

DECISION NOTICE & FINDING OF NO SIGNIFICANT IMPACT

Devil's Garden Plateau Wild Horse Territory Management Plan and Forest Plan Amendments

USDA Forest Service
Modoc National Forest, Devils Garden & Doublehead Ranger Districts
Modoc County, California

1. Project Description

The Devil's Garden Plateau Wild Horse Territory is located within Modoc County, California. The southern boundary of the territory is about 7 miles north of the City of Alturas. The territory includes all or portions of Townships 43- 46 North, Ranges 8-13 East.

The primary goal of this project is to implement a Territory Management Plan whereby wild horses in the Devil's Garden Plateau Wild Horse Territory are managed for the next 15-20 years as a self-sustaining population of healthy animals in a thriving natural ecological balance with other uses and within the productive capacity of their habitat as required by Public Law 92-195, the 1971 Wild Free-Roaming Horses and Burros Act (WFRHBA), as amended.

Incorporation by Reference

The Environmental Assessment (EA) and all supporting specialist reports are incorporated by reference. Additionally, the Devil's Garden Plateau Wild Horse Territory Management Plan is attached that incorporates the components of the chosen alternative.

2. Decision and Rationale

Based upon my review of all alternatives, I have decided to implement the Proposed Action (Alternative 2), as fully described in the EA on pp. 27-32, with the following modifications:

- Sex ratio adjustment to favor males beyond a 50:50 ratio will not be considered at this time. This change is made to address public concern regarding this practice and because it is thought possible to lower the herd growth rate to an acceptable level ($\leq 20\%$) through sex ratio adjustment to 50:50 males/females and implementation of fertility control.
- If necessary to maintain genetic diversity (based on monitoring), animals will only be introduced from the alternate home range in the Devil's Garden WHT. For example, if monitoring indicates a concern with genetic diversity in the West Home Range, only similar animals from the

East Range would be introduced. This change is made to address public concern regarding the introduction of animals from other Territories or Herd Management Areas into the Devil's Garden WHT.

- Disposition of older animals that are gathered will be consistent with law, regulations and policy. This change is made to insure compliance with the 1971 WFRHBA, as amended.

The components of the chosen alternative are:

1. Approval of the Devil's Garden Plateau Wild Horse Territory Management Plan (DGPWHTMP), which is attached and incorporated by reference.
2. Designation of the Modoc National Forest as lead agency for management actions related to wild horses in the DGPWHT.
3. Adoption of the non-significant Forest Plan amendments as described below:
 - a. Delete Standard 5 (LRMP, 4-19) which states: "Manage the wild free-roaming horse herds to achieve a Forest population between 275 and 335 (on the average, 305) animals." Replace Standard 5 (LRMP, 4-19) as follows: "5. (S) Revise the herd management plan for the Devils Garden Plateau WHT approximately every ten to twenty years. Evaluate the appropriate management level (AML) for wild horses as part of the herd management plan analysis and decision process."
 - b. Delete Guideline 5A (LRMP, 4-19) which states: "Every ten years revise the herd management plan for each wild horse territory, including forage allocation for horses within the carrying capacity of the territory. Cooperate with the Bureau of Land Management in capture and placement of the animals. Replace Guideline 5A (LRMP, 4-19) as follows: "A. (G) When review of resource monitoring and population inventory data indicates the appropriate management level (AML) for wild horses may no longer be appropriate, complete an in-depth analysis of resource monitoring data. If indicated, adjust the AML either up or down in order to maintain a thriving natural ecological balance and multiple-use relationship within the WHT. Express the AML as a population range with a lower and upper limit within which wild horses can be managed for the long-term. Establish the AML upper limit as the maximum number which results in a thriving natural ecological balance and avoids a deterioration of the range and the AML lower limit at a number that allows the population to grow (at the annual population growth rate) to the upper limit over a 4-5 year period without any interim gathers to remove excess wild horses. The AML will specify the number of adult wild horses to be managed within the population (excludes current year's foals)."
 - c. Delete Guideline 5B (LRMP, 4-19) which states: "Monitor the impacts of wild horses on rangelands in allotments where horses are present. Determine if wild horse numbers should be adjusted on high impact areas." Replace Guideline 5B (LRMP, 4-19) with the following: "Monitor the impacts of wild

horses on range ecological condition. Monitoring data may include studies of grazing utilization, range ecological condition and trend, actual use, and climate (weather) data. Population inventory, use patterns, animal distribution, and progress toward attainment of other site-specific and landscape-level objectives may also be considered. Three to five years of data is preferred.

