



DRAFT DECISION NOTICE

Bridgeport Southwest Rangeland Project

U.S. Forest Service

Bridgeport Ranger District, Humboldt-Toiyabe National Forest
Mono County, California

This Decision Notice incorporates all previous information in the Environmental Assessment and Finding of No Significant Impact (FONSI), as well as information included in the project record.

DECISION & RATIONALE

Based on the analysis in the environmental assessment, project record, and Forest plan direction I am selecting the No Action/No Grazing alternative. The No Action Alternative would not authorize converting the kind of livestock from sheep to cattle on the vacant Cameron Canyon, Dunderberg, Summers Meadow, and Tamarack grazing allotments. My decision is influenced by components from the Bi-State Sage Grouse Amendment (RI-S-06, and RP-G-01) and the Sierra Nevada Forest Plan Amendment (RCO #5, #6, and Guideline #119).

The initial review of the Forest Plan determined that there was no existing management direction that would prohibit livestock grazing by cattle and that the project area was suitable for livestock grazing at the Forest Plan scale. Subsequent development of the EA and site-specific analysis has highlighted the importance of the various resources and ecosystem services provided by the lands in the project area. Based on the analysis in the EA and documentation in the project record, I have determined that the project area is not suitable for livestock grazing and that livestock grazing is not one of the multiple uses that will be allowed in the project area.

The decision to select the No Action alternative and to decide that the project area is not suitable for livestock grazing is in keeping with the spirit of the Multiple-Use Sustained-Yield Act of 1960 (Public Law 86-517), because not authorizing livestock grazing enhances the ability of the project area to provide high quality wildlife and fish habitat and watershed protection. Authorizing livestock grazing would not result in a combination of uses within the project area that would best meet the needs of the American people. In short, the wildlife and fish habitat and watershed protection provided by the lands in the project area is of far greater relative value than what would be realized through the addition of livestock grazing. Not authorizing livestock grazing is the most judicious use of the land for the most important resources within the project area.

In making this decision I considered the Plan component from the Bi-state sage-grouse Forest Plan Amendment at RP-G-01 which requires the district to consider closure of grazing allotments, pastures, or portions of pastures or managing the allotments as a forage reserve as consistent with maintaining sage-grouse habitat based on desired conditions as opportunities arise under applicable regulations, where removal of livestock grazing would enhance the ability to achieve bi-state sage-grouse habitat conditions. There is 10,068 acres of bi-state sage-grouse habitat across the project area which has had, in some cases, nearly 20 years without livestock grazing, during which habitat conditions have improved as indicated by vegetation surveys and habitat assessments conducted within the project area. Telemetry data from Ca. Department of Fish and Wildlife also supports the high value of the habitat and shows that hens from leks located in the Bodie Population Management Unit (both east and west of state highway 395) travel to the project area for nesting and brood rearing.

This project area is one of the few areas within the Bodie Population Management Unit that does not currently have permitted livestock grazing. Authorizing livestock on the Cameron Canyon and Summers Meadows may impact the use of the area by bi-state sage-grouse. Out of the 3,100 acres of range determined to be capable of supporting livestock in the Cameron Canyon and Summers Meadow Allotments, 2,704 acres, or 87 percent, of the capable acres is also bi-state sage-grouse habitat.



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There is a high potential that the increased populations at the nearby leks and the use of the project area for nesting and brood rearing is related to the condition of the habitat and the absence of grazing livestock.

Furthermore, in December of 2021 the District published a Notice of Proposed Action describing the need for a project specific Forest Plan Amendment that would exempt this project from the requirements found in the BSSG amendment, RI-S-06, which requires that livestock water and handling facilities shall not be located within 2-miles of an active lek or within 0.6-miles of a riparian area. Mapping completed for the project to determine the location for three water developments needed in the Dunderberg allotment indicated that all water developments could avoid being within 2-miles of an active lek, but none could be placed 0.6 miles from a riparian area.

