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LEGAL PROOF OF PUBLICATION

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72064	0000512699	LEGAL NOTICE	Notice of Decision	\$252.12	3	78

Attention: Sue Dixon

PAYETTE NATIONAL FOREST

800 LAKESIDE AVE

MCCALL ID 83638

LEGAL NOTICE
Legal Notice of Decision
USDA Forest Service
Payette National Forest
Adams, Idaho, Valley, and Washington Counties
Forest Plan Amendment Identifying Suitable Rangeland
For Domestic Sheep and Goat Grazing
To Maintain Habitat for Viable Bighorn Sheep Populations

On July 20, 2010 Payette National Forest Supervisor Suzanne Rainville signed a Record of Decision (ROD) for the Final Supplemental Environmental Impact Statement (FSEIS) pertaining to the identification and management of suitable rangeland for domestic sheep and goat grazing and to maintain habitat for viable bighorn sheep populations. The amendment covers the Payette National Forest. The Forest administers an estimated 2.3 million acres of Federal lands. The analysis focused on Forest land suited for domestic sheep and goat grazing. This decision responds to instructions from the Chief of the Forest Service to reanalyze the potential impacts of domestic sheep and goat grazing on bighorn sheep viability on the Payette National Forest to ensure habitat is available to support a viable population of bighorn sheep and support a determination of compliance with the Hells Canyon National Recreation Area (HCNRA) Act, supplementing the 2003 Forest Plan FCIS and to amend the Forest Plan as necessary to address habitat needs to maintain bighorn sheep viability.

The Forest Supervisor has selected Alternative 70 with implementation modifications (70 modified). This decision amends the 2003 Payette Land and Resource Management Plan as described in Appendix Q of the Final Supplemental Environmental Impact Statement (FSEIS), identifies lands as suitable for domestic sheep and goat grazing and closes the vacant Shorts Bar Domestic Sheep and Goat allotment. The Amended Forest Plan Standards and Guidelines and monitoring plan and the closure of the Shorts Bar Allotment are effective 30 days after the decision is made (FSEIS, Appendix O). Alternative 70 modified will be implemented as follows:

- 2010-Continue grazing as authorized in the 2010 Annual Operating Instructions for the remainder of the 2010 grazing season
- 2011-Implement management as described for Alternative 7P for one grazing season
- 2012-Implement management as described for Alternative 7N for one grazing season
- 2013-Implement management as described for Alternative 7O

The decision is subject to the optional appeal procedures available during the planning rule transition period pursuant to 36 CFR 219.35(b) provisions of the 2000 planning rule (65 FR 67514) and 2001 interpretive rule (66FR 1864). Consistent with Section 8(a)(2) of these procedures, a written notice of appeal must be filed with the Intermountain Regional Forester within 45 days of the date that the legal notice of this decision appears in The Idaho Statesman newspaper.

Only individuals or organizations that submitted comments or otherwise expressed interest in the project during the comment periods may appeal. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of the legal notice of decision in The Idaho Statesman newspaper. This date is the exclusive means for calculating the time to file an appeal. Timeframe information from other sources should not be relied upon. Incorporation of documents in an appeal by reference is not allowed.

Appeals must be sent to the Appeal Deciding Officer, Harv Forsgren, Intermountain Regional Forester. Appeals can be mailed, faxed, e-mailed, or hand delivered to:

Intermountain Regional Forester
USDA Forest Service
324 25th Street
Ogden, UT 8401
Fax: (801) 625-5277

E-mail: appeals-intermtn-regional-office@fs.fed.us

E-mailed appeals must be submitted in rich text format (rtf), Word (doc), or portable document format (pdf) and must include the project name in the subject line. Appeals that are hand delivered can be made to the address above during regular business hours of 8:00 A.M. to 4:30 P.M. Monday through Friday.

A copy of the appeal must simultaneously be sent to the deciding officer:

Forest Supervisor, Payette National Forest
USDA Forest Service
800 W. Lakeside Ave.
McCall, ID 83638

Any notice of appeal must be fully consistent with Section 9 of the optional appeal procedures available during the planning rule transition period pursuant to 36 CFR 219.35(b) provisions of the 2000 planning rule (65 FR 67514) and 2001 interpretive rule (66FR 1864). At a minimum, a written notice of appeal filed with the reviewing officer must:

1. State that the document is a notice of appeal filed pursuant to 36 CFR 219.14(b) (2);
2. List the name, address, and telephone number of the appellant;
3. Identify the decision about which the requestor objects;
4. Identify the document in which the decision is contained by title and subject, date of the decision, and name and title of the deciding officer;
5. Identify specifically that portion of the decision or decision document to which the requestor objects;
6. State the reasons for objecting, including issues of fact, law, regulation, or policy, and, if applicable, specifically how the decision violates law, regulation, or policy; and
7. Identify the specific change(s) in the decision that the appellant seeks.

[54 FR 3357, Jan. 23, 1989, as amended at 55 FR 7895, Mar. 6, 1990; 56 FR 4918, Feb. 6, 1991]

Implementation of the decision will occur after the 30th calendar day following publication of the legal notice of decision in the newspaper of record, The Idaho Statesman. This will also be 30 calendar days after the Notice of Availability of the Record of Decision and Final SEIS is published in the Federal Register (36 CFR 219.10 (c)(i)).

Copies of the ROD have been mailed to those who requested it. A copy of the decision may also be found on the Payette National Forest website at: <http://www.fs.fed.us/r4/payette/>. For more information on the project, please request a copy of the environmental or decision document, contact Pattie Soucek or Sue Dixon, Payette National Forest, 800 West Lakeside Avenue, McCall, ID 83638; (208) 634-0700.

Pub. July 30, 2010

0000512699

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

1 Insertions

Beginning issue of: 07/30/2010

Ending issue of: 07/30/2010

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

..SS

COUNTY OF ADA)

On this 30 day of July in the year of 2010 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Cathy Bringham
Notary Public for Idaho
Residing at: Boise, Idaho

My Commission expires:

