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**Forest
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Decision Notice

Finding of No Significant Impact for Authorization of Livestock Grazing on the San Carpoforo Allotment

Los Padres National Forest
Monterey Ranger District

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I. INTRODUCTION

The Monterey Ranger District of the Los Padres National Forest has prepared a Coastal Rangelands Analysis to document the assessment used to decide whether or not to authorize livestock grazing on all, part, or none of the San Carpoforo allotment. The allotment is located within the Big Sur coastal rangelands on the Monterey Ranger District of the Los Padres National Forest.

The environmental analysis and assessment were developed under the implementing regulations of the National Environmental Policy Act, Council on Environmental Quality, Title 40, Code of Federal Regulations, Parts 1500-1508; and the National Forest Management Act, Title 36, Code of Federal Regulations, Part 219. Further direction is provided in the 1988 Los Padres National Forest Land and Resource Management Plan (Forest Plan).

II. DECISION NOTICE

I have read the entire 'Environmental Assessment Coastal Rangelands Analysis' (EA) and supporting documentation and base my decision on the analysis disclosed therein. By proactively managing rangeland resources on National Forest System lands, the Forest Service is able to coordinate grazing with other uses and manage the San Carpoforo allotment in a manner that is compatible with ecosystem processes.

A. DECISION

It is my decision to select Alternative 1, authorize continued livestock grazing on the San Carpoforo allotment. Implementation of this decision will include the following provisions:

1. Modify the San Carpoforo Allotment to incorporate the Sur Sur and Sea Vista Ranches.
2. The earliest on-date would be November 1 and the latest off-date May 15.
3. Authorized livestock may include cow/calf pairs; other mature cattle including bulls and yearlings.
4. Animal Unit Months will not exceed 975.
5. To mitigate the confined nature of the Dutra Campsite, the enclosure fence will be dismantled and replaced with a drift type fence that when combined with natural brush barriers will enlarge the campsite and continue to prevent cattle entry.
6. Implement the following resource protection measures:
 - a) Livestock grazing will meet the 1988 Los Padres National Forest Land and Resource Management Plan [LRMP] Goals and Objectives (pages 4-6 to 4-7), Management Practices (pages 6A-4 to 6A-5), Standards and Guidelines (pages 4-7 to 4-19), Management Area Direction (pages 4-20 to 4-174), Range Management Best Management Practices for water quality.
 - b) Follow riparian area Standards and Guidelines developed under the interagency 1995 interim Pacific Anadromous Strategy (PacFish) that apply to grazing.
 - c) Remove livestock from individual pastures and/or National Forest System lands when moderate utilization has been reached, as defined in the LRMP final EIS (1988). This will be interpreted as an average of 1,000 lbs/acre of residual dry matter (RDM) carried over to the new forage year.

d) All rangeland management activities will be in compliance with the 2003 grazing strategy for the Los Padres National Forest, as covered under the Region 5 MOU for Grazing and the (national) Programmatic Agreement between the California Historic Preservation Officer, Advisory Council on Historic Preservation, and the USDA Forest Service.

e) The Forest will instruct the permittees on which non-native invasive plants to be aware of and report annually of any new infestations on their allotments.

f) Salt and/or other supplements will be located greater than a ¼ mile from: all perennial water sources including ponds; vernal pools; TEPCS species and habitat; livestock and wildlife water developments; concentrated and developed recreation areas; and other sensitive areas including heritage resources, unless approved by the responsible Forest officer.

g) Follow all management requirements listed in Biological Opinions or Biological Assessments/Evaluations provided in the environmental assessment.

h) To protect the Smith's blue butterfly: Livestock shall be removed from individual pastures and/or National Forest System lands within ten days of when the following utilization standards have been reached within selected monitoring sites adjacent to suitable Smith's blue butterfly habitat.

- Utilization for range dominated by annual forage will not exceed 55-60%.
- Utilization for range dominated by perennial bunchgrass will not exceed 45 -50% on perennial bunchgrasses.