- d. Add Guideline 5C (LRMP, 4-19) as follows: “Cooperate with the Bureau of Land Management to capture and remove excess wild horses when analysis of grazing utilization and distribution, trend in range ecological condition, actual use, climate (weather) data, current population inventory, wild horses located outside the WHT in areas not designated for their long-term maintenance and other factors such as the results of land health assessments demonstrate removal is needed to restore or maintain the range in a thriving natural ecological balance with other uses and the productive capacity of their habitat.
Establish a boundary for the WHT based on the long-term needs of the Devils Garden wild horse herd and within the herd’s known territorial limits (1971 WFRHBA) rather than for administrative convenience. This boundary will provide for future management of two distinct home ranges: West and East.
4. Establishment of an AML upper limit of 402 adult wild horses and a lower limit of 206 adult wild horses, based on the evaluation of monitoring data. The evaluation of monitoring data will determine if future changes in the AML are necessary, which would be implemented, pending additional site-specific environmental analysis.
5. Use of helicopters as the primary gathering method, supplemented by bait trapping where feasible. All gathering operations will be in accordance with the Standard Operating Procedures as specified in Appendix D of the EA, or as modified by most current gathering contract(s).
6. Gathers to achieve AML will commence as soon as practical, beginning in the fall/winter of 2013 or the summer of 2014.
7. Animals that have established home ranges outside the territory boundary would receive first priority for removal.
8. Implementation of fertility treatments using the 1 year and 22 month formulations of PZP to slow rate of herd growth. Fertility control will be administered to all mares of the age one and older that are turned back to the WHT. Fertility control will be administered in accordance with the Standard Operating Procedures described in Appendix E of the EA, or the latest revision.
9. Establishing a baseline for genetic diversity through sampling of the animals gathered. Genetic diversity would be re-assessed through further sampling every 8-10 years. If genetic monitoring indicates that Observed Heterozygosity (Ho) falls below the mean for feral populations (0.66 for DNA based hair samples, 0.31 for blood samples) actions to improve diversity such as introducing young animals (mares) from the opposite home range or maximizing the number of breeding animals in the herd will be implemented.

10. Actions to adjust the sex ratio of the herd to a 50/50 males/female will be taken. This will be done by releasing additional males during AML maintenance gathers.
11. The feasibility of developing additional water sources in currently dry areas of the WHT will be examined. Construction of additional water sources will be completed pending site specific environmental analysis and available funding.
12. No new fencing would be constructed in the WHT, with the exception of small riparian pasture fences if found necessary to meet riparian objectives. Re-construction of existing allotment/pasture fencing would be completed pending the results of site-specific environmental analysis.
13. Gates on existing fences within the WHT will remain open during the period of each year when livestock are absent from the area to facilitate free-roaming behavior and seasonal migrations. Where monitoring indicates concentrations of animals along fence-lines, fences will be marked with materials such as snow fence, and gates will be widened to further facilitate free-roaming behavior.
14. Population and Habitat monitoring will occur as described in the EA, pp. 29-32, and attached DGPWHT Plan (pp. 13-17) to determine progress in meeting objectives. Adjustments to population or habitat management will be based on the results of monitoring data and implemented pending additional site-specific environmental analysis.

Please refer to the environmental assessment and attached DGPWHMT Plan for the specific actions and monitoring to be implemented.

