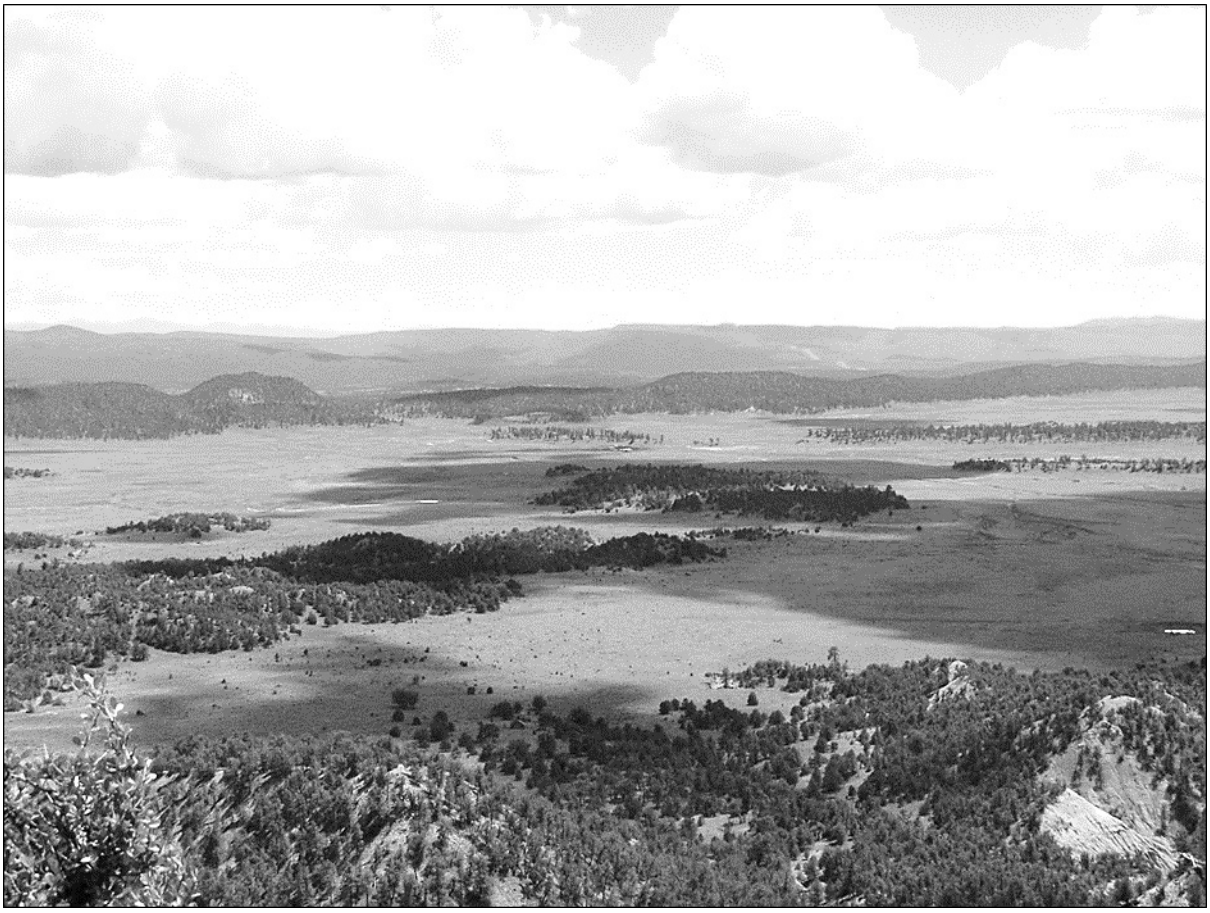
United States Department of Agriculture

Record of Decision

Luna Restoration Project

Catron County, New Mexico



Forest Service Apache National Forest (Administered by Gila National Forest)
Quemado Ranger District Publication # MB-R3-06-15 November 2019

Cover photo is from the northern portion of Luna planning area. View looking east and south of Spur Lake Basin taken from a point near Bill Knight Gap. To the left is Freeman and Dillon Mountains and to the right is Bishop Mountain. The ranch in the middle is part of the Spur Lake Cattle Company called Gribble Head Quarters.

Contents

Introduction

In response to Congressional, agency, and regional emphasis on all-lands restoration level planning, the Gila and Apache-Sitgreaves National Forests responded by proposing ecological restoration treatments across a large landscape encompassing portions of both national forests. The purpose of the Luna Restoration Project is to create and maintain a healthy and resilient landscape and to have watersheds capable of delivering benefits to the public, including clean air and water, habitat for native fish and wildlife, forest products, and outdoor recreational opportunities.

Beginning in 2014, the Quemado Ranger District reached out to the public, county, state, and federal agencies inviting all to assist with the development of proposed activities within the planning area. Stakeholders identified areas of concern related to wildfire potential and community protection; location for motorized trails; maintenance needs for roads and trails; and maintenance needs for sediment control features and structures. Stakeholders also identified locations for vegetation restoration treatments, and locations and type of range, riparian, and wildlife improvements.

General Location

The Luna Restoration Project is located along the western portion of the Quemado Ranger District around the community of Luna, New Mexico (figure 1). The 185,586-acre Luna planning area is part of the larger Escudilla Landscape, a 279,470-acre landscape planning area that extends across both the Gila and Apache-Sitgreaves national forests (figure 2).

The project area consists of federal public lands managed and administered by the Gila National Forest in southwestern New Mexico, located entirely in Catron County, New Mexico. There are 14,226 acres of private inholdings within the planning area. The project area lies within townships 2 through 7 south and ranges 19 through 21 west.