- i. Monitoring sites will be within 250 feet of suitable seacliff buckwheat stands (or close as possible given topographic restrictions). First preference for selected sites will be the allotment 'key livestock use areas' where monitoring for Forest standards and guidelines takes place; if no seacliff buckwheat stands exist within 250 feet of key livestock use areas, then the following order of preference will be used: Within 250 feet of primary range; within 250 feet of secondary range. Pastures without primary or secondary range within 250 of seacliff buckwheat stands will not be monitored for utilization as described above.
- ii. Where possible, if supplemental salt or minerals are provided the locations will be placed a minimum of ¼ mile from seacliff buckwheat stands to guide livestock away from these areas.
- iii. New water developments will be located a minimum of ¼ mile from seacliff buckwheat stands to guide livestock away from these areas.
- iv. Existing water developments located more than a ¼ mile from seacliff buckwheat stands will be maintained in a usable state.
- v. Permittees are required to maintain all improvements that are assigned by the permits that they hold. Maintenance shall be completed prior to cattle entering the allotment, or pasture if a multiple pasture system is in effect.

7. Allow for adaptive management through the following monitoring:

a. Implementation monitoring

- i. Check compliance with annual operating instructions. This will include spot-checking on/off and pasture move dates, evaluating allowable use, verifying permittee maintenance of range improvements, and observations of concentrated cattle use.
- ii. Within two weeks before or after the end of prescribed use

period for allotments and/or individual pastures, determine utilization at designated key areas.

b. Effective Monitoring

- i. Re-read and analyze permanent condition and trend transects at approximately 5-year intervals.
- ii. Evaluate nonnative invasive weed monitoring reports.
- iii. Complete range management BMP implementation and effectiveness evaluations (USDA Forest Service, 2002) at 2 to 3-year intervals.
- iv. Utilize water quality data provided by the Regional Water Quality Control Board, Monterey Bay Sanctuary Citizen Watershed Monitoring Network, or other available data.

c. Validation Monitoring

To verify assumptions used to evaluate affects of livestock grazing on threatened, endangered and sensitive plant species, the following monitoring will occur within two seasons following implementation of this decision.

SPECIES	VALIDATION MONITORING OBJECTIVES
Santa Lucia fir	Visit known stands to determine presence/absence of French broom.
Hickman’s Onion San Simeon Baccharis Dwarf Goldenstar Late-flowered Mariposa Lily San Benito Fritillary Kellogg’s Horkelia	Conduct cursory surveys for potential habitat to validate that habitat is not accessible by livestock. If habitat is accessible, determine what the intensity of livestock use is. If habitat is accessible and use is occurring, conduct complete surveys of accessible habitats for presence of sensitive plants and evaluate impacts.
Jolon Clarkia Jones’ Layia Davidson’s Bush Mallow Most Beautiful Jewelflower Caper-fruited Tropidocarpum	Conduct surveys of potential habitat to determine if these species are present on the allotment. If occupied habitat is discovered, conduct effectiveness monitoring to validate that stocking levels and grazing standards are effective in minimizing impacts from livestock grazing.
Yellow-flowered Eriastrum Cone Peak Bedstraw Hardham’s Bedstraw Palmer’s Monardella	Conduct surveys of potential habitat to determine if these species are present on the allotment. If any of these species are located, validate that their unpalatability provides effective defense from the direct and indirect effects of livestock management.

d. Adaptive Management

If monitoring indicates that objectives are not being met within a five year timeframe following implementation of the proposed action; or if an evaluation indicates that progress is not being made towards those desired conditions that will result in meeting them within the implementation timeframe; or validation monitoring indicates previously unknown effects on sensitive species, an interdisciplinary team with relevant expertise will determine adjustments.

Adjustments will choose from one of the following rangeland management practices or a combination:

- Fencing and other structural improvements
- Adjustments in season of use
- Adjustments in allowable use levels
- Adjustments in numbers of livestock
- Period of Rest

Changes will be reflected in the annual operating instructions and term grazing permit.

B. HOW ISSUES WERE CONSIDERED

In making my decision, I considered the allotment-specific issues brought forward in Chapter 2 of the EA and compared the responsiveness of the alternatives to these issues.

The small permanent campsite enclosure at Dutra Camp creates a ‘fenced in’ atmosphere, negatively affecting wilderness values.

Alternative 1 mitigates the confined nature of the enclosure fence at Dutra Campsite by replacing it with a drift type fence that when combined with natural brush barriers will enlarge the campsite while continuing to prevent cattle entry.

Alternative 2 proposes no change; the enclosure fence would remain as is.

Alternative 3 (No Grazing) would remove the enclosure fence.

C. FACTORS CONSIDERED IN ARRIVING AT A DECISION

Management considerations used throughout the analysis and displayed in the environmental assessment include the following:

1. To achieve and maintain Desired Conditions.
2. To manage the coastal rangelands in a holistic manner in order to provide for native wildlife and plant species diversity and viability.
3. To develop proactive grazing prescriptions utilizing ecological sustaining principles.
4. To provide an atmosphere that is conducive to a wilderness experience in which users recognize the historical and legality of grazing practices in wilderness.

