Decision Notice &
Finding of No Significant Impact
Monte Cristo Area Sheep Allotments

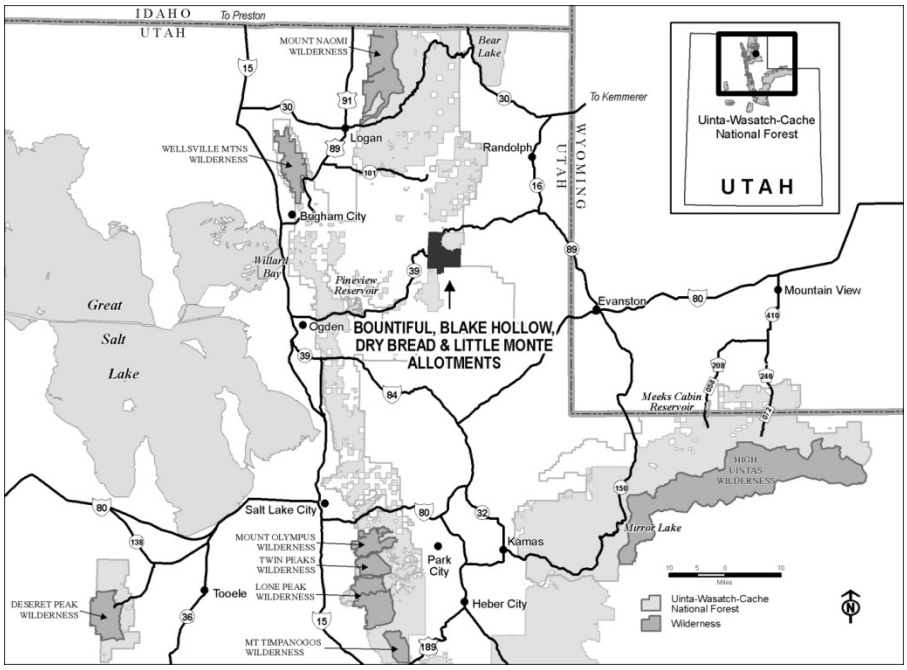
USDA Forest Service

Ogden Ranger District, Uinta-Wasatch-Cache National Forest
Cache, Rich and Weber Counties, Utah

Introduction

This document details my decision regarding the authorization of grazing on the Blake Hollow, Bountiful, Dry Bread, and Little Monte Allotments, herein referred to as the Monte Cristo Area Sheep Allotments. My decision is based on an environmental analysis for the proposal documented in an Environmental Assessment (EA) and released concurrent with this decision. The Monte Cristo Allotments are located in Cache, Rich and Weber Counties approximately 30 miles northeast of Ogden, Utah (see Figure 1). Lands within these allotments are managed by the Ogden Ranger District of the Uinta-Wasatch-Cache National Forest. The allotments include approximately 16,400 permitted acres.

Figure 1. Monte Cristo Area Sheep Allotments Vicinity Map



Background and History

The Ogden Ranger District has authorized livestock grazing on the Monte Cristo Area Sheep Allotments via term grazing permits. The four allotments have been managed as sheep allotments for several decades.

Grazing is currently authorized on these four sheep allotments under existing permits and is managed per their respective Allotment Management Plans (AMPs). Each year, specific direction is provided in the Annual Operating Instructions (AOIs) for each allotment. Reauthorization of livestock grazing would require reviewing and updating existing AMPs as necessary.

In the following sections this document outlines my decision regarding authorization of grazing on the Monte Cristo Area Sheep Allotments, summarizes the rationale for my decision, lists mitigation measures that will be applied, and includes alternatives that were considered in the environmental analysis. In addition, this Decision Notice summarizes:

- the public involvement effort;
- why significant environmental impacts do not occur;
- how the decision is consistent with applicable laws, regulations, and policies; and
- information about the administrative review (appeal) process.

Decision

After a thorough review of the environmental analysis, I have decided to implement Alternative 2, the proposed action, as described in the Monte Cristo Area Sheep Allotments EA. My decision authorizes grazing in a manner designed to maintain or move vegetation and watershed conditions toward desired conditions and to improve unacceptable resource conditions where they exist within the allotment. My decision implements an adaptive management strategy and incorporates the benefits of deferred rotational grazing into the management system. My decision assumes proper and appropriate permit administration will continue to meet Forest Plan desired conditions.

My conclusions are based on the scientific analysis in the EA and the supporting project record. The project record demonstrates a thorough review of relevant scientific information, a consideration of responsible opposing views based on public scoping, and the acknowledgement of incomplete or unavailable information. The analysis identifies the techniques and methodologies used to incorporate current scientific thought, including the references to scientific resources relied upon. My decision is consistent with Forest Service Handbook 2209.13, Chapter 90, section 92.21 Decision Framework.

Details of the Decision, including Mitigation and Monitoring

The Monte Cristo Sheep Allotment decision incorporates sound grazing principles the Forest Service has used for decades to improve and maintain rangeland conditions. Grazing intensity is regulated by utilization standards and not solely by the number or duration of livestock grazing. Forage utilization monitoring is used to determine whether stocking is within capacity or whether adjustments are necessary. The decision also includes an adaptive

management strategy which allows for adjustments in grazing strategy and infrastructure as needed to respond to changes in field conditions and trends.

Forage utilization monitoring is the basis upon which determinations of whether adjustments in management or stocking rates are made. Permitted grazing follows the utilization standards described in the Forest Plan. Currently, 800 – 1150 ewe/lamb pairs are permitted on the Monte Cristo Area Sheep Allotments (Table 1).

Table 1. Summary of current grazing on each of the four Monte Cristo Area Sheep Allotments.

