DRAFT Decision Notice

Morapos Creek, Wilson Mesa and Deer Creek Sheep & Goat Grazing Allotments

USDA Forest Service
Blanco District, White River National Forest Rio Blanco & Moffat Counties, Colorado
Township 3 North, Range 90 West, Sections 7-10, 15-22, and 29-32
Township 2 North, Range 90 West, Sections 5-8 and 18
Township 2 North, Range 91 West, Sections 1, 2, 11 and 12.

Decision and Reasons for the Decision

I have reviewed the proposed action as identified in the Morapos Creek, Wilson Mesa and Deer Creek Sheep & Goat Grazing Allotments Environmental Assessment (EA). Based upon my review of all alternatives, public input, and the analysis, I have decided to select Alternative 3: Adaptive Livestock Grazing Management including the design criteria, monitoring plans, and adaptive management options as described here and in the EA. I believe this alternative will best meet the purpose and need for the project and achieve Forest Service goals for these allotments. This alternative will meet White River Land and Resource Management Plan (Forest Plan) objectives for range management by continuing to authorize livestock grazing on these National Forest System lands.

Background

The White River National Forest (WRNF), Blanco Ranger District has prepared this EA to address the environmental consequences of a proposed agency action to continue to authorize domestic sheep grazing on the Morapos Creek, Wilson Mesa and Deer Creek grazing allotments depicted in Figure 1. The allotments are defined as Sheep & Goat (S&G) allotments, but are permitted for domestic sheep. The Morapos Creek, Wilson Mesa and Deer Creek S&G allotments are located on the extreme north side of the Blanco Ranger District and encompasses 12,374 acres within an elevation range of 7,600 to 10,445 feet.

The purpose of this analysis is to determine whether to continue permitting livestock grazing on all, none or some portion of the Morapos Creek, Wilson Mesa, Deer Creek S&G allotments analysis area. If authorized, livestock grazing of available forage would be managed in a manner that maintains or moves conditions toward achieving Forest Plan and project level objectives and desired conditions in a defined timeframe.

The need for this action is based in USFS policy to make forage available to qualified livestock operators from suitable lands for livestock grazing provided such grazing is consistent with land management plans and the multiple use goals, objectives, standards, and guidelines of the Forest Plan. The need is also tied to any important resource, social, or economic disparity that was found when comparing the existing condition in the analysis area to the Forest Plan and project-specific desired conditions, as determined by the interdisciplinary team (IDT) and authorized officer on a site-specific basis.
Figure 1. Vicinity map of the Morapos Creek, Wilson Mesa, and Deer Creek S&G grazing allotment, Blanco Ranger District, White River National Forest.
**Alternative 3 (The Selected Alternative):** Adaptive Livestock Grazing Management

This alternative is based on the principle of “adaptive management,” a process that uses focused monitoring information to determine if management changes are needed, and if so, what changes and to what degree. This alternative gives the authorized officer the flexibility to adapt to change within the constraints imposed by the EA and this decision. As long as implementation continues to remain within the scope of the EA, the Blanco District Ranger may choose to implement adaptive changes. If a needed change has not been evaluated within this EA, additional NEPA analysis and decisions may be necessary.

Under this alternative, the current management system would be selected as the starting point (EA Table 2.1). Recurrent monitoring would occur over time with evaluation of the results being assessed by the Forest Service to make any appropriate adjustments in management as needed to ensure adequate progress toward Forest Plan and site-specific desired conditions. All adaptive management options available are analyzed under this EA and adopted for potential future use. An Allotment Management Plan would be developed for the allotments. The allotments are depicted in Figure 1.

If short and/or long term monitoring indicates desired conditions are not being met or on the ground conditions are not moving toward desired conditions within the identified timeframes with livestock determined as being a major contributing factor, then additional activities identified in EA Table 2.2, Grazing Management Toolbox, may be applied. New rangeland management techniques, as they are developed, would be incorporated into this toolbox, to the extent that their implementation is consistent with the effects documented in this EA and its accompanying Decision Notice.

Implementation of adaptive management actions would need to be within the scope of effects documented in this EA, or a supplemental NEPA document and decision would be prepared.

**Elements of the Decision**

I am approving use of the Morapos Creek, Wilson Mesa and Deer Creek Sheep & Goat Grazing Allotments at the current permitted levels shown in Table 1.1 of the EA on page 7.

For the allotment, season of use is determined by range readiness, evaluated on a landscape basis, for the earliest date livestock can enter the allotment and allowable use design criteria will be used to determine livestock off dates. Actual on and off dates may vary within those limits based on weather and resource conditions.

The alternative is designed to help achieve desired future conditions as specified in the Forest Plan. In addition, Table 1.4, pp. 10-12 located in Chapter 1 of the EA displays desired future conditions for the allotment areas by habitat type.

