative.

Under management direction currently in effect on the allotment, vegetative, soil, and hydrologic conditions will continue to change toward desired levels. There will be no effect to Threatened bull trout or any other listed species (EA, Sections 3.7.1, 3.8.1, and 3.9.1). The selected alternative is not likely to jeopardize Proposed slickspot peppergrass, and may impact individual Sensitive plants but will not likely contribute to a trend towards federal listing of any Sensitive plant species (EA, Section 3.5.2.1). The selected alternative may impact Sensitive sage-grouse and gray wolf, but will not likely cause a trend to federal listing or loss of viability of these populations (EA, Section 3.8.2).

Cumulative detrimental soil disturbance and cumulative total soil resource commitment likely to result from the selected alternative are likely to be about 13.0 percent, and 2.0 percent, respectively. Both of these estimates are within Forest Plan standards (EA, Section 3.3.2.3). The Forest Hydrologist determined that upland soil-hydrologic, and RCA functions and processes should be maintained where currently functioning appropriately, and trending toward desired condition where currently not at desired conditions. Further, negative effects from cattle grazing on water quality and associated beneficial uses would likely be reduced on NFS land because the selected alternative requires proper use of streamside riparian vegetation and minimal use in those areas identified as needing improvement (EA, Section 3.6.2.1). The selected alternative will likely result in no increase in flood hazard (EA, Section 3.9.3), and no net loss of wetlands (EA, Section 3.9.4). Potential negligible improvements in water quality with negligible improvements in stream temperature, and slight reductions in sediment, would occur as vegetative conditions within and outside of RCAs continue on an improving trend where not currently meeting desired conditions (EA, Section 3.6.2.1.1). As vegetation conditions in the allotment improve where not currently meeting desired conditions, the potential for sediment inputs would continue to decrease and width to depth ratio and streambank condition would improve negligibly (EA, Section 3.6.2.1.2). There will likely be no adverse effects to cultural resources (EA, Section 3.9.9).

c. The decision to continue to authorize grazing will not significantly affect public health or safety (40 CFR §1508.27(b)(2)).

The public raised no concerns about the effects the selected alternative might have on public health and safety. My decision to continue to authorize grazing on the allotment does not, on its own, authorize any new ground-disturbing activities or direct changes to the environmental status quo.

d. The decision to continue to authorize grazing will not significantly affect any 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 (40 CFR §1508.27(b)(3)), does not adversely affect anything listed or eligible for listing in the National Register of Historic Places, nor does it cause loss or destruction of significant scientific, cultural, or historic resources (40 CFR §1508.27(b)(8)).

The selected alternative will not adversely affect historic properties. The Forest Archeologist reviewed the selected alternative under the terms of the Programmatic Agreement that the Forest Service has with the State Historic Preservation Officer regarding the Rangeland Management Program (FS Agreement No. 06-MU-11040218-059). Potential adverse effects to historic properties have not been identified and are not likely to occur (EA, Section 3.9.9).

The selected alternative will not increase flood hazards (EA, Section 3.9.3) or result in a loss of wetlands (EA, Section 3.9.4). There are no prime farmlands, rangeland, or forest lands located on the Boise National Forest (Boise National Forest Revised Land and Resource Management Plan FEIS, p. 3-979). There are no inventoried roadless areas in the allotment (EA, Section 3.9.10).

There are no congressionally designated areas, Research Natural Areas, protected caves, or parklands on the Big Springs Allotment (EA, Section 3.9.10).

e. There is no scientific controversy surrounding the effects this decision will produce.

There are differing opinions in the community on the importance of maintaining grazing opportunities on public land. While some have disagreed with the proposal or its need, there has been little controversy about the *effects* disclosed in the analysis. In other words, although some may not support the continued authorization of grazing on the allotment, the public comments did not materially question the effects analysis on scientific grounds.

f. The decision to continue to authorize grazing does not establish any highly uncertain, unique, or unknown risks (40 CFR §1508.28(b)(5)).

There are no unique, highly uncertain, or unknown environmental risks associated with the continued authorization of grazing on the allotment. The effects of grazing will be similar to the effects of grazing on other allotments where analyses have been completed, both on NFS land administered by the Boise National Forest and at a broader scale. The Big Springs Allotment will continue to be used primarily for agricultural purposes.

g. The decision to continue to authorize grazing does not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration (40 CFR §1508.27(b)(6)), nor is it related to other actions with individually insignificant but cumulative significant impacts (40 CFR §1508.27(b)(7)).

This is a project-level decision. The nature of this decision is not precedent setting, nor does it represent a precedent for any future decisions, as livestock grazing has been and will continue to be permitted on NFS land administered by the Boise National Forest and other National Forests under standards and guidelines designed to achieve management objectives and move existing resource conditions toward desired conditions. Any future designation of grazing allotments would be subject to the appropriate level of NEPA analysis and public involvement, and considered on their own merits.