Allotment	NFS Acres[1]	Livestock Number-Class	Period of Use[2]	Grazing System
Blake Hollow	4,050	1000 - ewe/lamb	7/1-9/30 (for 70 days)	4 Pasture Deferred Rotation
Bountiful	6,265	800 - ewe/lamb	7/1-9/30 (for 80 days)	8 Pasture Rest Rotation
Dry Bread	1,910	1150 - ewe/lamb	7/1-9/15 (for 65 days)	4 Pasture Deferred Rotation
Little Monte	4,170	1000 - ewe/lamb	7/1-9/30 (for 70 days)	4 Pasture Deferred Rotation

[1] From WCNF Corporate GIS layer. Acres are approximate and are not exact.

[2] The period of use is specified in the grazing permit as a number of consecutive days within the grazing season for that allotment (i.e. for Blake Hollow, the permitted season is any consecutive 70 days between 7/1 and 9/30 each year).

Utilization levels and desired resource conditions (e.g., rangeland vegetation condition and trend) are specified and monitored to ensure plant vigor and productivity are maintained and/or improved. For example, if livestock use is consistently within forage utilization levels, and soil, water quality, and vegetation conditions and trends are acceptable, then stocking is considered to be within capacity. However if livestock use results in consistently accelerated rotations through the allotment (i.e., livestock has to be removed early), it is considered to indicate that stocking is outside of capacity, and a need for change in the grazing capacity is appropriate. These types of adjustments would be implemented using the adaptive management strategy as described below.

Grazing Strategy

Livestock grazing will be managed using a grazing management system. Initially a deferred rotation grazing strategy will be used on the Blake Hollow, Dry Bread and Little Monte allotments and a rest rotation on the Bountiful allotment. Grazing on about two-thirds of the allotment would be deferred annually until after seed ripe, as determined in the corresponding Allotment Management Plan (AMP) and reflected in the Annual Operating Instructions (AOI). If necessary and as determined through monitoring, other adaptive management strategies could be used.

Grazing Season

The specific grazing season would vary from year to year, but would generally occur between July 1st and September 30th. Turn out would not occur before *range readiness*—that point in the plant growth cycle at which grazing may begin without permanent damage to vegetation or soil. The grazing season would generally end before the start of the rifle deer

and elk hunting season. Annual adjustments would be authorized by the District Ranger in the Annual Operating Instructions (AOI's).

Intensity

Grazing intensity (utilization) will be administered according to grazing utilization standards and guidelines described in the Forest Plan (USFS 2003, p. 4-51 to 4-52, and included in Appendix A of this decision). Research and information substantiating these requirements are found in the Forest Plan and FEIS (USFS 2003) and Rangeland Health EIS (USFS 1996).

Annual forage utilization is measured by averaging the use of key species in key areas based on the measurement of typically 50 to 100 individual plants. Key areas are defined as "a relatively small portion of rangeland which because of its location, grazing or browsing value and/or use, serves as a monitoring and evaluation site" (FSH 2209.21). Key areas were established in riparian, aspen, sagebrush/mountain brush, tall forb/grassland, and sagebrush ecological types. No key areas were established in Conifer, Juniper, or Oak/Maple vegetation types because they are not grazed and are a minor component of the allotment. The proposed action identifies the following "key areas" (at a minimum) to be monitored for annual utilization and long-term trend:

1) Big Spring Fork (Riparian)
2) Dry Bread (Aspen)
3) Hatch Springs (Sagebrush/Mountain Brush)
4) Little Monte (Tall Forb/Grassland)
5) Harriet Springs (Sagebrush)

Frequency

The frequency of grazing any certain area will be one time per season. Sheep would not be allowed to re-graze either upland or riparian sites where utilization had already been met. This means that sheep would be managed to ensure that grazing of re-growth of native species during the same grazing season does not occur.

Site-Specific Desired Future Conditions

Desired Future Conditions (DFC) for the management areas applicable to the Monte Cristo Area Sheep Allotments are found in the Forest Plan as follows: Bear Management Area (pages 4-119 through 4-127), Cache-Box Elder Management Area (pages 4-128 through 4-138), and North Wasatch-Ogden Valley (pages 4-140 through 4-150). In accordance with direction in the Forest Plan (see Forest Plan Appendix X-5), the interdisciplinary team (ID Team) has reviewed and in some cases refined or supplemented the Forest Plan prescribed DFC to be more specific to the project area and the proposed action. The refinements/supplements are consistent with Forest Plan direction. Appendix B of this decision contains project specific DFC for the Monte Cristo Area Sheep Allotments.

Adaptive Management

My decision for the Monte Cristo Area Sheep Allotments employs an adaptive management strategy. This strategy allows for the adjustment of the timing, intensity, frequency and management of grazing on the allotment as needed to meet Forest Plan standards and guidelines, and continue to meet or satisfactorily move forest resources toward desired conditions. Monitoring is the basis for determining the need and frequency for administrative adjustments in the timing, intensity, frequency, and/or management of

grazing. My decision sets the following adaptive management principles and limits to allow for maintenance and improvement of range conditions on upland and riparian sites on the Monte Cristo Area Sheep Allotments.

Livestock Grazing Adaptive Management Strategies[1]:

- Use of salt or supplement to draw livestock toward or away from specific areas.
- Change season of use.
- Change animal numbers.
- Change animal class.
- Change number of days of livestock utilization.
- Rest from livestock grazing for one or more seasons.
- Construct fence[2] to create riparian unit and allow livestock grazing under riparian grazing guidelines.
- Construct fence[2] to exclude livestock from areas of concern (riparian, streams, springs, wetlands, mesic meadows, etc.).
- Construct temporary electric fence or permanent fence[2] to control livestock distribution patterns.
- Construct livestock water development[2] (pipeline, tanks, windmill, sediment traps, well, stock dam, submersible pumps, solar).
- Remove existing water development (pipeline, tanks, windmill, well, stock dam).
- Remove existing fence line (electric, standard, permanent or temporary).
- Implement multi-pasture, deferred livestock grazing system.
- Implement a high-intensity/short duration livestock grazing system (by riding, herding, temporary fence, etc.).
- Implement rest-rotation livestock grazing system.