In examining all the Alternatives considered, I find that the Proposed Action best meets the purpose and need to develop and implement a territory management plan to ensure the herd is managed as a self-sustaining population of healthy animals in a thriving natural ecological balance with other uses and the productive capacity of their habitat as required by the 1971 WFRHBA, as amended. This alternative establishes an AML based on monitoring as prescribed by law and numerous legal rulings and not for administrative convenience. From the analysis presented in the EA (p. 125), the management of 206-402 adult animals would ensure there are adequate forage and water supplies to support the herd on a year-long basis for the long term, including adequate winter range to carry the animals each year. Maintaining this level of animals would result in improvement of ecological conditions for upland and riparian habitats (EA, p. 125). The AML range is wide enough so gathers to maintain AML would only be necessary every 4-5 years, preventing annual disruption of social structure and disturbance to the animals in their habitat (EA, p. 115). Additionally, the analysis shows that competition for space, cover, forage and water would be reduced among the horses and other uses, including livestock and wildlife. Instances of animals emigrating outside the territory for the essential habitat components would be minimized (EA, p. 124). Designation of the Modoc National Forest as lead agency and the non-significant amendments to the Modoc Land and Resource Management Plan will facilitate improved management of the animals and their habitat.

The boundary of the territory would be returned to the one established at the passage of the WFRHBA of 1971 (EA, p. 6), bringing it into compliance with the Act. The analysis presented in the EA (p. 113) reveals that helicopter gathering is a humane and effective method of achieving and maintaining the population at AML. Also based on the analysis, I am convinced that helicopter gathering (supplemented by bait trapping) would be necessary to achieve and maintain AML in the WHT and conduct fertility treatments. The implementation of fertility control, as described on p. 118 of the EA, would slow the annual rate of increase to below the average of 25% currently being experienced. I believe the monitoring of genetic health and possible corrective actions as described on p. 123 of the EA will allow us to maintain genetic diversity objectives for this herd.

Finally, the comprehensive monitoring program described in the DGPWHT Plan (pp. 13-19) will help us determine if we are meeting population and habitat objectives for the herd. Any adjustments in AML or other see if further adjustments are necessary for the long-term management of wild horses on the DGPWHT.

3. Other Alternatives Considered

Three alternatives, in addition to the Proposed Action, were considered in the environmental assessment.

Alternative 1, the No-Action Alternative would maintain an AML of 275-335 wild horses, as established in the Modoc National Forest Land and Resource Management Plan based on the number of animals that existed at the time. With such a narrow margin between the upper and lower limits of AML, annual removals would be necessary as shown by the analysis in the EA (p. 120), that would result in yearly disturbance and disruption of social structure (EA, p. 115). The current AML was established in the Forest Plan for administrative convenience and not based on the evaluation of monitoring data, as called for in the 1971 WFRHBA, as amended, and applicable case law. Alternative 1 maintains a wild horse territory of 258,000 acres which, again, was established for administrative convenience, and is not in compliance with the 1971 Act. Alternative 1 does not provide for fertility control, adjustment to sex structure (50/50 males to females) or establishing a baseline for genetic variability. These are important tools to slow the rate of herd growth and for maintaining a genetically viable herd in the long-term. For these reasons, I did not select Alternative 1, the No Action Alternative.

Alternative 3 has many of the same components of Alternative 2- the Proposed Action but includes other actions that would enhance the wild horse management, including removal of about 30 miles of interior pasture fencing that would result in increased free-roaming behavior and mixing of animals to maintain genetic viability (EA, p. 123) . The removal of pasture fencing would negatively impact the management of livestock and have economic impacts to the local community as described in the EA (pp. 81-86).

Additionally, the removal of fences is expected to result in degraded upland and riparian conditions and increased impacts to soils (EA, pp. 79-80, 93). Due to the potential economic and environmental impacts from fence removal, I did not select Alternative 3.