Design criteria as specified in Chapter 3 of the EA will be applied. In addition, all regulations, specifications, and guidance found in the LRMP, Watershed Conservation Handbook (FSH 2509.25), and all other laws, acts, and policies will be applied.

I approve utilizing the adaptive management approach for these grazing allotments. This will allow for quicker changes to management and on-the-ground improvements toward meeting desired conditions. I believe the EA adequately analyzed the effects of using the adaptive management
technique. Should future management actions fall outside of the specifications analyzed in the EA a new NEPA process should be initiated. The approved adaptive management tools are listed in Table 2, the ‘Grazing Management Toolbox’.

Table 2. Grazing Management Toolbox for the Morapos Creek, Wilson Mesa and Deer Creek S&G grazing allotment.*

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<tbody>
<tr>
<td>1.</td>
<td>Change season of use -- do not exceed the estimated Animal Unit Month (AUM) capacity; use range readiness to determine livestock turn on date and allowable use design criteria to determine livestock off date.</td>
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<tr>
<td>2.</td>
<td>Change livestock numbers -- do not exceed the estimated AUM capacity; design criteria based on allowable use will determine proper rangeland use and time to move livestock (including off date).</td>
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<tr>
<td>3.</td>
<td>Change livestock class – do not exceed estimated AUM capacity.</td>
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<tr>
<td>4.</td>
<td>Adjust livestock grazing intensity and/or duration.</td>
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<td>5.</td>
<td>Adjust livestock herding to manage specific areas of concern.</td>
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<td>6.</td>
<td>Rest specified areas from livestock grazing.</td>
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<tr>
<td>7.</td>
<td>Restrict livestock grazing in specified areas (does not apply to recreation and outfitter/guide livestock under this analysis).</td>
</tr>
<tr>
<td>8.</td>
<td>Use or exclusion of a pasture.</td>
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<td>9.</td>
<td>Adjust allotment boundaries.</td>
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<td>10.</td>
<td>Construct range improvements (fencing and water developments) to improve livestock distribution (will require additional project level NEPA analysis and decision).</td>
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<td>11.</td>
<td>Use temporary electric fencing to improve livestock distribution or exclude livestock from sensitive areas.</td>
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<tr>
<td>12.</td>
<td>Use revegetation techniques such as seeding with native grass, forb and/or shrub species.</td>
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<tr>
<td>13.</td>
<td>Use newly developed rangeland management techniques to the extent that their implementation is consistent with the effects documented in this EA and its accompanying Decision Notice.</td>
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* Use of any tool must consider rangeland condition, site potential, and other relevant multiple-use objectives for the analysis area under study.

Need for Change

A Need for Change exists when there is a disparity between the desired condition and existing condition. The Indicators to Meet Desired Conditions are the parameters that are measured through monitoring to determine if existing condition is moving towards or has achieved the desired condition. Section 1.6, pp. 22-23 in the EA describes the ‘Need for Change’, indicators to meet desired conditions associated with project and Management Actions to achieve or move toward desired conditions.
For these allotments, if monitoring indicates that utilization exceeds desired levels, or that undesirable species are increasing, that information can be used immediately to make changes in management.

Monitoring for the goals depicted in Table 2 will be done through implementation monitoring which focuses on the short term goals, and effectiveness monitoring which focuses on the long term goals. I am adopting the monitoring protocols as specified in the EA in Table 2.3 beginning on page 34. These monitoring protocols will help to inform managers as to which techniques may need to be employed from the adaptive management plan to meet desired conditions including Forest Plan goals and guidance from the Watershed Conservation Practices Handbook (FSH 2509.25).

In addition, any of the monitoring techniques from the Rangeland Analysis and Management Training Guide (or other established techniques) may be used alone or in combination. As new techniques become available and are approved for Forest Service use, they may also be incorporated as monitoring methods if applicable.

Other Alternatives Considered

**Alternative 1: No Permitted Livestock Grazing**

Under the No Action - No Livestock Grazing alternative, no livestock grazing would be permitted on the Morapos Creek, Wilson Mesa and Deer Creek S&G grazing allotments. Under this alternative, the current permit (all three allotments are permitted to the same permit holder) would be cancelled and not issued to any other applicant. According to direction given in Forest Service Handbook (FSH) 2209.13, Chapter 90, section 94.1, the “No Grazing” alternative ‘will always be fully developed and analyzed in detail’. This decision would stand unless a subsequent National Environmental Policy Act (NEPA) -based decision was reached to allow for re-stocking or permanent closure. This alternative provides an environmental baseline for evaluation of the action alternatives.

**Alternative 2: No Change - Current Livestock Grazing Management**

Under the No Change – Current Livestock Grazing Management alternative, a term grazing permit would continue to authorize livestock grazing on the allotments at the level depicted in EA Table 2.1. As provided for in FSH 2209.13, Chapter 90, section 94.1, R2 Interim Directive of 6/8/07, “Current Management will also be analyzed in detail as an alternative to the proposed action if current management will meet the stated purpose and need for action.” Allotment Management Plans would be developed for the allotment, and monitoring and permit administration would continue. However, grazing management changes as a result of monitoring through the annual operating instructions would be limited.