[1] The potential management actions are designed to be used either alone or in combination to best meet, or at least, move toward the desired resource condition within a timeframe of ten years.

[2] Other than those listed in the design criteria, permanent fences and stock tank installations would not be constructed without additional NEPA analysis.

Mitigation and Management Requirements

My decision includes mitigation measures and management requirements designed to prevent or diminish adverse effects of management actions on the human environment. These actions will diminish resource impacts and maintain healthy rangeland and riparian conditions, water quality, productive soils, and wildlife habitat. The mitigation and management requirements discussed in the EA are included in my decision and are listed in Appendix A of this decision.

Monitoring

Monitoring is a critical element of this decision and implementation of an adaptive management strategy. Monitoring activities discussed in the EA and included in my decision are described in Appendix C.

Decision Rationale

In making the decision to authorize grazing on the Monte Cristo Area Sheep Allotments, I have reviewed the existing environmental conditions and the direct, indirect, and cumulative effects for all the actions included in each of the alternatives. I have also considered comments received from the public. I gave careful consideration to how well each alternative: 1) met the purpose and need, 2) responded to the issues, and 3) addressed public comments, as follows.

1) Purpose and Need

Reviews of data collected on the Monte Cristo Area Sheep Allotments (2008-2009) indicate the majority of the Monte Cristo Area Sheep Allotments are in satisfactory condition and moving towards desired conditions. Satisfactory rangeland condition, as defined in the Revised Forest Plan (page GL-17) exists "when the desired rangeland condition is being met, or short-term objectives are being achieved to move rangeland toward desired conditions; either meeting or moving toward desired conditions." Unsatisfactory rangeland conditions exist when the above is not being met.

Field data suggests current grazing management is meeting or moving towards desired conditions. Current management would continue in the four Monte Cristo Area Sheep Allotments. A few isolated areas of concern (i.e., upland areas associated with sheep bed grounds) will be addressed through permit administration.

Preliminary soils reports indicate ground cover is meeting or exceeding Forest Plan standards of 85% of potential on the majority of all of these allotments. A review of the hydrologic and aquatic features during the summer of 2008 indicates that current livestock grazing has had little impact on the water resources within the allotment. No long-term adverse effects to streambanks, water quality, or aquatic habitats were noted during the reviews. A review of range monitoring indicates rangeland conditions on the majority of each of the allotments are satisfactory as indicated by adequate ground cover and variety in species composition across the allotments.

My decision (Alternative 2 – Proposed Action) best addresses the stated purpose and need by maintaining and improving resource conditions on the Monte Cristo Area Sheep Allotments through implementation of an adaptive management strategy. Most areas within the four sheep allotments are currently in good condition and this decision will continue that trend. Furthermore, this decision will authorize grazing in a manner that will improve areas currently in unsatisfactory conditions (through deferred grazing, adherence to Forest Plan utilization standards, and monitoring).

I did not select Alternative 1 (No Grazing) which would eliminate livestock grazing from Monte Cristo Area Sheep Allotments. Livestock grazing is an appropriate and permitted use within active allotments and there is no compelling data supports closure of these allotments.

2) Response to Issues

Based on comments received during scoping, the Forest Service Interdisciplinary Team developed the list of issues for the proposed project. The issues were then used in development of alternatives, to prescribe mitigation measures, and in the analysis of environmental effects. In making my decision I considered how well each of the alternatives address and resolve the issues. The issues raised during scoping included the following:

- Sheep grazing and bedding in uplands can cause ineffective ground cover resulting in accelerated soil erosion and degradation of soil quality.

- Sheep grazing can cause changes in plant composition and plant community structure, including potentially affecting threatened, endangered, or Forest Service sensitive species.

- Sheep grazing can decrease cover and forage used by a variety of wildlife species. Potentially affected species include USFWS-listed Threatened, Endangered, Proposed and Candidate species; Forest Service Sensitive species; Wasatch-Cache National Forest Management Indicator Species (MIS), migratory birds, and general species of local concern.

- Sheep grazing can affect the quality of the recreation experience due to the presence of livestock during recreation visits; some recreationists enjoy seeing livestock, others prefer not to see them while on recreation outings.

3) Response to Public Comments

In reviewing the comments received during the notice and comment period, I believe my decision addresses the concerns raised by the public. The response to comments is available in the EA, Chapter 4. The primary concerns involved the following subject areas:

Grazing effects to aspen regeneration – a comment was made suggesting grazing is negatively impacting aspen regeneration. Photos from 2009 field season indicate successful aspen regeneration within portions of the allotments (photos available in the project record). However, the analysis of grazing authorization at the project level is not the appropriate scale for evaluation of aspen ecosystems. Aspen regeneration is more appropriately addressed at the landscape scale, as described in the Management Requirements, Section 2.5.1 - Table 2.5b - of the EA.

Grazing effects to wildlife species – comments were received suggesting that the Forest Service should analyze the effects of livestock grazing on Management Indicator Species (MIS), threatened, endangered and sensitive (TES) species, and should comply with the Migratory Bird Treaty Act (MBTA). In Section 3.7 of chapter 3 of the EA effects on migratory birds from continued sheep grazing on these allotments are fully documented. As

indicated in the effects analysis, adequate habitat for migratory birds will be maintained. Current rangeland monitoring further indicates conditions on the allotments are satisfactory and trends are stable to upward on all the sheep allotments (EA, Section 3.3). The desired conditions, as described in the EA, Section 2.4, are indicative of healthy, productive rangelands. The proposed action would continue current management which is expected to maintain or improve rangeland conditions, maintaining or moving them toward desired conditions. The analysis has shown (EA, Chapter 3) there would be no impairment of productivity of the land under continued grazing.