The amendment standard RI-S-06 applies to Humboldt-Toiyabe NF administered lands in bi-state sage-grouse habitat. As such, alterations of the standard should be analyzed across the bi-state range, and not just specifically to the Bridgeport Southwest Range project area. This larger needed analysis is outside the scope of this project. Such an analysis is best suited to be included within a Forest Plan Revision process. It was with this background that I decided not to pursue the project specific plan amendment for this project.

Current water developments are not consistent with either the Sage Grouse amendment, or the Sierra Nevada Forest Plan Amendment, which requires consideration of relocating existing livestock facilities outside of riparian conservation areas (Guideline 119). The proposed action could not resolve adherence to the Sierra Nevada Framework and the Bi State Amendment.

Further, leaving water sources in riparian areas is unsatisfactory given the additional direction found in the SNFPA riparian Conservation Objectives RCO #5 and #6. Riparian Conservation Objective #5: which requires the preservation, restoration, or enhancement of special aquatic features, such as meadows, lakes, ponds, bogs, fens, and wetlands, to provide the ecological conditions and processes needed to recover or enhance the viability of species that rely on these areas. Riparian Conservation Objective #6 requires the identification and implementation of restoration actions to maintain, restore, or enhance water quality, and maintain, restore, or enhance habitat for riparian species. Reconstructing the water developments in situ would not help the district restore and enhance water quality or habitat for riparian species.

Capability of the rangelands in the project area also contributes to my decision. Only 44% of the project area is capable of supporting cattle grazing. The steep slopes, lack of water and lack of forage production at high elevations limits the area that is capable of supporting cattle grazing. Water is a limiting factor in the Dunderberg allotment. Without the previously discussed water developments the Dunderberg allotment could not support livestock grazing. Not including the Dunderberg Allotment reduces the available capable acres of the project area.

I, as the responsible official, need to manage all the various renewable surface resources so that they are utilized in the combination that will best meet the needs of the American people. I am charged with "...making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide for periodic adjustments in use to conform to changing needs and conditions...". I have it within my decision space to identify some lands that will be used for less than all the resources available to manage the resource in a harmonious and coordinated fashion and to do so in a way that does not impair the productivity of the land. In conclusion, the Multiple Use Sustained Yield Act directs land manager to consider the relative values of the resources and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.

It is with this footing and understanding that I make this decision to select the No Action alternative. Range is but one aspect of the Multiple-Use Sustained-Yield Act. The land within this project area is providing clean water, wildlife habitat, and unique recreation opportunities. The improved conditions across this project area that has occurred over the last 10-20 years and the potential for continued improvement outweighs the benefit that would arise from authorizing cattle to graze on the relatively small remaining portion of the allotment.



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Allowing the sheep allotments to remain vacant provides over 10,000 acres of bi-state sage grouse habitat to continue to improve and provide a high value to the Bodie Population Management Unit.

SUMMARY OF PUBLIC INVOLVEMENT

The scoping period formally began on May 7, 2018 and closed on June 7, 2018. During that time, the HTNF issued a press release and published a copy of that release on the HTNF Facebook page. Responses were received from three agencies, four organizations, and 12 individuals. Additional responses were submitted after the scoping period had ended, including over 3,500 form letters from a campaign sponsored by a wilderness organization.

On July 7, 2019 the district published a Legal Notice in the Reno-Gazette Journal (Newspaper of record) announcing the beginning of a 30-day opportunity to comment on the proposed action for the Bridgeport Southwest Rangeland Project. The comment period ended on August 6, 2019. During the comment period the district hosted an open house meeting in Bridgeport CA. on July 10, 2019, that was attended by seven individuals. Responses received during the opportunity to comment period came from one agency, four organizations and 95 individuals.

During the opportunity to comment period the district received thousands of identical comments from people responding to an outreach by Wilderness Watch. These comments were analyzed and a response to the issues and concerns expressed in the comments are included in the Response to Comments document in the project record.