Public Involvement

The White River National Forest initiated a combined scoping and comment period to invite public comment and participation regarding this project through a Legal Notice in the Rio Blanco Herald Times, the newspaper of record, on January 29, 2015. Scoping letters were sent to potentially concerned public, and State and other Federal agencies on January 28, 2015 and a Notice of Proposed Action (NOPA) was made available detailing the proposal. Concurrent with scoping, the Forest initiated consultation with Tribal governments. The purpose of this scoping period was to
provide an opportunity for the public to provide early and meaningful comments on the proposed action. The Forest provided quarterly status updates for this project through the Schedule of Proposed Actions (SOPA).

The Forest Service received four comments from individuals and groups. The comments included concerns about winter range, rangeland health, desired conditions, the history of grazing in the area, bighorn sheep, and LPDs.

**Finding of No Significant Impact**

After considering the environmental effects described in the EA, I 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. See page 115 of the EA for the explanation of the Finding of No Significant Impact.

**Findings Required by Other Laws and Regulations**

This decision is consistent with the White River National Forest Land and Resource Management Plan (Forest Plan) as required by the National Forest Management Act and all other laws, regulations and policies that govern Forest Service actions. The project was designed to conform to the Forest Plan and all other laws, regulations and policies. Forest Plan standards and guidelines will be applied as appropriate to meet Forest Plan goals and desired conditions.

**Opportunities to Object to or Appeal the Proposed Project**

This proposed project is subject to the objection process pursuant to 36 CFR 218, subparts A and B. Objections will only be accepted from those who have previously submitted specific written comments regarding the proposed project during scoping or other designated opportunity for public comment in accordance with §218.5(a). Issues raised in objections must be based on previously submitted, timely and specific written comments regarding the proposed project unless based on new information arising after the designated comment opportunities.

Incorporation of documents by reference is not allowed, except for the following items that may be referenced by including date, page, and section of the cited document, along with a description of its content and applicability to the objection: 1) All or any part of a Federal law or regulation; 2) Forest Service directives and land management plans; 3) Documents referenced by the Forest Service in the proposed project environmental analysis document that is subject to objection. All other documents must be included with the objection.

At a minimum, an objection must include the following: objector’s name and physical mailing address; signature or other verification of authorship upon request; identification of the lead objector when multiple names are listed; name of the proposed project; name and title of responsible official; and name of national forest unit(s) on which the project will be implemented (§218.8(d)).

Objections, including attachments, must be filed via mail, fax, email, hand-delivery, express delivery, or messenger service (Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays) to: Objection Reviewing Officer c/o USDA Forest Service, Region 2, Rocky Mountain
Objections must be submitted within 45 calendar days following the publication of a legal notice in the Rio Blanco Herald Times, the official newspaper of record. The publication date in the newspaper of record is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframe information provided by any other source. The regulations prohibit extending the time to file an objection.

It is the objector’s responsibility to ensure timely filing of a written objection with the reviewing officer pursuant to §218.9, which includes: date of U.S. Postal Service postmark or shipping date for delivery by private carrier for an objection received before the close of the fifth business day after the objection filing period; agency’s electronically generated date and time for email and facsimiles; or official agency date stamp showing receipt of hand delivery. All objections are available for public inspection during and after the objection process.

**Opportunities under 36 CFR 214**

The permittee may appeal this decision under 36 CFR 214.4(a). A Notice of Appeal must be consistent with 36 CFR 251.90 and filed simultaneously with the Appeal Reviewing Officer and Deciding Officer within 45 days from the date of this decision. As the Responsible Official, I encourage the affected permit holder to meet with me to discuss any issues related to the decision and this statement informs term grazing permit holders of the opportunity to request mediation in accordance with 36 CFR 222.20 through 222.26. Appeals should be sent to both:

**Appeal Reviewing Officer**

USDA Forest Service, Rocky Mountain Region
740 Simms, Golden, CO 80401
FAX: (303) 275-5154

**Deciding Officer**

Curtis V. Keetch
220 East Market St., Meeker, CO 81641
FAX: (970) 878-5173
Implementation

This project can be implemented 5 business days after the resolution of the objection period and/or an appeal.

Contact

For additional information concerning this decision, contact Mary Gillespie, Range Program Manager, Blanco Ranger District, White River National Forest, 220 East Market Street, Meeker, Colorado 81641, (970) 878-6015 or mlgillespie@fs.fed.us. The EA can be found at the White River National Forest website at: http://www.fs.usda.gov/project/?project=44050.

CURTIS V. KEETCH
Blanco District Ranger

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