Grazing effects to aquatic and riparian habitats – A few comments were received on the grazing impacts to aquatic species and riparian habitats. Bonneville cutthroat trout are the management indicator species for aquatic habitats. During the project analysis fish surveys were conducted on all fish bearing streams within the allotments in 2001 and 2006 (see aquatics specialist report), including population and aquatic viability information. Amphibian surveys were also conducted throughout these allotments and are discussed in the EA, Section 3.2 (also see aquatics specialist report). The proposed action additionally meets forest plan standards relative to mollusks and amphibians. Willow and other riparian species are an important part of the allotment. Vegetation monitoring indicates willow habitats are in satisfactory condition (EA, Sections 3.2 and 3.6).

Grazing effects to recreation – one comment suggested that livestock grazing in the Dry Bread area conflicts with recreation use in that area, resulting in high grazing utilization in other portions of the allotment. The Forest Service monitors utilization levels to determine proper stocking and grazing capacity (EA, Section 3.3). Current rangeland monitoring indicates conditions on all of these sheep allotments are satisfactory and trends are stable to upward on all of the sheep allotments, indicating proper stocking levels. The cumulative effects of sheep grazing in combination with other on-going actions, such as ATV use, are addressed in the cumulative effects sections of the EA, Chapter 3.

Alternatives Studied in Detail

In addition to the proposed action, the EA analyzed in detail the no action (no grazing) alternative and the current management alternative, as described below.

No Action (No Grazing)

The “no action” alternative is included to meet requirements of the National Environmental Policy Act [40 CFR 1502.14 (d)] and the Grazing Permit Administration Handbook, FSH 2209.13, Chapter 90, Section 92.31 which stipulates that “in addition to the proposed action, the no action alternative shall always be fully developed and analyzed in detail.” “No action” is synonymous with “no grazing” and means that livestock grazing would not be authorized within the project area.

Under this alternative, livestock would no longer be permitted to graze on the Monte Cristo Area Sheep Allotments. If this alternative were selected, grazing would not be authorized after a two-year notification to the permittees from the date the decision is made. Non-permitted recreational horse use would still occur.

Proposed Action (Current Management)

This alternative would allow for the current level of permitted grazing and the current management of the allotment to continue. Currently, between 800 – 1150 ewe/lamb pairs are permitted on the Monte Cristo Area Sheep Allotments (see Table 1, above). Resource inventories and analysis have found that livestock use is consistent within forage utilization levels, and resource conditions and trends meet Forest Plan standards and guidelines. Existing condition and trend of range conditions within the Monte Cristo Area Sheep Allotments is expected to continue under current management conditions.

Alternatives Considered and Eliminated from Detailed Analysis

The following alternatives were considered but eliminated from detailed study as recommended by the Interdisciplinary Team with concurrence from the Responsible Official. They were eliminated from detailed study because they do not meet the purpose and need or because of other considerations as disclosed below. A brief discussion of the reasons for their having been eliminated is given.

Using Sheep to Control Dyer's Woad
It was suggested to reduce the occurrence of the invasive weed Dyer's Woad (*Isatis tinctoria* L.) within the allotments by using sheep as a principal component of an integrated weed control program. Sheep grazing on the plant in early summer prior to seed set and in the fall foraging on the basal rosette can be an effective control. This alternative would require earlier access to pasture in the spring. This alternative was raised by a scoping comment for consideration by the ID team and dismissed. Because this strategy could be incorporated into adaptive management it was not considered as an alternative to consider in detail.

Public Involvement

The Ogden District Ranger mailed a scoping letter on March 5, 3009 to individuals and organizations on the District mailing list. The scoping letter was posted on the Wasatch-Cache National Forest website. In addition, the project was first posted in the June 2009 quarterly Schedule of Proposed Actions (SOPA).

The District received three responses to the scoping letter. A complete listing of the individual comments and categories is available in the project record.

The public was given notice and an opportunity to comment on the proposed action beginning on July 3, 2009 when a legal notice was posted in the Ogden Standard Examiner. A copy of the proposed action was posted on the Forest website and a notification letter was sent to individuals and organizations on the District mailing list. Hardcopies of the proposed action were available at the Ogden District Office. Four comment letters were received in response to the 30-day opportunity for comment. A detailed listing of public comments,

along with the agency response is included in the EA, Chapter 4, and Response to Comments.

Finding of No Significant Impact

After carefully considering the environmental effects described in the EA, I have determined that my decision will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared on this action. I base my finding on the following:

1. The beneficial effects of the action do not bias my finding of no significant environmental effects.
2. There will be no significant effects on public health and safety.
3. There will be no significant effects on unique characteristics of the area. A survey was conducted and the Forest archeologist made the determination this decision will not significantly affect cultural resources in the project area. There will be no impact on historic or cultural features (EA, Section 1.9.4). There are no permanent effects to parklands, prime farmlands, wetlands, ecologically critical areas, or wild and scenic rivers.
4. The effects on the quality of the human environment are not highly controversial. There is no known scientific controversy over the impacts of this project (EA, Chapter 3).
5. The environmental analysis shows the effects are not uncertain (EA, Chapter 3), and do not involve unique or unknown risk. The Forest has authorized livestock grazing on other allotments on the Forest with no uncertain or unique risk.
6. This decision will not establish a precedent for future actions with significant effects.
7. The cumulative impacts are not significant (EA, Chapter 3).
8. This decision will have no significant adverse effects on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historical Places. This action will also not cause loss or destruction of significant scientific, cultural or historical resources (EA, Section 1.9.4).
9. This decision will not adversely affect any threatened or endangered species or its habitat that has been determined to be critical under the Endangered Species Act of 1973 (EA, Sections 1.9.1, 3.2, and 3.7, as well as the Biological Assessment and Biological Evaluation in the Project Record).
10. This decision will not violate Federal, State, and local laws or requirements for the protection of the environment.

Findings Required by Other Laws and Regulations

Numerous laws, regulations, and agency directives require that my decision be consistent with their provisions. My decision is consistent with all laws, regulations, and agency policy

relevant to this project. The following discussion is intended to provide information on the regulations that apply to issues raised and comments made by the public or other agencies.