Alternative 4 also includes some of the components of Alternative 2- the Proposed Action, including fertility control to slow herd growth. Included in Alternative 4 is the removal of about 50 miles of both pasture and allotment boundary fencing and a decrease in permitted livestock use to accommodate the increased number of wild horses. This would impact livestock operations and local economics to a far greater degree than Alternative 3 (EA, p. 86). Alternative 4 calls for an increase in the AML range to 700-900 head. The proposed increase is not based on the evaluation of monitoring data, as required by the 1971 WFRHB Act, as amended, and pertinent case law, but on the approximate number of animals that occurred in the WHT in the fall, 2012. This alternative provides the greatest opportunity to maintain genetic diversity due to fence removal and a larger population of animals (EA, p.127). However, as discussed in the EA (Table 4, p. 30), under the Proposed Action genetic diversity would be monitored and actions taken to resolve viability concerns should they should arise. Unlike the other Alternatives considered that would include both helicopter and bait trapping, gathering would be solely by bait trapping. The analysis provided in the EA (p. 127) and associated documents indicate that utilizing bait trapping only would make it extremely difficult to maintain AML and would require annual gathers during prolonged periods of time. With the ability to only trap a very small portion of the herd due to access, fertility treatments would prove minimally effective in slowing the growth rate of the herd (EA p. 127). With an AML of 700-900 animals on a year-long basis, forage species would receive increased utilization during the critical spring growth period (April 1-May 15), which would cause a decline in production and vigor (EA, p. 129). Also, as shown in the analysis on p. 129 of the EA, there would not be adequate forage to carry the increased number of animals through the winter period without utilization in the heavy (61-80%) or greater categories. As stated in the EA on p. 128, the higher AML would result in the continued pattern of animals migrating outside the WHT boundary. During periods of inclement weather, increased numbers of animals leaving the WHT and ranging into private subdivisions would be increased. Although Alternative 4 would provide the best opportunities for public viewing of horses due to the increased AML, only a small fraction of the recreational use is attributed to wild horse viewing. There have been less than ten public inquiries regarding wild horse viewing in the WHT during the past decade (EA, p. 78). Based on the analysis in the EA discussed above, I have chosen not to select this alternative.

4. Public Involvement

The project was initially scoped¹ on July 27, 2011, when letters were sent to individuals, organizations and Tribal entities on the project mailing list. Based on additional monitoring and other information collected during the summer of 2012, the Proposed Action was refined and a second scoping period commenced on December 14, 2012.

The EA was completed on April 30, 2013. The legal notice initiating the 30-day public comment period was published in the Modoc County Record on May 2, 2013. As the end of the 30-day period fell on Saturday, June 1, 2013, the comment period closed on the next business day which was Monday, June 3, 2013.

On May 16, 2013, an open house was conducted at the Modoc National Forest Supervisor's Office in Alturas, California to present information relating to the project and to solicit public comment. Five members of the public and a representative from the California Department of Fish and Wildlife attended.

During the public comment period, 37 individual comment letters and 7,606 emails with the same text were received. Due to the extended length of these documents, they are not incorporated into the EA but are part of the project record.

A summary of the substantive comments from these letters and our responses are incorporated into Appendix G of the environmental assessment. The complete record of comments and our responses are located in the Project Record for this project.

The project was discussed with the Pit River Tribe during regularly scheduled quarterly consultation meetings on March 29, 2013 and June 5, 2013. The Pit River Tribe also discussed this project at the BLM/Pit River Tribal Consultation Meeting on May 2, 2013. Additionally, Tribal representatives provided verbal comments on January 7, 2013. The Tribe expressed no concerns regarding the Proposed Action.

Consultation with USFWS and the California Department of Fish and Wildlife has been an on-going during this planning effort. Consultation with the USFWS was conducted in relation to the development of Biological Assessments for threatened, endangered, and sensitive plant and animal species.

5. Finding of No Significant Impact

After considering the environmental effects described in the EA (beginning on p. 45 of the EA), I have determined that these actions 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. I base my finding on the following considerations of both context and intensity.

¹ Scoping is the process of determining the scope of the issues to be addressed and for identifying significant issues related to the Proposed Action.

Context

Context means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. As this is a site specific project, significance would depend on the effects in the locale rather than at a national or world scale.

The selected alternative for Devil's Garden Plateau Wild Horse Territory Management Plan would not pose significant short or long term adverse effects, as described in the EA (Chapter 4) and supporting documentation. Proposed activities are consistent objectives in the Modoc National Forest Land and Resource Management Plan, as amended (EA, p. 8), and applicable law and regulations.

Intensity

Intensity refers to the severity of the impact. The intensity of environmental effects was considered in terms of the following and is documented in Chapter 4 of the environmental assessment.

- 1. Impacts may be both beneficial and adverse. A significant effect may exist even if the federal agency believes that on balance the effect will be beneficial.**

Consideration of the intensity of effects is not biased by beneficial effects of the action.