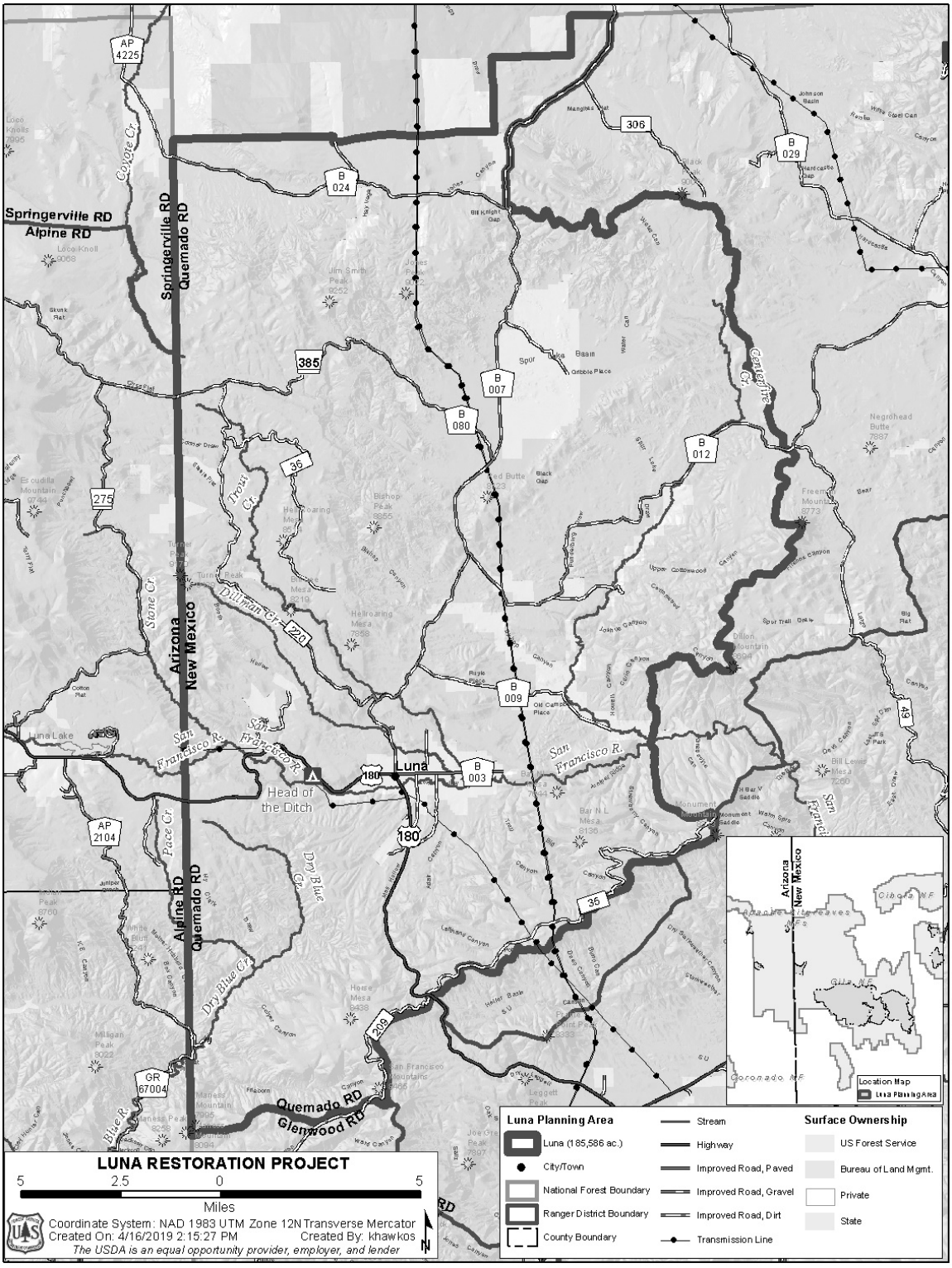


Figure 1. Luna Restoration Project vicinity map and planning area boundary

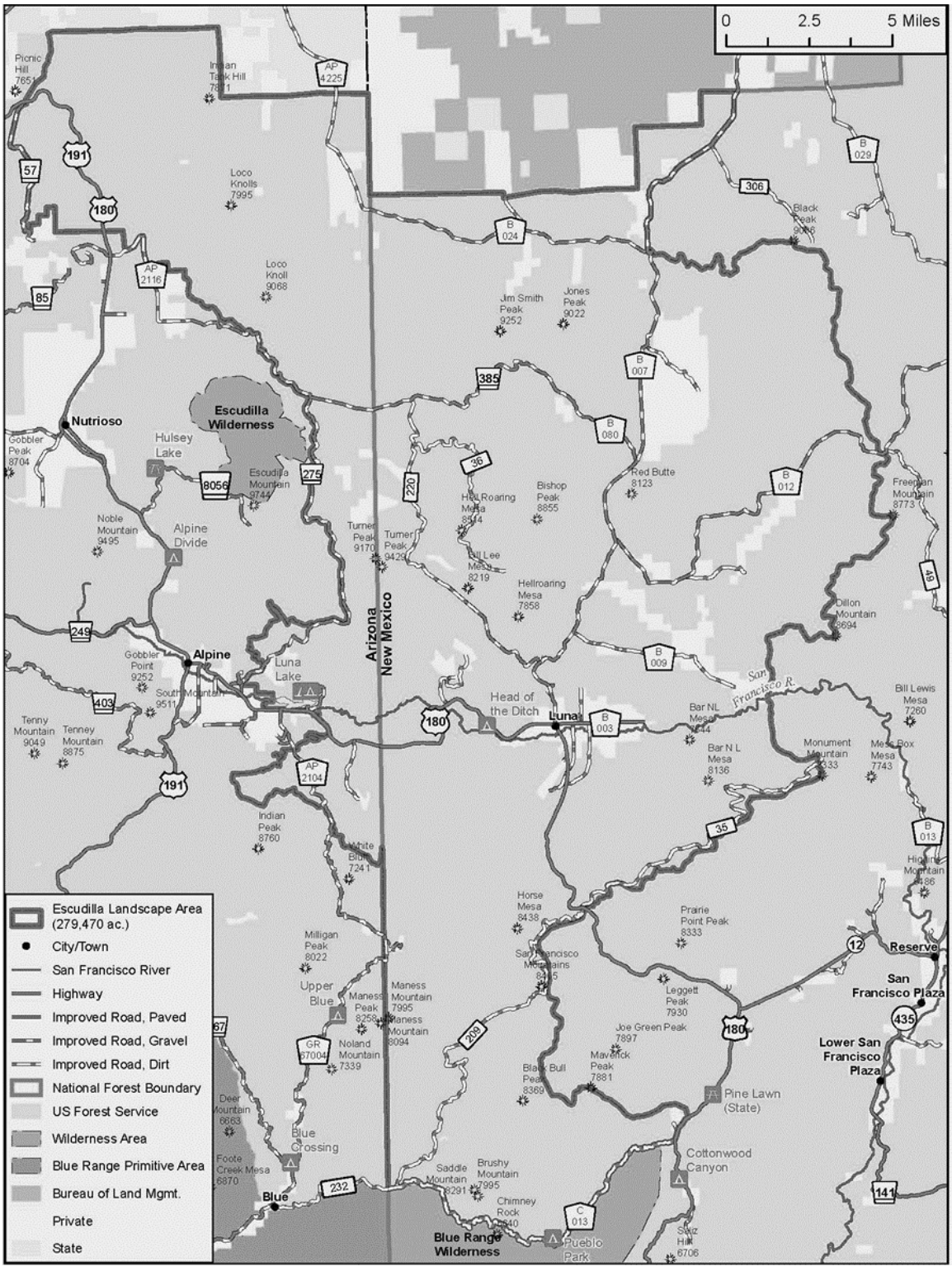


Figure 2. Map displaying the Escudilla Landscape planning area boundary, which extends across both the Apache-Sitgreaves and Gila national forests

Decision and Reason for the Decision

Decision and Rationale

Based upon my review of the analysis of the four alternatives presented in the final environmental impact statement, the project record, design features, best management practices, monitoring, consideration of public comments, and objection review findings, I have decided to select and implement alternative C, with the following changes:

- Reopen National Forest System road 4127 W (0.2 mile in length). This road was found to be closed in error under the 2013 Travel Management Record of Decision. The Apache-Sitgreaves National Forests has found that the connecting road on private land across the stateline has an existing right-of-way for forest and public through access. Based on this new information, the road will be reopened as a maintenance level 2 road open to all motor vehicles.
- Reduce the miles of decommissioning of roads by 3.17 miles. A review of comments received on the project identified the following roads as potentially being needed in the future for forest management purposes: National Forest System roads 4018 T, 4018 V, 4018 W, 4018 X, 4019 H, and 4128 P. These roads would be maintained as their current status of closed until needed.
- Remove from the alternative the treatment of rabbitbrush by mowing and the management of alligator junipers and rabbitbrush by use of herbicides. The treatment and management of these species is still an important need in the Luna planning area, and the use of herbicide where appropriate and effective would have provided additional flexibility. However, during the administrative review process, the herbicide assessment was found to be inadequately documented in the final environmental impact statement and the use of herbicide is therefore being dropped from this decision.

The changes listed above are within the range of effects described within the final environmental impact statement. These changes are not reflected in respective alternative C maps. The maps still show the symbology associated with alternative C as described in the final environmental impact statement.

Alternative C is fully described in chapter 2 of the final environmental impact statement. Design features and best management practices that apply to this decision are included in chapter 2 of the final environmental impact statement as well as any measures included with needed permits, licenses, or authorizations from other agencies. These features and measures are intended to avoid, minimize, rectify, reduce, eliminate, and/or compensate for project impacts. These measures are an integral and required part of the project. Monitoring requirements will be implemented according to the final environmental impact statement, forest plan, watershed restoration action plan (2018), and the biological opinion from the U.S. Fish and Wildlife Service (consultation number 02ENNM00-2017-F-0491). Implementation and effectiveness monitoring of activities will occur to help inform whether resources are moving toward desired conditions or modifications are needed. All practicable means to either avoid or minimize environmental impacts have been adopted as part of this decision.

Alternative C best meets the purpose and need of the project by identifying a suite of mechanical vegetation treatments, prescribed fire, and watershed treatments that affords the greatest opportunities to restore ecosystem structure and function and to increase forest resilience to undesirable, large-scale disturbances. It also provides resource benefits by creating and maintaining a healthy resilient

landscape and watersheds capable of delivering benefits to the public, including clean air and water, habitat for native fish and wildlife, forest products, and outdoor recreation opportunities. Also, the range of restoration activities including timber and other forest products has the potential for providing various employment and economic opportunities for local individuals, contractors, or industries.