National Forest Management Act of 1976 (PL-94-588) – The National Forest Management Act directs that management activities be consistent with the Forest Plan. Based on the discussions provided in the EA, I have concluded my decision is consistent with provisions of the 2003 Revised Land and Resource Management Plan for the Wasatch-Cache National Forest (Forest Plan), including Goals, Management Prescriptions, and Standards and Guidelines (see EA, Chapter 3 and Appendix A).

Clean Water Act – The Clean Water Act requires each state to implement its own water quality standards. The State of Utah's Water Quality Anti-degradation Policy requires maintenance of water quality to protect existing in stream Beneficial Uses on streams designated as Category 1 High Quality Water. All surface waters geographically located within the boundaries of the Wasatch-Cache National Forest whether on public or private lands are designated as Category 1 High Quality Water. Based on the management requirements and mitigation measures included in my decision (Decision Notice, Appendix A) and the analysis presented in the Water Resources section (EA, Section 3.6) I have concluded that my decision will maintain water at existing high quality and is consistent with the Clean Water Act.

Executive Order 11990 of May 1977 – This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that analysis be completed to determine whether adverse impacts would result. As disclosed in the EA, my decision will have no adverse effects to wetlands located within the Monte Cristo Area Sheep Allotments and therefore is in compliance with EO 11990 (see EA, Section 3.6).

Executive Order 11988 of May 1977 – This order requires the Forest Service to provide leadership and take action to (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risk to flood loss, (2) minimize impacts of floods on human safety, health and welfare, and (3) restore and preserve natural and beneficial values served by floodplains. My decision will have no adverse effects on floodplains (see EA, Section 3.6).

Endangered Species Act – This Act directs that all Federal departments and agencies shall seek to conserve endangered, and threatened (and proposed) species of fish, wildlife and plants. This obligation is further clarified in a National Interagency Memorandum of Agreement (dated August 30, 2000) that states our shared mission to "…enhance conservation of imperiled species while delivering appropriate goods and services provided by the lands and resources."

Based on the information disclosed in the EA (Sections 1.9.1, 3.2, and 3.7) and the Biological Assessment (available in the project file) I have determined my decision will not significantly affect populations of endangered, threatened, and candidate species of fish, wildlife and plants. This is because there is no suitable habitat within the project area, the species are not found within the project area, and/or the effect of cattle grazing relative to populations is minor and will have no effect on populations. A determination of "no effect" was made for the black-footed ferret, yellow-billed cuckoo, Maguire's primrose, and Ute ladies' tresses. A determination of "may affect individuals, but is not likely to adversely

affect the lynx or their habitat" was made for the Canada lynx. Concurrence from the US Fish and Wildlife Service was obtained on September 8, 2009 (letter in the project file).

Executive Order 13186 of January 10, 2001 – Chapter 3, Section 3.7 of the EA discloses the effects of cattle grazing on migratory birds, primarily as related to the effects on their habitats, including sagebrush communities and riparian areas. My decision will lead to improved species diversity over time, through deferred grazing and increased livestock control. Based on this information and information in the project file concerning migratory birds, my decision is in compliance with this Executive Order for the Conservation of Migratory Birds.

Executive Order 13112 – Invasive Species – This Executive Order directs that Federal Agencies should not authorize any activities that would increase the spread of invasive species. My decision includes aggressive noxious weed management to effectively reduce the spread of existing and new infestations of noxious weeds and invasive plant species in accordance with the Record of Decision for the WCNF Noxious Weed EIS (EA, Section 1.9.2). Therefore, my decision is consistent with this order and will not increase the spread of invasive species.

American Antiquities Act of 1906 and the National Historic Preservation Act of 1966 – A survey was conducted and the Forest archeologist made the determination livestock grazing will not significantly affect any cultural resources in the project area; no historic or cultural features will be impacted (EA, Section 1.9.4). Therefore, my decision is in compliance with these Acts.

Prime Farmland, Rangeland and Forest Land (Secretary of Agriculture Memorandum 1827) – My decision does not make any changes to boundaries of grazing allotments or forest lands found within the project area.

Civil Rights – Based on comments received during scoping and the comment period no conflicts have been identified with other Federal, State or local agencies or with Native Americans, other minorities, women, or civil rights of any United States citizen.

Executive Order 12898 of February 16, 1994 "Federal Actions to Address Environmental Justice on Minority Populations and Low-income Populations" – This order requires federal agencies to the extent practicable and permitted by law to make achieving environmental justice part of its mission by identifying and addressing as appropriate disproportionately high and adverse human health effects, of its programs and policies and activities on minorities and low-income populations in the United States and territorial possessions. In compliance with this Executive Order the Uinta-Wasatch-Cache National Forest through scoping and public involvement attempted to identify interested and affected parties, including minorities and low-income populations for this project. A comment period was held for 30 days following the publication of the legal notice in the Ogden Standard Examiner. No minorities and low-income populations were identified during public involvement activities. (EA, Section 1.9.6).

Violating Federal, State and Local Laws – My decision does not violate any Federal, State or local laws or requirements for the protection of the environment.

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The Appeal Deciding Officer is Forest Supervisor Brian Ferebee. Appeals must be sent to: Appeal Deciding Officer, Intermountain Region USFS, *324 25th Street, Ogden, Utah 84401 fax 801-625-5277*. The office business hours for those submitting hand-delivered appeals are: 8:00 to 4:30, Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, portable document format, rich text format (.rtf), and Word (.doc) to appeals-intermtn-regional-office@fs.fed.us. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification. Only individuals or organizations who submitted comments during the comment period specified at 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Appeals, including attachments, must be filed within 45 days from the publication date of the legal notice in the Ogden Standard Examiner, the newspaper of record. Attachments received after the 45-day appeal period will not be considered. The publication date in the Ogden Standard Examiner 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.