The EA discloses the projected cumulative effects of the selected alternative (EA, Chapter 3). The discussions consider the effects of other past, present, or reasonably foreseeable future actions on these lands that might accumulate with the likely direct and indirect effects of the selected alternative. As documented in the EA, few direct and indirect effects are likely to result from the selected alternative, and none would combine with the effects of other past, present, or reasonably foreseeable future actions to a significant extent.

h. The decision to continue to authorize grazing would not adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (40 CFR §1508.27(b)(9)).

I have reviewed the analysis in the EA (Sections 3.7.1, 3.8.1, and 3.8.1) and a biological assessment evaluating impacts to threatened and endangered species that has been prepared for this analysis (Project Record). The District Wildlife Biologist considered effects of the selected alternative to listed wildlife species with habitats on the Mountain Home Ranger District. The selected alternative would likely have no effect to Canada lynx (*Lynx canadensis*) (Threatened) or yellow-billed cuckoo (*Coccyzus americanus*) (Candidate).

Columbia River bull trout (*Salvelinus confluentus*) are listed as Threatened under the Endangered Species Act (ESA). However the selected alternative would have "no effect" on bull trout because the Big Springs Allotment does not occur within any potential or existing bull trout population or designated critical habitat.

The Zone Botanist considered effects to rare plants. There is a low likelihood that suitable habitat is present within the Big Springs Allotment for slickspot peppergrass (*Lepidium papilliferum*) (Proposed for ESA listing), and the selected alternative will not likely jeopardize continued existence or adversely modify proposed critical habitat (EA, Section 3.5.2.1).

i. The decision to continue to authorize grazing does not threaten a violation of Federal, State or local law or requirements imposed for the protection of the environment (40 CFR §1508.27(b)(10)).

The selected alternative will not significantly affect the following elements of the human environment, which are specified in statute, regulation, or executive order (EA, Section 3.9): water quality under the Clean Water Act; floodplains under Executive Order 11988, Floodplain Management; wetlands under Executive Order 11990, Protection of Wetlands; prime farmland, rangeland, and forest land under USDA Regulation 9500-3; the Federal Land Policy and Management Act; minority and low-income populations under Executive Order 12898, Environmental Justice; migratory birds under Executive Order 13186, Protection of Migratory Birds; and there are no inventoried roadless areas (IRAs), congressionally designated areas, Wild and Scenic Rivers, Research Natural Areas, protected caves, or parklands on the Big Springs Allotment. The selected alternative will also not significantly affect listed species under the Endangered Species Act (EA, Sections 3.7 and 3.8) or historic or cultural properties under the National Historic Preservation Act (EA, Section 3.9.9).

CONSISTENCY WITH THE FOREST PLAN, LAWS, REGULATIONS, AND POLICY

I have reviewed this decision for compliance with laws, regulations, and policies. To the best of my knowledge, this decision is in compliance with all applicable laws, regulations, and policies.

National Forest Management Act

This decision is consistent with the National Forest Management Act (NFMA)(16 USC §§1600-1614). There are no project-level determinations in the NFMA that need to be made as part of this decision. This decision does not involve the approval of any timber harvest. Since the Forest Plan was prepared under the NFMA, see also "Consistency with the Forest Plan" below.

Consistency with the Forest Plan

Management of the Boise National Forest and areas within the proclaimed boundaries of the Sawtooth National Forest administered by the Boise National Forest, including the project area, is guided by the 2003 Forest Plan. Chapter III of the Forest Plan describes management direction to guide Forest Service personnel to achieve desired outcomes and conditions for both land stewardship and public service. This direction is presented in two sections: (1) forest-wide management direction, and (2) management area description and direction. The forest-wide management direction provides general direction for all forest resources and the foundation for more specific direction at the management area level. The management area description and direction describes these areas in detail, highlights resource areas of importance or concern, and prescribes specific management direction to address these concerns.

The EA for the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments is tiered to the Final Environmental Impact Statement (FEIS) and planning record supporting the 2003 revised Forest Plan, including documentation related to the Continuous Assessment and Planning (CAP) process described in Chapters III and IV of the Forest Plan. This documentation includes monitoring reports implementation guides, and errata and corrections to the 2003 FEIS and Forest Plan. Documented analyses in the Forest Plan FEIS have been referenced rather than repeated in some instances. Analyses pertaining to the FEIS for the 2003 Forest Plan are contained in the Forest Planning record located at the Boise National Forest Supervisor's Office in Boise, Idaho.

Agency-level direction and Forest Plan management direction are described on pages 4 to 6 of this document.