Although there are minor differences between the alternatives, my decision is also based on a review of the project record, which includes a thorough examination of relevant scientific information and acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk. I have considered input from groups and individuals with opposing views and addressed their comments in the final environmental impact statement and response to comments.

Heavy road maintenance, road decommissioning, riparian planting, hardening of stream crossings, wildlife and range improvements, and installation of riparian exclosures will improve the watershed conditions and move streams toward meeting New Mexico water quality standards. Stream, riparian, and erosion control treatments will restore areas where site conditions are degraded. Treatments will improve infiltration rates, stabilize stream banks, increase residence time of water in the system, control erosion, reduce sediment movement, and increase vegetation diversity along stream channels.

Road improvements, reroutes, and decommissioning activities are designed to improve the soil resource over the long term. Road improvements are planned in areas where current routes are leading to erosion and contributing to movement of sediment into stream systems. Approximately 113 miles of roads will be decommissioned. Over time, these decommissioned roadbeds will return to their natural state and vegetation; and infiltration rates and soil stability will increase. In addition, this will contribute to the reduction of habitat fragmentation and benefit wildlife.

Reopening approximately 13 miles of closed roads and adding approximately 4.2 miles of unauthorized roads to the National Forest System will enhance motorized recreational use. These roads will improve access into Arizona, provide “loop routes” for recreational travel, improve access to and from Luna, and provide access to scenic overlooks; compared to alternative D, which does not provide these opportunities. Reopening approximately 4.0 miles of road for administrative use or by written authorization will allow utility companies reasonable access to important infrastructure. However, reopening roads will result in long term continued negative impacts to the soil resource. Compaction, lack of infiltration, loss of soil productivity, and vegetation ground cover would persist long term.

Construction of 0.3 mile of motorized 4x4 trail (maximum 60 inches width) will provide a connector route to an open road system, enhancing the motorized recreational use opportunities. However, constructing this route will result in approximately 0.2 acre of ground disturbance including soil compaction, lack of infiltration, and loss of soil productivity long term on the soil resource.

Roads identified to be closed, decommissioned, or both will receive site-specific treatments to achieve the designation of the road (closure and/or decommissioning). Road decommissioning and closure would include a range of activities including installment of gates, ripping and seeding of roadbed, felling trees, etc. As Gila National Forest personnel travel through the area, they will monitor and record if signage is needed or damage is occurring to road restoration efforts.

Roads reopened for public use will be monitored and maintenance will occur as needed. When the Gila National Forest’s Motor Vehicle Use Map is republished, roads and trails that are open to motorized use through the Luna Restoration Project decision will be included on the motor vehicle

use map, and therefore would be enforced under 36 Code of Federal Regulations 212.56 and 212.50 that motor vehicle use off designated roads and trails and outside designated areas is prohibited.

The use of prescribed fire on 70,000 to 100,000 acres will reduce hazardous fuels and the risk of high-severity wildfire, while reintroducing a keystone process to fire-dependent ecosystems. Introducing low-severity prescribed fire on approximately 24,000 acres along the north aspect of the San Francisco Divide, and southwest of Luna in the Dry Blue and Frieborn Canyon areas will create a mosaic of burn patches across the landscape to protect values at risk.

Smoke emissions resulting from some of the prescribed fire treatments may affect vulnerable populations. All prescribed fires will be conducted under the New Mexico Air Quality Department smoke management rule. This, coupled with advanced notification to smoke sensitive individuals and smoke reduction management techniques, would minimize impacts.

Thinning small-diameter trees less than 9 inches, on approximately 1,319 acres, coupled with low-severity prescribed fire treatments (approximately 8,399 acres) in Mexican spotted owl protected activity centers will reduce the threat of high-severity wildfire while maintaining key habitat components. Mexican spotted owl habitat implementation and effectiveness monitoring with U.S. Fish and Wildlife Service personnel will occur to determine the effects of treatments on constituent elements.

Rabbitbrush and alligator juniper are two species that re-sprout when disturbed. Alternatives B and D would treat rabbitbrush exclusively by repeated mowing and reduce alligator juniper encroachment by mechanical treatment. Public input on the proposal to treat these species questioned the effectiveness of mechanical treatments. Based on this, herbicide application was proposed under Alternative C, which would increase treatment effectiveness and set back succession of competing shrub and juniper species, maintaining the grassland treatments for a longer period of time. Therefore, treatments would be more cost effective, and with less frequent re-entries would decrease disturbances to other resources.

The public expressed concerns on the use of herbicides, especially if applied aerially. No aerial applications were proposed for this project. Concerns were expressed regarding dispersal by air, and herbicide residing in soils and water. Hand application and following product labels address these concerns. During the objection period, additional concerns were raised regarding the impacts to non-target plant species, wildlife, water and soil resources, and public health. Until additional analysis for these areas of concern can be completed in future documents, the use of herbicide will be removed from consideration under this alternative. The Gila National Forest will continue to think about other options and tools to treat and manage these species.

Change across the landscape will be incremental, with tradeoffs between short-term adverse effects and long-term benefits. Implementation of alternative C will lead to some unavoidable adverse effects on endangered species (individuals), sensitive species (individuals), and water and air quality in the short term. For these resource areas, the adverse effects would be reduced with the removal of herbicide use. However, the long-term benefits of landscape restoration and protection and restoration of these species habitats outweigh the short-term impacts.

All alternatives were considered, but alternative A (no action), was not considered a viable course of action. The no-action alternative does not address common concerns expressed by resource specialists, stakeholders, and community members regarding high-severity wildfire impacting the community of Luna, private inholdings, key communication and utility infrastructure, and natural

resources. There is a collective urgency to reduce threats of wildfire and other disturbances on these values. Also, other opportunities identified by stakeholders including recreation, watershed, wildlife, and range are not addressed in the no-action alternative. Additionally, if treatments are not implemented, watershed conditions will not be improved, and New Mexico water quality standards will not be achieved on listed waterways.

I recognize there is a range of public opinions regarding the variety of treatments identified in the selected alternative. I have concluded that my decision is an informed one that best meets the Luna Restoration Project's purpose and need, moves this landscape toward desired conditions, and considers the environmental consequences (both negative and positive) of the selected restorative actions.

Project-Specific Amendments and Rationale

Introduction

Under the National Forest Management Act and its implementing regulations at 36 Code of Federal Regulations 219 (2012 Planning Rule), a plan may be amended at any time. Project-specific amendments may be broad or narrow, depending on the need for the change. I have the discretion to determine whether and how to amend the Gila Forest Plan and to determine the scope and scale of any project-specific amendment.

I have decided project-specific amendments are needed for the Luna Restoration Project. I have prepared these project-specific amendments under the 2012 Planning Rule to the Gila Forest Plan (1986, as amended).

Providing Opportunities for Public Participation (219.4) and Providing Public Notice (219.16; 219.13(b)(2))

The public participation is fully described in the following sections titled: Public Involvement and Tribal Consultation. The proposed project-specific amendments were included in the notice of intent published in the Federal Register on May 19, 2016 and the draft environmental impact statement notice of availability published on May 11, 2018.

Amend Consistent with Forest Service National Environmental Policy Act Procedures (219.13(b)(3))

The effects of the three project-specific amendments are documented in the final environmental impact statement following Forest Service National Environmental Policy Act procedures at 36 Code of Federal Regulations Part 220. The analysis was developed in consideration of the best available science and is consistent with the Gila Forest Plan, as amended. It includes use of current (web-posted) data and reports available from various state and federal government agencies including: New Mexico Environment Department; U.S. Environmental Protection Agency; Forest Service directives (manuals and handbooks); current and past inventory, monitoring, and administrative information; and use of current literature endorsed by the Southwestern Region Forest Service. A list of references is available, with websites as available.

The project-specific amendments apply only to the Luna Restoration Project and are not considered a significant change to the plan for purposes of the National Forest Management Act (36 CFR 219.13(b)(5)).

Purpose and Format for Project-Specific Plan Amendments

The three project-specific amendments are:

1. Allow a one-time, project-specific amendment to the forest plan to allow the Gila National Forest to deviate from forest plan standard and guidelines for management areas 3B (pages 105–106), 3C (page 112), and 3D (page 118) to exceed the acres per decade for the amount of activity fuels treated (10,000, 4,000, and 12,000, respectively) and for fuels treated with prescribed fire (10,000, 3,000, and 10,000, respectively).