D. HOW CONSIDERATIONS WERE WEIGHED AND BALANCED IN ARRIVING AT A DECISION

In making my decision, I considered the factors above, purpose and need (Chapter 2, EA), environmental analyses conducted, allotment-specific issues (Chapter 2, EA) and public comments received throughout the analysis (project file). My decision weighed the effects of the project under present day conditions, considering Forest Plan consistency and public benefits.

To meet *Desired Conditions* as described in Chapter 2 of the EA, conflicts between key wilderness recreational use areas (in this case Dutra Camp) and livestock use need to be mitigated. By removing the small enclosure fence at Dutra Camp, and enclosing a much larger area, half with fence and the other half with existing brush barriers, removes the “fenced in” atmosphere and mitigates the conflict between recreational use and livestock grazing.

Specialist reports contained in the project file (EA, Appendix A) were developed by resource professionals, utilizing their experience, knowledge and literature sources to conclude that grazing, as proposed in Alternative 1, will enhance *native species diversity*, maintain soil and water quality, and will not negatively impact special-status plant and animal species on the San Carpofo allotment. The selected alternative presents an adaptive management strategy, allowing for flexibility across the landscape to deal with changing resources or environmental conditions.

With the help of drift fencing, natural landscape features, and available water, the permittee is able to herd small groups of cattle throughout the allotment based on utilization, applying *proactive grazing practices utilizing ecological sustaining principles*.

The acceptance of *grazing in wilderness* is contentious. Livestock grazing, where established prior to an area's designation as wilderness, is permitted to continue in accordance with Section 4(d)(4)(2) of the Wilderness Act. Presence of cattle, or cattle evidence, in the vicinity of trails or campsites was considered. Typically, most recreational use within the area is during the dry Spring and Summer months. Conversely, our prescribed season-of-use is during the cooler wet season. Furthermore, the cattle will be herded onto the Sea Vista and Sur Sur ranches (non-wilderness areas where there are no Forest developed trails or campsites) during the last portion of the season when Spring months begin. Also, the season-of-use promotes distribution and utilization across the allotment as uniformly as natural features allow, reducing concentrated use and evidence of livestock presence.

The contiguity of the Sur Sur and Sea Vista ranches with the San Carpofo Allotment, natural features and existing water developments (which foster proper animal distribution and moderate utilization) create an ideal situation to combine the whole unit into one allotment. The natural landscape and existing range improvements are conducive to the type of moderate well distributed grazing we prescribe on National Forest System lands, and allow for immediate livestock use with minimal investment (EA Table 9). The chosen alternative is intended to *provide available forage to qualified livestock operators from lands suitable* on the San Carpofo Allotment, Sea Vista and Sur Sur ranches. The Coastal Range Allotments Analysis (Howell et al. 1999, EA Table 2) determined that there are 2,581 Animal Unit Months (AUM) capacity on these lands combined. This capacity in comparison indicates my decision to authorize 975 AUMs as conservative, and utilization will not exceed the moderate use level.

The San Carpofo allotment contains several seeps accessible to livestock. *Public comments* raised a concern regarding the effects of cattle grazing on soils in the seep areas. For most seep areas, the observed soil cover level exceeded 70%, which would prevent increased erosion due to trampling and soil porosity loss. The annual drying and cracking that occurs would mitigate somewhat the porosity loss that may occur from wet weather grazing. Erosion is not a concern because of the high forage production from these soils and the soil cover it produces. No cumulative effects are expected (Roath 2003, referenced in EA Appendix A).

I have selected Alternative 1 because it best meets the purpose and need for the action while minimizing environmental effects with protections measures, proactive grazing prescriptions utilizing ecological sustaining principles, and adaptive management. Implementation of my decision will allow for continuation of a valid existing use under the Forest Plan, continue to maintain species diversity and viability over a broader scale, and be consistent with Forest Plan objectives.

III. ALTERNATIVES CONSIDERED

Alternative 1: This alternative was accepted as the proposed action. Grazing will be authorized on the San Carpofo allotment in conjunction with the Sea Vista and Sur Sur ranches. Authorized livestock may include cow/calf pairs or the equivalent in other cattle including bulls and yearlings. The earliest on-date would be November 1 and the latest off-date May 15. Animal Unit Months will not exceed 975. Management will consist of a herding system utilizing drift fencing and natural landscape features to move and hold small herds (typically 20-30 head) throughout the allotment based on utilization, available forage and water.