The Selected Alternative poses both beneficial and adverse effects (EA, Chapter 4). Both beneficial and adverse effects are taken into consideration. Beneficial effects specifically related to achievement of purpose and need are discussed under the Decision and Rationale section of this document. The Selected Alternative poses minor short term and long-term adverse impacts. Adverse impacts, when considered without beneficial effects, were not significant. Beneficial and adverse effects are discussed in the EA (pp. 45-151)

- 2. The degree to which the proposed action affects public health and safety.**

There were no effects on public health and safety identified from implementation of the proposed action.

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

There will be no effects on unique characteristics in the area. There are no Prime Farm, Range or Forest Lands located within the project area (EA, p. 150). There are no congressionally designated special areas such as Wilderness, Wild and Scenic Rivers, Inventoried Roadless Areas, or developed recreational

facilities in the area (EA, p. 77). Impacts to wetlands and riparian areas will be positive as discussed on p. 150 of the EA.

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

Legitimate controversy must be based on credible scientific evidence. The Forest Service responded to public comments regarding this project in Appendix G of the EA- Response to Comments. Opposing viewpoints do not necessarily constitute scientific controversy. The project record, including specialist reports, other supporting documentation, and the EA documents all rely on scientific information including papers, reports, literature reviews, review citations, peer reviews, opposing views and results of ground-based observations.

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

The actions proposed were designed to achieve the objectives identified in the Modoc Forest Plan, as amended, and in conformance with the 1971 WFRHBA, as amended. The analysis shows the effects of the action are not uncertain, and do not involve unique or unknown risks. This conclusion is based on the consideration of results from other similar projects; past local experience; and expected environmental consequences based on the best available science. These effects are well known and documented through similar projects throughout the west. A comprehensive monitoring section is included in the WHT Plan from which to measure progress in meeting population health and habitat objectives (EA, pp. 29-31; WHT Plan, pp. 13-19).

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

This project does not set a precedent for any future action(s). Future adjustments in management for the Devil's Garden Plateau WHT would be based on the evaluation of monitoring data (EA, p. 31, WHT Plan, p. 16).

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

The cumulative effects of the project, in conjunction with past, present, and reasonably foreseeable future actions, (e.g., livestock grazing, sage steppe

restoration projects, range improvement construction/maintenance, etc.), have been analyzed and found to be relatively minor for all resources. The cumulative impacts have been analyzed and are not significant. Cumulative effects on each resource are discussed in Chapter 4 of the EA.

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

This action will not cause loss or destruction of significant scientific, cultural, or historical resources. The selected actions would be expected to result in reduced levels of site disturbance and degradation (EA, pp. 62-70).

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

Two federally listed aquatic species, the Lost River sucker (*Deltistes luxatus*) and the shortnose sucker (*Chasmistes brevirostris*), could potentially be affected by actions within the Devils Garden Plateau WHT (EA, pg. 132). Two federally listed plant species, the endangered Green's tuctoria (*Tuctoria greenei*) and threatened Orcuttia (*Orcuttia tenuis*), may possibly occur on the WHT although have not been found through surveys.

For the listed aquatic species above, a Biological Opinion was completed and it was determined that the proposed action may affect, but is not likely to adversely affect these species or their designated critical habitat (BA-Wildlife Species, pg. 11). The USFWS concurred with this determination by letter on May 22, 2013 (Letter in project record).

For the T&E plant species, a consultation meeting with the USFWS resulted in the mitigation that trap sites not be placed within 250 feet of a vernal pool. Based on this mitigation, it was determined that the proposed action would have no effect on these species or their designated critical habitat (BA-Plant Species, p. 5).

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

This action is in conformance with Federal, State, and local laws or requirements related for the protection of the environment. Applicable laws and regulations were considered in the EA (under Environmental Effects pp. 45-151).

6. Findings Required by other Laws and Regulations

Wild Free-Roaming Horses and Burros Act of 1971 (Public Law 92-195), as amended by the Public Rangelands Improvement Act of 1978 and the Federal Land Policy and Management Act of 1976.

The selected alternative is in accordance with The 1971 Wild Free-Roaming Horses and Burros Act, as amended.