    - Replace with: *No more than 25 percent of a 6th-code watershed within a 3-year period would be treated. Percentage may be adjusted up or down based on monitoring and assessment of watershed conditions, after treatments.*

2. Allow a one-time, project-specific amendment to the forest plan to allow the Gila National Forest to deviate from forest plan standard and guidelines in Management Area 3D (page. 115) to exceed the amount of wildlife habitat development numbers (water developments – 1 structure; wetland developments – 8 structures; brush pile development – 10 structures; prescribed burns – 1,000 acres; planting browse/riparian – 10 acres; control of habitat access – 10 miles).

    - *The standard and guidelines will be removed and will not be replaced with another.*

3. Allow a one-time, project-specific amendment for Mexican spotted owl protected activity center fuel accumulation treatments to abate fire risk (page 29a, 1995 Mexican spotted owl recovery plan elements):

    - Select for treatment 10 percent of the protected activity centers where nest sites are known in each recovery unit having high fire risk conditions. Also select another 10 percent of the protected activity centers where nest sites are known as a paired sample to serve as control areas.

    - Select and treat additional protected activity centers in 10 percent increments if monitoring of the initial sample shows there were no negative impacts or there were negative impacts that can be mitigated by modifying treatment methods.

        - Replace with 2012 Recovery Plan for the Mexican Spotted Owl (page 74): *Conduct restoration and fuels treatments in up to 20 percent of the protected activity centers within each ecological management unit that exhibits high fire risk conditions.*

    - Designate a 100-acre “no-treatment” area around the known nest site of each selected protected activity center. Habitat in the no-treatment area should be as similar as possible in structure and composition as that found in the activity center.

    - Use light prescribed burns in nonselected protected activity centers on a case-by-case basis. Burning should avoid a 100-acre “no-treatment” area around the activity center.

        - Replace with 2012 Recovery Plan for the Mexican Spotted Owl (page 263): *Planned ignitions (prescribed fire) and unplanned ignitions (wildland fire) should be allowed to enter core areas only if they are expected to burn with low fire severity and intensity. Firelines, check lines, backfiring, and similar fire management tactics can be used to reduce fire effects and to maintain key habitat elements (for example, hardwoods, large downed logs, snags, and large trees).*

Amendment 1 – The purpose for the site-specific amendment is needed to increase the acres treated and period of time by prescribed fire in management areas 3B and 3D. The total number of acres targeted for prescribed fire treatment in the Gila Forest Plan in these two management areas would not meet the purpose and need of the Luna Restoration Project. Treating this landscape at this pace and scale would not reduce the number of acres at risk to crown fire or impacts from crown fire on natural and cultural resources, private inholdings, communities, infrastructure, and livelihoods in a timely manner.

Amendment 2 – A site-specific amendment is needed to remove and not replace the forest plan standard and guidelines in Management Area 3D. Limiting the number of structures, prescribed fire acres, browse, and riparian acres treated would not meet the purpose and need. Treatments identified and proposed in watersheds that are not properly functioning would occur on a small scale over time, therefore limiting opportunities to improve water quality, rangeland, wildlife, and aquatic and riparian habitat. Desired conditions are for all 6th-code watersheds to be functioning properly, meet New Mexico water quality standards, and have healthy, diverse riparian corridors that support aquatic species and riparian obligates. Desired conditions would not be achieved in a timely manner.

Amendment 3 – Site-specific amendments are needed for Mexican spotted owl protected activity center fuel accumulation treatments to abate fire risk. If fuel treatments are not implemented in the protected activity centers, the purpose and need would not be met. Reducing the risk of high-severity fire within Mexican spotted owl habitat may not be achieved, limiting recovery efforts for the federally listed Mexican spotted owl.

Compliance with the Planning Rule's Applicable Substantive Provisions

The scope and scale of the amendments to the forest plan are project-specific. The social, economic, and ecological sustainability is within Forest Service authority and consistent with the inherent capability of the plan area for: ecosystem integrity, air, soil, water, riparian areas, and best management practices for water quality.

Based on the environmental analysis, I have determined that the proposed project-specific amendments do not have substantial adverse effects and does not lessen protections. Alternative C with project-specific amendments moves toward:

- Achieving ecosystem integrity through maintaining and restoring the ecological integrity of terrestrial and aquatic systems and watershed structure, function, composition, and connectivity. The diversity of plant and animal communities and the persistence of viable populations of native species would be maintained and meet compliance of federal and state laws and executive orders.
- Providing for ecosystem services and multiple uses, including outdoor recreation, range, timber, watershed, wildlife, and fish.
- Achieving timber requirements based on the National Forest Management Act. Timber harvest will not occur on lands that are unsuitable. Clearcutting, seed tree cutting, shelterwood cutting, or other cuts designed to regenerate an even-aged stand of timber will meet forest plan standards and guidelines. Timber harvest will be carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and aesthetic resources. The quantity of timber sold will be equal to or less than that which can be removed from such a forest annually in perpetuity on a sustained-yield basis.

Permits, Licenses, and Authorizations Needed to Implement the Decision

The following items would be needed for the Forest Service to implement specific activities described in alternative C:

- A Section 404 permit from the U.S. Army Corps of Engineers would be required for the discharge of dredged and fill material resulting from the instream habitat treatments such as hardening of motorized road and trail crossings.
- Consultation and reporting with U.S. Fish and Wildlife Service in accordance with Section 7 of the Endangered Species Act.
- Obtain permits from the New Mexico Office of the State Engineer for installation of proposed water systems.
- Ongoing consultation with New Mexico State Historic Preservation Officer, tribes, and consulting parties regarding identification, evaluation, and determination of effects of the project on cultural resources in accordance with Section 106 of the National Historic Preservation Act.
- Coordinate prescribed fire applications with New Mexico Environment Department, Air Quality Bureau to ensure compliance with air quality regulations.

Public Involvement

The Luna Restoration Project was posted on the Gila National Forest's schedule of proposed actions since October 2015, and periodically updated. The project was originally listed as Luna Planning Area and was changed to its current name of Luna Restoration Project in the July 2016 schedule of proposed actions.

Prior to scoping the proposed action, the Quemado Ranger District staff hosted two open houses in the community of Luna, New Mexico, on December 10, 2014, and May 7, 2015, to have discussions with stakeholders on identifying issues, concerns, and restoration opportunities within the planning area. In between those open houses, over 200 letters, dated February 2, 2015, were sent to individuals, Tribes, organizations, and agencies introducing the planning area and requesting help in identifying and shaping the activities needed within the area. Also, on July 21, 2015, Gila National Forest staff met with members of the Luna community who had great interest in all-terrain vehicle and utility-task vehicle recreational-related access opportunities. The comments received during these events assisted in the development of the proposed action.

The notice of intent was published in the Federal Register on May 19, 2016. The notice of intent asked for public comment on the proposal for 45 days ending on July 5, 2016. We mailed the proposed action to approximately 270 people and held an open house on June 8, 2016 at the Luna Community Center, in Luna, New Mexico. The open house provided an opportunity for interested parties to review project maps, ask questions, and provide input to the proposed project. In response, we received 27 letters and emails.

The Forest Service separated the issues into two groups: significant and non-significant issues. Significant issues were defined as those directly or indirectly caused by implementing the proposed action. Non-significant issues were identified as those: (1) outside the scope of the proposed action; (2) already decided by law, regulation, forest plan, or other higher level decision; (3) irrelevant to the

decision to be made; or (4) conjectural and not supported by scientific or factual evidence. The Council on Environmental Quality National Environmental Policy Act regulations explains this delineation in Sec. 1501.7, "…identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (section 1506.3)…" A list of non-significant issues and reasons regarding their categorization as non-significant may be found in the project record.