Alternative 2: This is the no action alternative. Grazing will continue under current management. Grazing will be authorized only on the existing San Carpofo allotment, providing for 118 yearling cattle. Season of use will be 11/1 – 4/30 annually. Animal Unit Months will not exceed 708. Management will consist of a herding system utilizing drift fencing and natural landscape features to move and hold small herds (typically 20-30 head) throughout the allotment based on utilization, available forage and water. A new two-mile barbed-wire fence will be built to replace the dilapidated fence along the old Forest boundary between the San Carpofo allotment and the acquired Sur Sur and Sea Vista ranches to prevent cattle trespass. Changes to grazing management would be administrative only. Proactive management of the range resource, to adapt to changing resource or environmental conditions would not occur.

Alternative 3: This is a no livestock-grazing alternative. Under this alternative, the Forest Service would not authorize livestock grazing. Grazing permits would not be re-issued after the current permits expire [36 CFR 221.4 (a) (1)].

IV. PUBLIC INVOLVEMENT

The proposal was first listed in the January – March 1999 issue of the Schedule of Proposed Actions. On July 22, 1999, the Forest Service hosted a public meeting at Pacific Valley Station to share information about the NEPA analysis for the coastal grazing permits. Approximately 22 members of the public were in attendance. On August 4, 1999, a scoping letter was sent to 69 addresses, including individuals, agencies, groups, and Native American representatives.

On February 9, 2001, environmental assessments for this project were sent out for a 30-day comment period to those who responded to the scoping letter, appropriate government agencies, and local Native American representatives. In response to requests, the District Ranger extended the comment period until April 16, 2001. Obligations for consultation with local Salinan and Esselen tribes have been met through notification and request for comments, and responses to the comments (including site visits where appropriate). For Federal, State, and local agencies contacted see EA Chapter 5.

The environmental assessments have been updated and rewritten into one Coastal Rangelands Analysis. A new scoping letter describing the analysis area and proposed action was sent out to individuals, agencies, groups, and Native American representatives on March 15, 2004. On March 31, 2004, a legal notice was published in the Monterey County Herald providing the public a 30-day comment period as prescribed under regulations 36 CFR Part 215. Comments received are in the official project file. Contact John Bradford, Monterey District Ranger, King City, California.

V. FINDINGS REQUIRED BY OTHER LAWS AND POLICIES

National Forest Management Act

All management practices and activities in the selected alternative are consistent with Forest Service management direction, including Forest-wide Direction and Management Area emphasis (EA Appendix C) in the Los Padres National Forest Land and Resource Management Plan (1988), which were developed in accordance with and conform to requirements of the National Forest Management Act of 1976, 16 USC 1604 (i) and 36 CFR 219.10 (e).

National Historic Preservation Act

All rangeland management activities will be in compliance with the 2003 grazing strategy for the Los Padres National Forest, as covered under the Region 5 MOU for Grazing and the (national) Programmatic Agreement between the California Historic Preservation Officer, Advisory Council on Historic Preservation, and the USDA Forest Service. Thereby, complying with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800.

Endangered Species Act

General Forest Service direction for threatened and endangered species is found in the Forest Service Manual section 2672.42. This direction meets legal requirements set forth under Section 7 of the Endangered Species Act of 1973, as amended, and implementing regulations {19 U.S.C. 1536 (c), 50 CFR 402.12 (f), and 402.14 (c)}. Manual direction was followed in developing and analyzing the Coastal Rangelands Assessment, which includes the Alder Creek Allotment.

Clean Water Act

Compliance with the Clean Water Act is achieved through implementation and monitoring of Best Management Practices (BMP). BMPs are practices approved by the State and Environmental Protection Agency that are intended to result in compliance with State water quality standards. BMPs are a component of the Los Padres LRMP. The proposed action incorporates Range Management BMPs (EA Appendix B) and BMP effectiveness monitoring (EA Chapter 3).

The selected alternative meets the intent of the Clean Water Act. There are no State listed impaired streams within the coastal rangelands. Water quality will continue to be a result of the natural characteristics of the watershed.

VI. FINDING OF NO SIGNIFICANT IMPACT

In assessing the impacts, I have determined that the action described herein is not a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment. Both context and intensity, as discussed in 40 CFR 1508.27, have been considered in this finding of no significant impact. Therefore, this action is exempt from requirements to prepare an environmental impact statement. Specifically, this determination is based upon the following factors:

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.