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Rick Hopson, Acting District Ranger, 507 25th Street, Ogden, UT, 84401, phone (801) 625-5112.

/s/Richard G. Hopson 9/30/2009

RICHARD G HOPSON DATE

Acting Ogden District Ranger

Appendix A

Mitigation and Management Requirements

Mitigation measures, Best Management Practices (BMPs), and Forest-wide standards and guidelines included in all action alternatives are listed below. Research and information substantiating these requirements are found in the Forest Plan and FEIS (USFS 2003).

Management Requirements

The Forest Plan (USFS 2003, p. 4-36 thru 4-56 and 4-58 thru 4-78) contains standards and guidelines (see LRMP, p. 3-36 for definition of these 2 terms) including some applicable to livestock grazing. Those pertinent to the project area and this environmental analysis are summarized in the following tables:

Table A1: Forest Plan (LRMP) Standards (S) that apply to this project.

(S4) Place new sources of chemical and pathogenic pollutants where such pollutants will not reach surface or ground water. (LRMP, p. 4-36)

(S7) Allow management activities to result in no less than 85% of potential ground cover for each vegetation cover type. (LRMP, p. 4-37). (See LRMP, Appendix VII for potential ground cover values by cover type).

(S24) As a tool to achieve desired conditions of the land, maximum forage utilization standards for vegetation types in satisfactory condition using traditional grazing systems (rest rotation, deferred rotation, season long) are as follows:

Table S24: Percent utilization of key grass or grass like vegetation, by vegetation type, for rangelands in satisfactory condition.

Vegetation Type	Condition	Percent Utilization of Key Grasses or Grass-Like
Upland and Aspen	Satisfactory	50%
Crested Wheatgrass	Satisfactory	60%
Riparian* Class I	Satisfactory	50%
Riparian* Class II & III	Satisfactory	60%

* Riparian, away from greenline

(S25) As a tool to achieve desired conditions of riparian areas, maximum forage utilization standards (stubble height) for low to mid elevation *greenline* species in Class I, II, and III riparian areas (see Appendix VII) in satisfactory condition are as follows: (Key species being grazed include water sedge, Nebraska sedge, and and/or wooly sedge.)

Table S25: Greenline stubble height at the end of the growing season, by riparian class, for rangeland satisfactory condition.

Vegetation Type	Condition	Greenline Stubble Height at End of Growing Season
Riparian Class I	Satisfactory	No less than 5”
Riparian Class II	Satisfactory	No less than 4”
Riparian Class III	Satisfactory	No less than 3”

(S26) For all rangelands, including big game winter range and riparian areas, permit no more than 50% of the current year's growth on woody vegetation to be browsed during one growth cycle (i.e., when use has reached 50% allow no additional livestock use). (LRMP, p. 4-52)

Table A2: Forest Plan (LRMP) Guidelines (G) that apply to this project.

(G3) Proposed actions analyzed under NEPA should adhere to the State Nonpoint Source Management Plan to best achieve consistency with both Sections 313 and 319 of the Federal Water Pollution Control Act. (LRMP, p. 4-37)

(G4) At the end of an activity, allow no more than 15% of an activity area to have detrimental soil displacement, puddling, compaction and/or to be severely burned. (LRMP, p. 4-37)

(G7) Manage Class 1 Riparian Area Greenlines for 70% or more late-seral vegetation communities as described in Intermountain Region Integrated Riparian Evaluation Guide (USFS, 1992). Manage Class 2 Riparian Area Greenlines for 60% or more late-seral vegetation communities. Manage Class 3 Riparian Area Greenlines for 40% or more late-seral vegetation communities. (LRMP, p. 4-37)

(G9) Avoid soil disturbing activities (those that remove surface organic matter exposing mineral soil*)* on steep, erosive, and unstable slopes, and in riparian, wetlands, floodplains, wet meadows, and alpine areas. (LRMP, p. 4-38)

(G11) Use Best Management Practices & Soil & Water Conservation Practices during project assessment/ implementation to ensure maintenance of soil productivity, minimization of sediment discharge into streams, lakes and wetlands to protect designated beneficial uses (LRMP 4-38)

(G12) Locate new actions (such as incident bases, fire suppression camps, staging areas, livestock handling facilities, recreation facilities, roads and improvements) outside of Riparian Habitat Conservation Areas. If the only suitable location for such actions is within Riparian Habitat Conservation Areas, sites will be located to minimize resource impacts (LRMP, p. 4-38)

(G14) Manage vegetation for properly functioning condition at the landscape scale. Desired structure and pattern for cover types of the Wasatch-Cache National Forest (from USFS 1996) … are as follows … (USFS 2003, LRMP p. 4-39 thru 4-42)

Table G14. Desired Structure and Pattern for Cover Types

Cover Type	Landscape Structure	Landscape Patterns
Aspen	Balanced Range: Grass/Forb and Seedling/Sapling = 40 % Young, Mid Aged and Mature forests = 30% Old Forests = 30% Stand Density Index > 300 and Basal Area < 140.	Patterns are within historical ranges. Pattern sizes, shapes and corridors are maintaining processes. The role of fire is to influence distribution of structural classes and patterns across landscapes.
Pinyon-Juniper	Guideline direction for this cover type is not shown here as this cover type is not applicable in this project area.	
Mountain Mahogany	Guideline direction for this cover type is not shown here as this cover type is not applicable in this project area.	
Tall Shrub (Mountain Brush)	Multiple vegetation layers with alternating vertical dominance.	Acreages and dispersion within historical ranges.
Sagebrush(Big)/Grassland	Balanced range of structural	Patterns are within the

	stages. 40% of area with 15% or more crown cover (as measured by line intercept method).	historical range.
Riparian	Amount and type of vegetation types present that maintain riparian-dependent resources and provide a high rate of recovery following disturbance.	Plant community type compositions and accompanying riparian ecosystem functions maintain proper ground water recharge, storage, delivery, water tables, channel morphology and bank stability.