The interdisciplinary team reviewed the scoping comments and identified three key issues. These were used to develop alternatives, to develop design features or mitigation measures that reduce unwanted effects, and to evaluate, analyze, and compare the effects of the different alternatives. The issue topics were:

- Vegetation Treatments – Exclusively using mechanical treatments to treat alligator juniper or mowing of rabbitbrush are not effective treatments.
- Fuels Treatments – Burning mixed conifer canyons east of U.S. Highway180 could result in high-severity fire, impacting wildlife travel routes. Proposed activities, specifically limited burning and thinning trees less than 9 inches diameter, are not improving or protecting Mexican spotted owl habitat.
- Motorized Transportation – Routes for motorized vehicles less than 50 inches in width limits access. Motorized access is needed to allow utility companies to access infrastructure for maintenance. Adding motorized routes to the National Forest System of roads and trails should not be authorized. Motorized routes should not be allowed across wet meadows. Motorized routes would increase wildlife disturbance.

To address these issues, the Forest Service created the alternatives described in chapter 2 of the final environmental impact statement.

The notice of availability for the draft environmental impact statement was published in the Federal Register on May 11, 2018. The draft environmental impact statement comment period was open for 45 days, which ended on June 25, 2018. The draft environmental impact statement was mailed to 190 individuals, organizations, tribes, and local, state, and federal agencies. The Gila National Forest published a news release announcing the availability of the draft environmental impact statement and posted the news release in and around the community of Luna. In response, we received 12 comment letters on the draft environmental impact statement.

Tribal Consultation

Tribal consultation for the Forest Service is guided by a variety of laws, executive orders and memoranda, as well as case law. Laws include the National Historic Preservation Act of 1966 and subsequent amendments (Public Law 89-665, 15 October 1966), Archaeological Resources Protection Act of 1979 (Public Law 96-95, 16 U.S.C. 470aa-mm, 31 October 1979), American Indian Religious Freedom Act of 1978 (Public Law 95-341, U.S.C. 1996 and 1996a, 11 August 1978), National Environmental Policy Act of 1969 (Public Law 91-190, 42 U.S.C. 4321-4347, 1 January 1970), Native American Graves Protection and Repatriation Act of 1990 (Public Law 101-601, 16 November 1990), and National Forest Management Act of 1976 (Public Law 94-588, 22 October 1976, codified in 36 CFR 219). Executive orders and memoranda include a 1994 memorandum on government-to-government relations with Native American Tribal Governments (59 FR 85, 4 May 1994), Executive Order 13007 on accommodation of sacred sites (61 FR 104, 29 May 1996), and Executive Order 12898 on environmental justice (59 FR 32, 16 February 1994).

The Gila National Forest staff is committed to, and has conducted Tribal consultation and provided documents associated with the National Environmental Policy Act during the scoping and comment periods. These consultations were carried out at the government-to-government level, ensuring that interested Tribes were given the opportunity to participate in the planning process as required in the National Environmental Policy Act and elsewhere. The Gila National Forest staff will continue to engage in ongoing Tribal consultation through all of the National Environmental Policy Act phases for this project. We consulted with the following 12 Tribes or chapters:

Alamo Navajo Chapter	Ramah Navajo Chapter
Fort Sill Apache Tribe	The Hopi Tribe
Mescalero Apache Tribe	The Navajo Nation
Pueblo of Acoma	San Carlos Apache Tribe
Pueblo of Laguna	White Mountain Apache Tribe
Pueblo of Zuni	Ysleta Del Sur Pueblo

Other Alternatives Considered

In addition to the selected alternative, I considered three other alternatives. These are briefly described below. Chapter 2 of the final environmental impact statement provides a detailed description and comparison of all alternatives.

Alternative A – No Action

Under the no-action alternative, there would be no changes in current management and the forest plan would continue to be implemented. The no-action alternative is a requirement of 40 Code of Federal Regulations 1502.14 (c). There are currently no ongoing vegetation projects within the planning area. This alternative would implement pre-approved activities such as prescribed fire (East Centerfire Environmental Assessment), road maintenance, recreation, and fuelwood gathering. Activities that have been authorized in separate decisions such as special use permits (for example, powerline corridors and communication towers), travel management implementation, and authorized livestock grazing would continue.

Alternative B – Modified Proposed Action

Vegetation Treatments

Woodland and Forest – Maintenance and Restoration: Woodland (juniper, piñon pine) and forest (ponderosa pine and mixed conifer) maintenance and restoration treatments are proposed on approximately 73,856 acres. In forested systems, activities would include thinning and group selections (for example, creating 1/8- to 4-acre openings). Treatments would favor healthy co-dominant and dominant trees for retention. Treatments could be accomplished through commercial, noncommercial, and fuelwood gathering activities.

Grassland – Maintenance and Restoration: Grassland maintenance and restoration treatments are proposed on approximately 23,125 acres. Ponderosa pine and piñon-juniper have encroached, become established, and continue to spread into the grasslands, as well as wet meadows and valley bottoms.

Proposed activities consist of cutting ponderosa pine and piñon-juniper by hand or mechanized equipment to reduce tree canopy cover to less than 10 percent in grasslands.

Mexican Spotted Owl Protected Activity Centers: Thin small-diameter trees (less than 9 inches) on approximately 1,319 acres within protected activity centers. No activities would take place from March 1 to August 31 to avoid disturbance to owls during the breeding season.

Wildlife Habitat: Cut and prescribe burn Gambel oak and mountain mahogany stands to promote new growth and sprouting in various locations across the planning area. This would occur in conjunction with other vegetation and fuel treatments.

Rabbitbrush Overview: There are approximately 23,125 acres of grassland vegetation community within the planning area. Of that, approximately 20,283 acres have been proposed for the treatment of rabbitbrush. Green and rubber rabbitbrush are native shrubs that can appear as a weedy monoculture (especially following disturbance). The objectives of the proposed treatments are to manage rabbitbrush and reduce the occurrence of dense stands or monocultures of rabbitbrush, not to eliminate rabbitbrush across the planning area. The objectives can be met by treating existing stands to allow for the replacement of rabbitbrush by desired herbaceous vegetation and shrubs, and through management of grasslands to prevent the establishment of dense stands of rabbitbrush. The proposed action includes mowing for rabbitbrush treatment. Under this alternative, dense stands of rabbitbrush would be identified for mowing and reseeding to break up these communities and allow for the replacement by vegetation that is more desirable. Mowing alone could require multiple entries into the site to deplete the plants energy stores enough to achieve limited mortality in rabbitbrush.

Prescribed Fire Treatments

Prescribed Fire – Mixed Severity: Mixed-severity prescribed fire is proposed to treat natural fuels and activity fuels. Mixed-severity prescribed fires typically burn in a mosaic, resulting in a highly variable pattern of mortality on the landscape that fosters development of diverse communities. Pockets of tree mortality and reduction of surface and ladder fuels is desired.

Prescribed Fire – Low Severity: Low-severity prescribed fire is proposed on approximately 24,026 acres on the north aspect of the San Francisco Divide, and southwest of Luna in the Dry Blue and Frieborn Canyon areas extending south to the planning area boundary. This area has limited access, steep topography, sensitive soils, high fuel loads, and potential for high-severity wildfire. The community of Luna and key infrastructure are located to the northeast. The objective of implementing prescribed fire is to create a mosaic of burned and unburned patches of vegetation, of varying acreages, on the landscape to protect values at risk. Low-severity prescribed fire would be introduced when fuel and/or weather conditions minimize fire spread across the landscape. These conditions could include rain/monsoon season, fall, and early spring when low temperatures, high humidity, and residual snow patches limit fire growth. Ignitions would be patterned after a lightning storm with a number of ignitions scattered across an area. Desired results would be reduction of surface and canopy fuels. The end goal would be to have areas treated with prescribed fire that would eventually merge and breakup the fuel continuity across a larger area. Multiple entries and time would be needed to meet these objectives.

Range Management

Add new or upgrade existing water systems on the Centerfire, Dillman/Trout Creek, Luna, Mangitas, and Spur Lake allotments to increase livestock and wildlife distribution that would benefit rangeland conditions, including watershed, soils, and stream resources. A pasture division fence is proposed on

the Spur Lake allotment. The improvements would enhance livestock distribution, forage utilization, and management flexibility. This proposal would not alter the management (livestock kind, class, number, or season of use) or desired conditions outlined in each allotment's corresponding grazing analysis.