Findings Required by Other Laws and Regulations

I find the selected alternative to be consistent with the other laws, regulations and policies governing the management of NFS lands, including:

- National Historic Preservation Act of 1966 (Refer to Section 3.9.9 of the EA)

After reviewing the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments EA and project record, I find that the selected alternative will have no adverse effect to historic properties. The State Historic Preservation Officer (SHPO) has concurred with the Forest Service's determination that the Big Springs Allotment has no adverse effect to historic properties. This concurrence is included in the project record.

- Endangered Species Act (Refer to Section 3.9.1 of the EA)

After reviewing the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments EA and project record, I find that the selected alternative is consistent with the Endangered Species Act. The District Wildlife Biologist considered effects to listed wildlife species with the potential to exist on the Mountain Home Ranger District. After considering the effects of the selected alternative on Canada

lynx (*Lynx canadensis*), and yellow-billed cuckoo (*Coccyzus americanus*), it was determined that no habitat for these species exists on the allotment.

The Fisheries Biologist determined that the selected alternative would have "no effect" on bull trout because the Big Springs Allotment does not occur within any potential or existing bull trout population, or designated critical habitat.

The Zone Botanist considered effects to rare plants. There is a low likelihood that suitable habitat is present within the Big Springs Allotment for slickspot peppergrass (*Lepidium papilliferum*) (Proposed for ESA listing), and the selected alternative would not likely jeopardize continued existence or adversely modify proposed critical habitat.

- Clean Water Act (Refer to Section 3.9.2 of the EA)

After reviewing the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments EA and project record, I find that the selected alternative is consistent with the Clean Water Act (CWA). The watershed and fisheries analyses were focused on effects to six watershed condition indicators (WCIs) that serve as surrogates for the chemical, physical, and biological integrity of the water potentially affected by the Big Springs Allotment. The analyses showed that there would either be no effect or a negligible beneficial effect to the WCIs, thus meeting the intent of the Clean Water Act.

- Executive Order 11988, Floodplain Management (Refer to Section 3.9.3 of the EA)

After reviewing the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments EA and project record, I find that the selected alternative will not increase flood hazards.

- Executive Order 11990, Protection of Wetlands (Refer to Section 3.9.4 of the EA)

After reviewing the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments EA and project record, I find that the selected alternative will not result in net loss of wetlands.

- Departmental Regulation 9500-3, Prime Farmland, Rangeland, and Forest Land (Refer to Section 3.9.5 of the EA)

After reviewing the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments EA and project record, I find that there are no prime farmlands, rangeland, or forest lands located on the Boise National Forest (Boise National Forest Revised Land and Resource Management Plan FEIS, p. 3-979).

- Executive Order 12898, Environmental Justice (Refer to Section 3.9.7 of the EA)

After reviewing the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments EA and project record, I find that the selected alternative is in compliance with Executive Order 12898, "*Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations*." The selected alternative would not place any burden or disproportionate impact which could be considered an environmental injustice on any segment of the population. The proposal would not result in unequal protection of any part of the population of Elmore County, Idaho.

- Executive Order 13186 and the Migratory Bird Treaty Act of 1918 (Refer to Section 3.9.8 of the EA)

After reviewing the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments EA and project record, I find that migratory birds will not be significantly affected by the selected alternative. Migratory birds are present during the implementation period (normally present from the end of June to October). Activities associated with the selected alternative could displace individuals

any time during this period. Unintentional take could occur through destruction of nests and nestlings. Activities associated with grazing on this allotment would have little influence on migratory birds. Most migratory bird species are finished with the nesting period by July 1 and young have reached the fledged stage allowing them to fly out of harm.

IMPLEMENTATION DATE

This decision will be implemented at the start of the 2010 grazing season for this allotment, on July 1, 2010.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is not subject to appeal pursuant to Forest Service regulations at 36 CFR Part 215. As required by 36 CFR §215.5(b), the Forest Service published a "Legal Notice of Proposed Action" in *The Idaho Statesman*, the newspaper of record, on March 9, 2009. About this same time, proposed action letters that included specific instructions for establishing appeal eligibility were also sent out to interested groups who had previously submitted scoping comments in 2005. The 30-day legal notice and comment period for this analysis expired at 11:59 p.m. on April 8, 2009. No timely comments were received in response to the 30-day comment solicitation.

CONTACT PERSON

For further information concerning this decision, or for a copy of the Big Springs and Wild Horse Creek Cattle and Horse "On-Off" Allotments EA, and this Decision Notice/Finding of No Significant Impact, contact Tina Ruffing, Range Management Staff Officer, Mountain Home Ranger District, 2180 American Legion Blvd., Mountain Home, ID 83647 (208) 587-7961.

Thomas Whitford

THOMAS WHITFORD
Acting District Ranger
Mountain Home Ranger District

9-4-09

Date