(G15) In goshawk habitat, design management activities to maintain, restore, or protect desired goshawk and goshawk prey habitats including foraging, nesting, and movement. (LRMP, p. 4-42)

(G23) Avoid actions on the Forest that reduce the viability of any population of plant species classified as Threatened, Endangered, Sensitive or recommended sensitive. Use management actions to protect habitats of plant species at risk from adverse modification or destruction. For species that naturally occur in sites with some disturbance, maintain the appropriate level of disturbance. (LRMP, p. 4-43)

(G71) As a tool to achieve rehabilitation of upland, aspen, and riparian communities away from the greenline that are not meeting or moving toward objectives, maximum allowed forage utilization will be 30-40%.(LRMP, p. 4-52)

(G72) Modify grazing practices that prevent attainment of desired future conditions for vegetation and/or aquatic resources. (LRMP, p. 4-52)

(G75) Annual operating instructions (and/or Allotment Management Plans) should be evaluated and additional site-specific objectives defined if needed for any or all of the following five parameters:

- stubble height on selected key species on the greenline,
- stubble height on selected key species and/or the amount of bare
- ground within the riparian zone but away from the greenline, riparian woody browse utilization (trees and shrubs),
- stream bank trampling on key reaches, and
- stubble height and/or incidence of use on key species in the uplands. (LRMP, p. 4-52)

(G2.6-2) Grazing is allowed on open allotments to meet site-specifically defined desired conditions. (LRMP, p. 4-67)

(G3.1A-2) Livestock grazing is allowed with the utilization standard for Riparian Class 1, and to meet site-specifically developed desired conditions. (LRMP, p. 4-69)

(G4.4-2) Grazing is allowed on open allotments to meet site-specifically defined desired conditions. (LRMP, p. 4-69)

Appendix B

Table B1: Monte Cristo Sheep Allotment Site-Specific Desired Conditions

Resource Ecosystem Community Type	Applicable Component of the Forest Plan Prescribed Desired Future Condition	Additional Site-Specific Desired Condition
Soil productivity	Most soils have at least minimal protective ground cover. Soils have adequate physical properties for vegetative growth and soil-hydrologic function. Degradation of soil quality and loss of soil productivity is prevented. Soil productivity, quality, and function are restored where adversely impaired and contributing to an overall decline in watershed condition.	Minimal protective ground cover is defined by Forest Plan standard S7 as at least 85% of potential. In tall forb communities minimum ground cover is defined by Guideline G14 as at least 90% of potential. (see S7 and G14, Tables A1 and A2, respectively). The Forest Plan (p. VII-1) identifies the following minimum ground covers (85% of potential) for some of the vegetative types in the project area: • 76-82% silver sagebrush • 69-82% in few-flowered-sagebrush • 59% in low sagebrush • 78% in snowberry • 60-70% in curlleaf mountain mahogany • 77-83% in aspen Applying the direction above, the ID team determined that for this allotment the desired condition is to maintain at least the following average ground covers (% of potential) in vegetation communities impacted by livestock grazing: • 78% in aspen, silver sagebrush and mountain brush communities. • 69% in few-flowered sagebrush • 60% in low sagebrush and curlleaf mountain mahogany • 73% in mountain big sagebrush (potential is 81 to 96%; as reported in the North Rich Allotment FEIS potential there was 86%. The potential for these communities on these allotments is similar). • 85% in mesic riparian vegetation types.
Riparian areas	Riparian areas have a range of vegetative structural stages that are at or moving toward properly functioning	In accordance with Forest Plan direction (USFS 2003, LRMP p. VII-3) the ID Team has identified the following Class I riparian areas for the

Resource Ecosystem Community Type	Applicable Component of the Forest Plan Prescribed Desired Future Condition	Additional Site-Specific Desired Condition
	condition, provide a transitional zone between upland terrestrial habitats and aquatic habitats, and have the features necessary to promote stable stream channels and diverse habitat conditions. Desirable riparian vegetation occupies the historical floodplain. Riparian areas provide for fish, wildlife, and water quality requirements.	project area: perennial segments of Big Spring Creek, Silvia Hollow and Sleepy Gulch. The Class I riparian area listed in the Forest Plan for this area is: Wheatgrass (USFS 2003, LRMP p. VII-7). Although Wheatgrass is located in this area, there are no Class I riparian segments located within the project area. No Class II riparian areas within the project area are identified in the Forest Plan (USFS 2003, p. VII-7). In accordance with Forest Plan direction (p. VII-3), the ID Team has identified the following Class II riparian areas: Intermittent reaches in streams in Silvia Hollow, Big Spring, Sleepy Gulch and Frost Canyon. All riparian areas not identified above as Class I or II are Class III riparian areas.
Springs and wetlands	Spring sources and associated wetlands in the Cache-Box Elder Management Area will be protected from excessive use and will be restored to proper functioning. Riparian areas will be protected from overuse and trampling from livestock grazing and recreation uses. Spring sources will be fenced and provide water for livestock.	Existing livestock spring/wetland protection fences will be maintained in order to protect vegetation, water quality and habitat associated with these areas. Riparian areas will have adequate deep-rooted vegetation or armoring along banks to allow for sediment filtering and erosion prevention. Proper function of wetlands and riparian areas associated with springs will be maintained to meet or exceed conditions outlined in Forest Plan standards and guidelines S24, S25, S26, G4 and G7 in Appendix A.
Aquatic Habitats	Habitats will be managed to maintain cool, clear water and well-vegetated stream banks for cover and bank stability. Cool water temperatures will be	Undisturbed stream banks exist on at least 80% of Class I riparian areas. Pool-riffle ratios are approximately 1:1 in fish-bearing streams. Summer water temperatures in fish-

Resource Ecosystem Community Type	Applicable Component of the Forest Plan Prescribed Desired Future Condition	Additional Site-Specific Desired Condition
	preserved through well-vegetated banks.	bearing streams do not exceed 20°C.
Aspen	Associated herbaceous and woody vegetation is in aspen communities is highly variable and is dominated by desired perennial grasses and forbs with a range of shrub cover.	At least 10% of the understory cover in aspen communities is comprised of desired tall forb species[1].
Upland vegetation and big game winter range	Maintain upland (sagebrush, mountain brush, grassland) plant communities are dominated by desired perennial grasses, forbs, and have a range of shrub cover. Associated herbaceous and woody vegetation provides for plant communities that are diverse in seral status and structure and provide food and habitat for wildlife, forage for livestock, and a variety of recreational opportunities and aesthetic values.	A wide variety of sagebrush cover closures exist, with a maximum closure of 35%. Most (greater than 50%) vegetation cover in sagebrush stands are desired grass and forb species A variety of shrubs such as snowberry, serviceberry, chokecherry, and elderberry are present in mountain brush communities.
Riparian vegetation	Riparian areas have a mix of seral and climax vegetation that is at or approaching PFC. Trees, willows, dogwood, birch, alder, sedges, rushes and hydric grasses, depending on stream substrate, gradient, and elevation, dominate riparian areas. These areas provide healthy self-perpetuating plant communities. Riparian plant habitats and rare riparian species will be protected from trampling and overuse by livestock grazing and recreational uses.	Adequate vegetative cover (as defined by the heights prescribed in Forest Plan standards S24 and S25) provide filtering of runoff, protection of the soil, and habitat for wildlife in riparian areas. Riparian shrub and trees are perpetuated by retaining at least 50% of annual growth of these plants (i.e., as provided for in Forest Plan standard S26).

[1] Plant species listed as moderate or high value rating for erosion control/watershed protection in the Region 4 Forest Service Handbook 2209.21 – Range Management Resource Value Ratings Guide.

Resource Ecosystem Community Type	Applicable Component of the Forest Plan Prescribed Desired Future Condition	Additional Site-Specific Desired Condition
Rangeland/Livestock Grazing	Livestock grazing is a permitted use. Grazing levels will be adjusted and managed with up-to-date Allotment Management Plans (AMPs). AMPs prescribing rest and deferred rotation grazing systems and riparian pastures will be in place. Structural improvements such as fences and water developments will be constructed or reconstructed and maintained to improve animal distribution and control. Structural improvements that are not needed will be removed from the forest. Grazing permit holders will move livestock as needed to meet management objectives for the ground. Ongoing ecosystem monitoring will be used to refine standards. Permit holders will share responsibility with the Forest Service for monitoring use, and will hold full responsibility for movement and control of livestock. Excess and unauthorized livestock use will be minimal. The number of term grazing permits will be reduced by the formation of grazing associations and the issuance of grazing agreements instead of individual permits.	Grazing levels will be adjusted and managed with an up-to-date Allotment Management Plan (AMP) that prescribes grazing systems and establishes management that ensure the time and timing of grazing is altered annually. When and/or if needed, structural improvements such as fences and water developments will be constructed or reconstructed and maintained, to improve animal distribution and control.

Appendix C

Monitoring Activities Included in the Decision

The following monitoring activities would be conducted by the Forest Service under the decision to evaluate range conditions for adaptive management and to ensure compliance with the grazing permit and management requirements listed above.

(1) Livestock management

What: Monitor livestock distribution to ensure livestock are in areas authorized for grazing.

Why: To protect unauthorized areas from livestock grazing to help achieve desired conditions.

How often: Throughout the grazing season

How the results will be used: Information would be documented and shared with the permittees to ensure livestock are in the proper locations. If livestock are found in an unauthorized area it would be considered non-compliance and appropriate administrative action would be taken according to Forest Service Handbook direction (FSH 2209.13, Chapter 10, section 16).

(2) Annual upland and riparian utilization and use

What: Annual monitoring will include collecting and recording the following information:

a. Utilization on upland and riparian key areas, including:
   1) Big Spring Fork (Riparian)
   2) Dry Bread (Aspen)
   3) Hatch Springs (Sagebrush/Mountain Brush)
   4) Little Monte (Tall Forb/Grassland)
   5) Harriet Springs (Sagebrush)

Why: To maintain proper livestock distribution and ensure utilization standards are not exceeded, in order to maintain satisfactory conditions, improve unsatisfactory conditions, and help move toward desired conditions.

How often: Utilization and livestock distribution during and at the end of the grazing season.

How the results will be used: The information will be used to determine when livestock must be moved from one area to another or off the allotment after all areas have been grazed, and to make any necessary adjustments to numbers and/or season of use.

(3) Long-term upland condition and trend

What: Long-term trend monitoring will be conducted on some of the previously established long-term study sites. Additional sites may be determined through field assessment.

Why: To evaluate vegetation conditions and identify whether or not they are at or moving toward desired conditions in riparian and upland areas.

How often: About every 10 years.

How the results will be used*:* Information will be used to determine if the area is meeting or moving toward desired conditions. Long-term trend data will be used to evaluate timing, intensity, frequency and management of grazing. As necessary, annual triggers affecting the timing, intensity, frequency and management of grazing would be adjusted to meet long-term desired resource conditions.

(4) Riparian area/water/aquatic habitats

What: Multiple Indicators Monitoring System (MIMS)

Why: To ensure that riparian environments are protected from trampling and vegetation loss and that water quality and aquatic habitats are maintained.

How often: About every 5-10 years.

How the results will be used*:* The information will be used to evaluate movement toward desired conditions in riparian areas. If monitoring indicates that degraded riparian areas are developing and/or existing degraded riparian areas have not improved in condition (using indicators such as riparian vegetation composition and streambank stability) then an alternative management strategy such as fencing key riparian areas would be implemented. Fencing would require further NEPA analysis on the site-specific environmental effects of the fencing.