Motorized Transportation System

Activities associated with the motorized transportation system include decommissioning roads, resulting in the stabilization and restoration of roads to a more natural state. During decommissioning, approximately 4 miles of trail tread would be maintained for horse, hiking, and foot trail opportunities. Approximately 37 miles of existing maintenance level 1 closed roads would be reopened for project work, 34 would return to closed status or be decommissioned upon completion of project treatments. The remainder would remain open for administrative or permitted uses only. Temporary roads would be constructed to access treatment areas and obliterated after treatments are completed. Add approximately 18 miles of a combination of existing closed maintenance level 1 and user-created routes to the National Forest System as open to all motor vehicles. For additional recreational opportunity, approximately 0.3 mile of motorized 4x4 trail would be constructed to connect existing motorized road systems together.

Stream and Riparian Treatments

Crossings (10 total): Within the Dry Blue, harden six motorized trail crossings to reduce impacts to aquatic habitat and improve water quality. Hardening of crossing may consist of such things as interlocking concrete blocks, concrete planks, prefabricated bridges, rock riprap, or other engineered design. Road crossings at County Road B-012, National Forest System road 4027 U, LATV-9 will be designed to facilitate adequate water passage and reduce erosion. Work may include such things as replacement or upgrade of existing structures or material or placement of structures or material (culverts, rock, riprap, and fill). National Forest System road 882, Head of Ditch Campground road, will be relocated due to currently being located within the proposed Luna Irrigation Ditch diversion facility project area. This crossing will be moved approximately 1,000 feet downstream of its current location.

Diversion (1 total): The Luna Irrigation Ditch Association owns water rights on the San Francisco River that allows them to store water in Luna Lake, upstream in Arizona, and release this water downstream into New Mexico during irrigation season. The diversion is located in the Head of Ditch Campground downstream of National Forest System road 882. The current diversion is a "push-up" style native soil dam that requires frequent maintenance by heavy equipment. The proposal is to construct a permanent diversion facility in the same location out of durable material, such as concrete or steel. The base would extend the width of the stream channel and be tied into the stream banks and protected with concrete wings or riprap. The facility would be a dual channel system with easy to move and install panels for easy channel switching between irrigation and non-irrigation periods. The proposal includes construction of a sediment retention pool upstream of the facility.

Exclosures (4 total): Exclosure fences are proposed to be constructed along segments of Stone Creek, Centerfire Creek, Spur Lake Draw, and Adair Spring. Exclosures would exclude both wildlife and livestock providing time for proposed riparian, stream and bank restoration projects to establish. Exclosures would be from 0.5 acre up to 200 acres. Once the area stabilizes or vegetation becomes established, the exclosure could be relocated or expanded to continue restoration work. Where access to water is needed for livestock management, Gila National Forest staff and permittees will coordinate to identify appropriate location(s) for water access points or off-water sites.

Barriers (2 total): The Frieborn and Blue Spring trails are designated and constructed for use by hikers and horses. These trails intersect the Dry Blue Trail, which is designated for all-terrain vehicle use. Motorized vehicles off the Dry Blue Trail have been accessing the nonmotorized Frieborn and Blue Spring trails, causing resource concerns and conflict of recreational uses. Barriers are proposed to block access by motorized vehicle to these trails. Access for hikers and horses would be maintained.

Riparian (2 total): Proposed riparian restoration includes planting riparian species in Spur Lake Draw in areas above Centerfire Bog and in Centerfire Creek near the vicinity known as Pinpoint 40 and within perennial headwater reaches. Planting would provide bank stabilization, improve water temperature, and enhance overall water quality. Other stream and bank treatments that will be implemented will also serve to enhance riparian resources.

Erosion Control Features (157 total): Numerous erosion control or stabilization structures exist within the planning area. It is proposed to conduct maintenance on existing structures. Maintenance of structures will vary depending on condition of the structure. Work may include such things as removing accumulated sediment, and repairing or replacing breeched sections where new head cuts and gullies are developing.

Seeding (multiple): Improve water quality and quantity by seeding the uplands in multiple locations in Spur Lake Draw. The objective is to increase herbaceous ground cover to slow down overland flow and reduce erosive processes. Sourcing of seed material will follow Southwestern Region (Region 3) guidance on weed-free materials.

Stream and Bank Stabilization Structures (10 streams, multiple sites): Structures in the uplands may be constructed out of on-site native material, rock riprap, rock and wire riprap, or other proven methods.

Surface Erosion Reduction (2 locations): To reduce surface erosion, gravel would be placed on roads within Head of Ditch Campground and on the access route to the dispersed camping area along Trout Creek.

Forest Plan Amendments

Project-specific amendments to the Gila Forest Plan will be prepared under the 2012 Planning Rule. These project-specific amendments are one-time amendments to the Gila Forest Plan for related activities proposed and to be implemented under the Luna Restoration Project only. These project-specific amendments include:

- Allow a one-time project-specific amendment to the forest plan to allow the Gila National Forest to deviate from forest plan standard and guidelines in management areas 3B (pages 105–106), 3C (page 112), and 3D (page 118) to exceed the acres per decade for the amount of activity fuels treated (10,000; 4,000, 12,000, respectively) and for fuels treated with prescribed fire (10,000; 3,000; 10,000, respectively).
    - Replace with: *No more than 25 percent of a 6th-code watershed within a 3-year period would be treated. Percentage may be adjusted up or down based on monitoring and assessment of watershed conditions, after treatments.*

- Allow a one-time project-specific amendment to the forest plan to allow the Gila National Forest to deviate from forest plan standard and guidelines in Management Area 3D (page 115) to exceed the amount of wildlife habitat development numbers (water developments – 1 structure; wetland developments – 8 structures; brush pile development – 10 structures; prescribed burns – 1,000 acres; planting browse/riparian – 10 acres; control of habitat access – 10 miles).
    - *This standard and guidelines will be removed and will not be replaced with another.*
- Allow a one-time project-specific amendment for Mexican spotted owl protected activity center fuel accumulation treatments to abate fire risk (page 29a, 1995 Mexican spotted owl recovery plan elements):
    - Select for treatment 10 percent of the protected activity centers where nest sites are known in each recovery unit having high fire risk conditions. Also select another 10 percent of the protected activity centers where nest sites are known as a paired sample to serve as control areas.
    - Select and treat additional protected activity centers in 10 percent increments if monitoring of the initial sample shows there were no negative impacts or there were negative impacts that can be mitigated by modifying treatment methods.
        - Replace with 2012 Recovery Plan for the Mexican Spotted Owl (page 74): *Conduct restoration and fuels treatments in up to 20 percent of the protected activity centers within each ecological monitoring unit that exhibits high fire risk conditions.*

    And…

    - Designate a 100-acre "no-treatment" area around the known nest site of each selected protected activity center. Habitat in the no-treatment area should be as similar as possible in structure and composition as that found in the activity center.
    - Use light prescribed burns in nonselected protected activity centers on a case-by-case basis. Burning should avoid a 100-acre "no-treatment" area around the activity center.
        - Replace with 2012 Recovery Plan for the Mexican Spotted Owl (page 263): *Planned ignitions (prescribed fire) and unplanned ignitions (wildland fire) should be allowed to enter core areas only if they are expected to burn with low fire severity and intensity. Firelines, check lines, backfiring, and similar fire management tactics can be used to reduce fire effects and to maintain key habitat elements (for example, hardwoods, large downed logs, snags, and large trees).*

Alternative D

All activities are the same as described in alternative B. However, alternative D addresses the issue of not adding more motorized road miles to the Gila National Forest road system.

The decision for reopening 0.2 mile of National Forest System road 3050 was made in the 2013 Travel Management Record of Decision; therefore, it remains in alternative D, unlike the other routes.

Under alternative D, the 13.6 miles of maintenance level 1 road will be added to the decommissioning miles, bringing the total miles of roads to be decommissioned to 127 miles for alternative D.

Environmentally Preferred Alternative

The environmentally preferred alternative is the alternative that will best promote the national environmental policy as expressed in the National Environmental Policy Act section 101 (42 U.S.C. 4321). The environmentally preferable alternative causes the least harm to the biological and physical environment. It also is the alternative that best protects and preserves historic, cultural, and natural resources.