National Forest Management Act

The selected alternative, including the adoption of the insignificant Forest Plan amendments, is consistent with the Modoc National Land and Resource Management Plan, as required by Section 6 of the National Forest Management Act.

Clean Air Act and Other Air Quality Laws

The project does not involve actions that would have effects on air quality (EA, p. 150).

Clean Water Act

There would be no effects to water quality from implementing the selected alternative. Compliance with Forest Plan standards relating to utilization and stream bank alternation would insure there is no degradation to water quality (EA, p. 150) and result in improved water quality (EA, p. 135).

Endangered Species Act

This project was not found to affect viability of listed species, due to species mitigation measures that would prevent significant negative impacts to T&E species and their habitats (BAs for Aquatic and Plant Species).

National Historic Preservation Act

This project meets NHPA by protecting cultural resources through field survey, tribal consultation and avoidance of cultural sites when placing wild horse traps, resulting in no effect to archeological or historic sites listed on or eligible for the National Register of Historic Places. As described in the EA (p. 69) the proposed action would be expected to result in reduced levels of site disturbance and degradation due to trampling.

I have determined these proposed actions will not have a significant effect on the quality of the human environment, and an Environmental Impact Statement (EIS) will not be prepared. The selected alternative will be implemented on National Forest System lands and a small portion of public lands under BLM administration (7,600 acres). The selected alternative is not in conflict with planning objectives for Modoc County or local Tribes. As described throughout the EA, the project is in compliance with the Forest Plan and other applicable guidance. The action is consistent with

Federal, State, and local laws. The appropriate agencies have been consulted on this project, as described on p. 152 of the EA.

Consultation with federally recognized Tribes was initiated in accordance with the Region 5 Programmatic Agreement, National Historic Preservation Act, and other laws and regulations. The selected alternative is expected to result in beneficial impacts to cultural resource sites (EA, p. 69). This project is in compliance with Section 106 of the National Historic Preservation Act.

Executive Order 12898, relating to Environmental Justice, requires an assessment of whether minorities or low-income populations will be disproportionately affected by any selected alternative. The selected alternative will have no adverse effects on human health or the environment that are significant, unacceptable, or above generally accepted norms. Therefore, there will be no disproportionate effects to minorities or low income populations. Native Americans tribal groups have been contacted about the selected alternative and did not express any concerns. Implementation of project design features will protect any cultural resources.

7. Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR 215. An appeal may be filed by any person or any non-Federal organization or entity that has provided comment during the 30-day comment period for this project. Notices of appeal must meet the specific content requirements of 36 CFR 215.14. An appeal, including attachments, must be filed with the appropriate Appeal Deciding Officer (36 CFR 215.8) within 45 days following the publication date of the legal notice in the Modoc County Record newspaper. The publication date of the legal notice is the exclusive means for calculating the time period to file an appeal (36 CFR 215.15 (b)(3)). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source.

The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer: Randy Moore, Regional Forester, USDA Forest Service, Regional Office Region 5, 1323 Club Drive, Vallejo, CA 94592. Appeals may be submitted by FAX (707) 562-9229 or by hand delivery to the Regional Office at the address shown above. The office business hours for those submitting hand-delivered appeals are: 8:00 am to 4:00 pm Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), portable document file (.pdf) or Word (.doc or .docx) to appeals-pacificsouthwest-regional-office@fs.fed.us. [Subject: Devil's Garden Wild Horse Plan].

8. Implementation Date

If no appeals are filed within the 45-day time period, implementation may begin on, but not before, the 5th business day following the close of the appeal filing period (36 CFR 215.9 and 215.15). When an appeal is filed, implementation may occur on, but not

before the 15th business day following the date of appeal disposition (36 CFR 215.2). In the event of multiple appeals, the implementation date is controlled by the date of the last appeal disposition. Initiation of project implementation is anticipated to be beginning in the late fall/winter of 2013.

For more information, contact Kimberly H. Anderson, Forest Supervisor, Modoc National Forest, 225 W. 8th St., Alturas, CA 96101, 530-233-5811.

/s/ Kimberly H. Anderson

08/ 27/2013

Kimberly H. Anderson
Forest Supervisor
Modoc National Forest

Date

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