On December 12, 2021, the Forest provided a second opportunity to comment on the proposed action. This comment opportunity was in response to the need for a project specific forest plan amendment that would be needed to allow development of water troughs within the 0.6-mile buffer of riparian areas as required by the Bi-State Sage-grouse Forest plan amendment standard RI-S-06. In response to that comment period the Forest received 31 letters from organizations and individuals expressing concern with the proposed plan amendment, the continued analysis of the proposed action, and the potential impacts of the proposed action on the wildlife, wilderness, and setting and feeling of the project area.

All comments received though these three comment periods have been analyzed, and used to make additions/changes to the proposed action and analysis presented in the EA.

SUMMARY OF TRIBAL INVOLVEMENT

Concurrently with the public comment process the Forest has reached out to discuss the proposed action and concerns with the Benton Paiute Tribe, Bishop Paiute Tribe, Bridgeport Indian Colony, Me-Wuk Tribe, Mono Lake Cultural Preservation Committee, and the Reno Sparks Indian Colony. Through the discussion had with the Bridgeport Indian Colony the District developed the Design Elements described in the EA (pg. 10) to address concerns related to potential impacts from grazing cattle on traditional plant resources and the habitats where they grow.

FINDINGS REQUIRED BY OTHER LAWS/REGULATIONS

Findings required by other laws and regulations applicable to the Proposal can be found in the [Environmental Impacts section](#).

IMPLEMENTATION DATE

After completion of the objection review process, I will begin implementing the decision. Since my decision selects the No Action Alternative and the allotments are currently vacant implementation will look very similar to people who visit the area. Over time some of the range facilities and developments may be removed.



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ADMINISTRATIVE REVIEW & OBJECTION OPPORTUNITIES

This proposed decision is subject to objection pursuant to 36 CFR 218, Subparts A and. Objections will only be accepted from those who submitted project-specific written comments during scoping or other designated comment period in accordance with 36 CFR 218.5(a).

Issues raised in objections must be based on previously submitted timely, specific written comments regarding the proposed project unless based on new information arising after the designated opportunity to comment.

Individual members of organizations must have submitted their own comments to meet the requirements of eligibility as an individual. If an objection is submitted on behalf of a number of individuals or organizations, each individual or organization listed must meet the eligibility requirement of previous written comment. Names and addresses of objectors will become part of the public record.

Objections must be submitted within 45 days following the publication of this legal notice in the *Reno/Gazette Journal*. The date of this legal notice is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframes provided by any other source. It is the objector's responsibility to ensure evidence of timely receipt (36 CFR 218.9).

Objections must be submitted in writing to the Objection Reviewing Officer, William A. Dunkelberger, Forest Supervisor. Objections may be submitted via mail to: Objection Reviewing Officer, Intermountain Region USFS, 324 25th Street, Ogden, Utah 84401. Due to the pandemic health & safety protocols, hand-delivery of objection documents is not an option at the moment. Fax number is (801) 625-5277. Electronic objections, in common (.doc, .pdf, .rtf, .txt) formats, may be submitted to: objections-intermtn-regional-office@usda.gov, with Subject: Bridgeport Southwest.

Objections must include (36 CFR 218.8(d)): 1) name, address and telephone; 2) signature or other verification of authorship; 3) identify a single lead objector when multiple names are listed on an objection; 4) project name, Responsible Official name and title, and name of affected National Forest(s) and/or Ranger District(s); 5) Sufficient narrative description of those aspects of the proposed project objected to, specific issues related to the project, how environmental law, regulation, or policy would be violated, and suggested remedies which would resolve the objection; and, 6) description of the connection between your objections and your prior comments. Incorporate documents by reference only as provided for at 36 CFR 218.8(b).

CONTACT

For additional information concerning this decision, contact:

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[Click here to enter a date.](#)

David Risley
Acting Bridgeport District Ranger