Alternative D is a little more environmentally preferable than alternatives B and C due to fewer miles of National Forest System roads being added and more miles being decommissioned. Under alternative D, an additional 13.6 miles of maintenance level 1 roads would be decommissioned for a total of 127 miles. Approximately 4.2 miles of user created routes would not be designated as National Forest System roads open to all motor vehicle types, and 0.3 mile of motorized 4x4 trail (Dillman bypass) would not be constructed. Not including these routes in the motorized system, there would be additional benefit for soil, watershed, and wildlife habitat.

Findings Required by Other Laws and Regulations

After consideration of the discussion of environmental consequences (final environmental impact statement, chapter 3), I have determined that alternative C is consistent with the Gila Forest Plan, as amended, and agency directives. I have also determined that alternative C is consistent with applicable federal laws, executive orders, and regulations.

The specialist reports in the project record certify alternative C is consistent with a variety of laws and regulations pertaining to each resource topic, and I incorporate the findings in each report into this record of decision.

National Forest Management Act

The National Forest Management Act reorganized, expanded, and otherwise amended the Forest and Rangeland Renewable Resources Planning Act of 1974, which called for the management of renewable resources on National Forest System lands. The National Forest Management Act requires the Secretary of Agriculture to assess forestlands, develop a management program based on multiple-use, sustained-yield principles, and implement a resource management plan for each unit of the National Forest System. It is the primary statute governing the administration of national forests.

I find this decision, including project-specific amendments to the Gila Forest Plan, as amended, is consistent with the goals and objectives of the forest plan. This decision also complies with the management direction and standards and guidelines for all relevant management areas described in the forest plan.

National Environmental Policy Act

The National Environmental Policy Act requires federal agencies to consider and disclose the effects of proposed actions that significantly affect the quality of the human environment. The Luna Restoration Project Final Environmental Impact Statement analyzes the alternatives and displays the effects in conformance with the National Environmental Policy Act (40 CFR 1500–1508 and FSH 1090.15).

Endangered Species Act
Consultation Number 02ENNM00-2017-F-0491

Section 7 of the Endangered Species Act requires federal agencies to use their authorities to carry out programs for the conservation of endangered and threatened species and to ensure that any action authorized, funded, or carried out by them is not likely to jeopardize the continued existence of listed species or modify their critical habitat.

Section 4 of the Act directs the development and implementation of recovery plans for threatened and endangered species and the designation of critical habitat. Several species listed under the Act are found in the Luna planning area—some species with recovery plans and some species with designated critical habitat.

Alternative C is consistent with the Endangered Species Act of 1973. The biological assessment and final environmental impact statement disclose potential impacts to the federally listed species in the Luna Restoration Project area: least tern, yellow-billed cuckoo, Chiricahua leopard frog, Gila trout, Zuni fleabane, Mexican gray wolf, Mexican spotted owl, southwestern willow flycatcher, narrow-headed gartersnake, loach minnow, and spikedace. The biological assessment was amended to include the New Mexico meadow jumping mouse, which was discovered near the New Mexico-Arizona stateline. The determination for threatened and endangered species and their critical habitat are shown in table 1.

Table 1. Summary of threatened and endangered species and their critical habitat determinations for the Luna Restoration Project

Species	Status	Determination Species	Determination Critical Habitat
Least tern	Endangered	No Effect	No Effect
Yellow-billed cuckoo	Threatened	No Effect	No Effect
Chiricahua leopard frog	Threatened	No Effect	No Effect
Gila trout	Threatened	No Effect	No Effect
Zuni fleabane	Threatened	No Effect	No Effect
Mexican gray wolf	Endangered/ Experimental	Not likely to jeopardize the continued existence of the experimental, nonessential population of Mexican gray wolf	Not applicable
Mexican spotted owl	Threatened	May Affect, Likely to Adversely Affect	May Affect, Likely to Adversely Affect
Southwestern willow flycatcher	Threatened	No Effect	May Affect, Likely to Adversely Affect
Narrow-headed gartersnake	Threatened	May Affect, Likely to Adversely Affect	May Affect, Likely to Adversely Affect (Proposed Critical Habitat)
Loach minnow	Threatened	May Affect, Likely to Adversely Affect	May Affect, Likely to Adversely Affect
Spikedace	Threatened	May Affect, Not Likely to Adversely Affect	May Affect, Likely to Adversely Affect
New Mexico meadow jumping mouse	Endangered	May Affect, Not Likely to Adversely Affect	No Effect

The analysis concludes that alternative C may affect, and is likely to adversely affect the Mexican spotted owl and its critical habitat. Short-term impacts to the species will likely result; however, the selected alternative also results in long-term benefits to the owl by increasing habitat resilience to large, high-severity wildfires.

The analysis concludes a determination of may affect and likely to adversely affect for the narrow-headed gartersnake and its critical habitat. Indirect effects from the proposed activities to proposed critical habitat may include increased sediment movement at disturbed sites. However, disturbed sites are small and located some distance away from proposed critical habitat. Areas where project activities could have a direct effect to snakes, if they are present, will be surveyed prior to implementation of activities. Proposed critical habitat may be directly affected by some of the proposed activities that include instream work or stream bank alteration. These direct effects include short-term increased sedimentation from removal of riparian vegetation, and removal of large woody debris that provides cover for gartersnakes.

The analysis concludes a determination of may affect, and is likely to adversely affect loach minnow and spikedace. Direct effects from improving motorized trail crossings, electroshocking, and potential increased in sedimentation may affect spikedace 16 miles downstream. These affects are neither insignificant nor discountable.

The analysis concludes a determination of may affect, and is not likely to adversely affect the New Mexico meadow jumping mouse. Due to implementation of projects occurring outside of the active season for New Mexico meadow jumping mice, there will be no direct effects. This project will have indirect effects of minimal short-term habitat loss, with long-term improvement of riparian and habitat conditions.

Formal consultation occurred with the U.S. Fish and Wildlife Service and a final signed biological opinion, dated May 2, 2019, was issued. The reasonable and prudent measures and corresponding terms and conditions along with conservation measures in the biological opinion will be incorporated by reference to this record of decision. The project-specific amendments related to treatments in owl habitat are designed to meet the guidance within the 2012 Recovery Plan for the Mexican Spotted Owl, and are therefore consistent with recovery objectives for the owl.

Forest Service Sensitive Species

Federal law and direction applicable to Forest Service sensitive species are included in the National Forest Management Act and Forest Service Manual (2670). The Regional Forester has developed the sensitive species list for plants and animals for which population viability is a concern. A biological evaluation on species designated as sensitive by the Regional Forester was prepared. It was determined that alternative C may affect individuals, but will not cause a trend toward federal listing for the following sensitive species: Mogollon clover, Villous groundcover milkvetch, Goodding's onion, Arizona gray squirrel, Arizona montane vole, Gunnison's prairie dog (prairie population), pale Townsend's big-eared bat, "Gila" may fly, moth (Notodontid moth), dashed ringtail, A stonefly, desert sucker, Rio Grande sucker, northern goshawk, burrowing owl (western), common black hawk, American peregrine falcon, bald eagle, and gray vireo.

It was determined that the following sensitive species are not known to occur in the project area, and therefore, there would be no effect to populations, species, or habitat: Maguire's beardtongue, Metcalfe's penstemon, Davidson's cliff carrot, Blumer's dock, Mimbres figwort, Porsild's starwort, Pinos Altos flame flower, Wright's dogweed, Mogollon death camas, Greene milkweed, Gila thistle,

Wooton's hawthorn, yellow lady's slipper, Metcalfe's tick-trefoil, Hess's fleabane, Arizona coralroot, Mogollon hawkweed, Rusby hawkweed, heartleaf groundsel, Silver Creek woodlandsnail, Black Range woodlandsnail, Whitewater Creek woodlandsnail, Iron Creek woodlandsnail, Dry Creek woodlandsnail, bearded mountainsnail, no common name (Black Range mountainsnail), no common name snail, Mineral Creek mountainsnail, Morgan Creek mountainsnail, Gila springsnail, New Mexico springsnail, northern Mexican gartersnake, Sonora sucker, headwater chub, roundtail chub, Rio Grande cutthroat trout, Gunnison's prairie dog (montane population), spotted bat, western red bat, hooded skunk, Costa's hummingbird, common ground dove, white-eared hummingbird, Gila woodpecker, Abert's towhee, Arizona Bell's vireo, and lowland leopard frog.