The impacts as disclosed in Chapter 4 and referenced in Appendix A of the environmental assessment and are not considered to be significant upon the human environment. Proactive management of the range resources will continue to provide available forage to the agricultural community while protecting the Oceanfront Watershed.

2. The degree to which the proposed action affects public health or safety.

Public health and safety are minimally affected by the selected alternative.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecological critical areas.

There will be no significant irreversible resource commitments or irretrievable loss to historic or cultural resources, parklands, prime farmlands, wetlands or floodplains, wild and scenic rivers or ecologically critical areas.

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

Public participation (project file) and review of literature referenced (EA Appendix A) indicate that the effects of my decision on the human environment would not be highly controversial.

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

There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks (EA, Chapter 4 & Appendix A).

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 alternative would not establish a precedent for future action, nor would it represent a decision in principle about a future consideration. Future projects would require additional site-specific analysis and decisions as required under the National Environmental Policy Act.

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.

The selected alternative is not related to other actions except what is disclosed in the environmental assessment and will not cumulatively result in significant impacts on the environment. The EA and the Watershed Analysis Report (EA referenced in Appendix A) both analyzed the effects of grazing on the coastal rangelands and found no cumulative effects. Specific management direction, constraints and protection measures will limit the physical and biological effects to the area.

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.

There is no known potential for adverse effects upon sites that are listed in, or eligible to be listed in, the National Register of Historic Places. All rangeland management activities will be in compliance with the revised grazing strategy for the Los Padres National Forest, as covered under the Region 5 MOU for Grazing and the (national) Programmatic Agreement between the California Historic Preservation Officer, Advisory Council on Historic Preservation, and the USDA Forest Service.

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.

This action is not likely to adversely affect any other federally listed threatened or endangered species or their critical habitat. This action will not impact Forest Service listed sensitive species or other species identified for protection under the Forest Plan (EA Specialist Reports, referenced in Chapter 4).

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

The selected action will not violate any federal, state, or local law or requirements imposed for the protection of the environment. This alternative is consistent with the Los Padres National Forest Land and Resource Management Plan and with the National Forest Management Act. The EA is in compliance with the National Environmental Policy Act.

Implementation Date

Implementation of this decision shall not occur within 50 calendar days following publication of the legal notice in the Monterey County Herald, newspaper of Monterey, California.

To obtain a copy of the associated Environmental Assessment, contact Jeff Kwasny, U.S. Forest Service, Big Sur Station #1, Big Sur, CA 93920; phone 831-667-1126; or log onto the Los Padres National Forest web site @ www.fs.fed.us/r5/lospadres/projects/analysis.html.

Administrative Review or Appeal

This decision is subject to appeal pursuant to Secretary of Agriculture regulations for appeal of Forest Service decisions as specified in 36 CFR 215. Only persons, organizations or entities who submitted substantive comments during the comment period (36 CFR 215.13) may file an appeal. To initiate an appeal, a written notice of appeal must be filed with the Regional Forester's Office:

Appeal Deciding Officer
USDA Forest Service
1323 Club Drive
Vallejo, CA 94592

Their official hours are 8am to 4pm, Monday-Friday. The fax number for the Regional Forester's office is: 707-562-9091. To send in appeals via e-mail, send to: appeals-pacificsouthwest-regional-office@fs.fed.us . The Appeal Deciding Officer must receive appeals within 45 days following the publication date of this legal notice of decision in the Monterey County Herald (36 CFR 215.15). The publication date of this legal notice is the exclusive means for calculating the time to file an appeal.

At a minimum your notice of appeal must: include your name, address and, if possible, a telephone number; identify this decision being appealed (include the title of this document, its date and the name and title of the Forest Officer who signed it); regulation under which the appeal is being filed; identify the specific change(s) in the decision that you object to and why you object; identify the specific change(s) in the decision that you seek; state how the decision fails to consider substantive comments previously provided, and if applicable, how you believe the decision violates law, regulation, or policy. An appeal can be dismissed if it fails to meet the minimum requirements of 36 CFR 215.14.

San Carpoforo Allotment

For further information about this decision or the environmental assessment, contact John Bradford, Monterey District Ranger, U.S. Forest Service, 406 South Mildred Ave., King City, CA, (831) 385-5434; or Jeff Kwasny Big Sur Ecosystem Manager at Big Sur Station #1, Big Sur, CA, (831) 667-1126.

/s/ Gloria Brown
GLORIA BROWN

12/06/2004
Date

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