Management Indicator Species

Effects on management indicator species are disclosed in chapter 3 of the final environmental impact statement. Wildlife management indicator species within the project area include mule deer, Mearn's quail, long-tail vole, beaver, plain [juniper] titmouse, and hairy woodpecker. The Gila trout and Rio Grande cutthroat species and their habitat do not exist in the project area. I find that alternative C is consistent with the standards and guidelines pertaining to management indicator species. Additionally, based on the limited effects to any management indicator species, the alternative does not result in a reduction in the number of acres of available habitat for any of the management indicator species, and does not contribute toward a negative trend in viability on the Gila National Forest.

Clean Air Act

The Clean Air Act, as amended, is the comprehensive federal law that regulates air emissions from stationary and mobile sources. This law authorizes the Environmental Protection Agency to establish National Ambient Air Quality Standards to protect public health and public welfare and to regulate emission of hazardous air pollutants. Chapter 3 in the final environmental impact statement has an analysis of the potential impacts on air quality, including compliance with National Ambient Air Quality Standards.

Alternative C is designed to be consistent with the provisions of the Clean Air Act, its implementing regulations, and associated federal and state air quality standards. The selected alternative meets all conditions of the New Mexico Smoke Management Program, which meets the requirements of the Clean Air Act and the Regional Haze Rule (40 CFR 51.309). The primary concern with this project in regard to air quality is smoke emissions from prescribed fires. No exceedance of National Ambient Air Quality Standards is expected from the operation of vehicles (including exhaust and fugitive dust) or prescribed fire treatments. There is a potential for health impacts because of exposure to PM2.5. Prescribed fire will be planned, designed, and implemented to minimize smoke effects on air quality and public health and safety, complying with the New Mexico Smoke Management Plan.

Clean Water Act

Public Law 92-500 as amended in 1977 (Public Law 95-217) and 1987 (Public Law 100-4), also known as the federal Clean Water Act, provides the structure for regulating pollutant discharges to waters of the United States. The Act's objective is "…to restore and maintain the chemical, physical, and biological integrity of the Nation's waters," and is aimed at controlling point and non-point sources of pollution.

The U.S. Environmental Protection Agency administers the Act, but many permitting, administrative, and enforcement functions are delegated to state governments. In New Mexico, the designated agency for enforcement of the Clean Water Act is the New Mexico Environment Department. The Luna Restoration Project includes perennial waters, intermittent flows, and ephemeral channels, all of which are covered under New Mexico Environment Department's Non-Point Source Management Program and Plan.

Under alternative C, activities are proposed that are designed to improve water quality by restoring channel stability, improving hydrologic function, lowering stream temperatures, reducing sediment, and improving dissolved oxygen, pH, and conductivity. As such, the alternative is consistent with the federal Water Pollution Control Act of 1972.

Executive Orders 11988 and 11990 Floodplain and Wetlands Management

Executive Order 11988, Floodplain Management (CEQ 1978): All executive agencies are to take special care when undertaking actions that may affect wetlands or floodplains, directly or indirectly. The orders require agencies to avoid disrupting these areas wherever there is a practicable alternative, and to minimize any environmental harm that might be caused by federal actions.

Executive Order 11990, Protection of Wetlands, commands that the agency shall take action to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands. Specifically, it requires the agency to avoid undertaking or providing assistance for new construction located in wetlands unless there is no practicable alternative to such construction and the proposed action includes all practicable measures to minimize harm to wetlands, which may result from such use.

Activities in alternative C are designed to improve channel shape, form and function; improve water quality; and provide for stable hydrologic regime. These activities will provide beneficial impacts to floodplains and wetlands and are in compliance with the executive orders.

National Historic Preservation Act

The National Historic Preservation Act and the National Environmental Policy Act both require that consideration be given to the potential effects of federal undertakings on historic resources (including historic and prehistoric cultural resource sites). The guidelines for assessing effects and for consultation are outline in the Region 3 programmatic agreement with the New Mexico State Historic Preservation Office and Section 106 of the National Historic Preservation Act. Some cultural resource surveys have been conducted for upcoming activities requiring inspection and are documented in the cultural resources clearance report. Because the project will be conducted over multiple years, clearance of future activities will be accomplished using a phased approach as defined in appendix J of the programmatic agreement.

Implementation of the proposed treatments in alternative C are not expected to impact negatively heritage resources within the project area. Protective measures including site protect measures were developed to be consistent with the National Historic Preservation Act. As such, I find the selected alternative is in agreement with those identified in section I, appendix J, of the Region 3 first amended programmatic agreement (USDA Forest Service, Region 3 2010).

Executive Order 11644, as Amended by Executive Order 11989 (Regulating Motorized Off-Road Travel)

Executive Orders 11644 and 11989 provide direction for federal agencies to establish policies and provide for procedures to control and direct the use of off-highway vehicles on public lands so as to: (1) protect the resources of those lands; (2) promote the safety of all users of those lands; and (3) minimize conflicts among the various users on those lands. In the Luna Restoration Project, all action alternatives propose to decommission unnecessary routes and improve existing all-terrain vehicle and utility-task vehicle routes to protect resources.

Executive Order 12898 (Environmental Justice)

Executive Order 12898 governs federal actions to address environmental justice in minority and low-income populations. The provisions also apply to programs involving Native Americans. The goal of environmental justice is to identify impacts that are disproportionately high and adverse with respect to minority and low-income populations and identify alternatives to avoid or mitigate those impacts.

Smoke emissions from prescribed fires or wildfire can have health and quality of life consequences and is most likely to affect vulnerable populations—children, the elderly, and individuals with health or respiratory issues. Prescribed fire will be planned, designed, and implemented to minimize smoke effects on air quality and public health and safety, complying with the New Mexico Smoke Management Program.

There are also beneficial effects on these populations from the creation of jobs in the wood products industry, generation of fuelwood for personal use, improvements in water quality, increased access to national forest lands, and protection of cultural resources.

2001 Roadless Area Conservation Rule

The 2001 Roadless Area Final Rule (36 CFR Part 294) established protections for inventoried roadless areas. The rule prohibits road construction, reconstruction, and timber harvest except for other than stewardship purposes. The proposed treatments meet the criteria for stewardship purposes.

There are three inventoried roadless areas within the Luna Restoration Project: Mother Hubbard, Nolan, and the Frisco Box. All action alternatives propose low-severity prescribed fire within the Mother Hubbard and Nolan inventoried roadless areas. A road-to-trail conversion is proposed in the Frisco Box Inventoried Roadless Area. These actions will have some short-term effects to the undeveloped, natural, and opportunities for solitude or primitive unconfined recreation attributes, but would result in a long-term beneficial effect.

Implementation

In accordance with 36 Code of Federal Regulations Part 218.11(b), the record of decision may be signed when all concerns and instructions identified by the reviewing office in the objection response letters have been addressed. Implementation may occur immediately following the date of this final decision.

Project-specific plan amendments are effective on the date the project may be implemented, in accordance with administrative review regulations at 36 Code of Federal Regulations Part 218 (36 CFR 219.17(a)(3)).

Administrative Review or Objection Opportunities

This decision was subject to objection pursuant to 36 Code of Federal Regulations Part 218. *The project objection process, 36 Code of Federal Regulations Part 218 was used for both the project and the project-specific plan amendments (36 CFR 219.59 (b)).*

Four objections were filed with the Objection Reviewing Officer. We met with two of the objectors. We were issued nine instructions by the Objection Reviewing Officer. To address these instructions, we created an errata to the final environmental impact statement, amended the Wildlife Biological Evaluation, and clarified points in the record of decision.

Contact Person

For additional information concerning this project, contact: Emily Irwin, District Ranger, Quemado Ranger District, P.O. Box 159, Quemado, NM 87829, 575-773-4678.

For information on the Forest Service National Environmental Policy Act process, contact: Lisa Mizuno, Environmental Coordinator, Gila National Forest, 3005 E. Camino del Bosque, Silver City, NM 88061, 575-388-8267.

Adam Mendonca 11-21-2019

ADAM MENDONCA [DATE]
Forest Supervisor
Gila National Forest