

# ASDO NEPA DOCUMENT ROUTING SHEET

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Project Lead: Whit Bunting

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**United States Department of the Interior  
Bureau of Land Management**

Arizona Strip Field Office  
Grand Canyon-Parashant National Monument

Environmental Assessment

Duncan Tank Allotment Grazing Permit Renewal

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EA-AZ-130-2005-0020

## **I. INTRODUCTION**

This Environmental Assessment (EA) analyzes the proposed grazing permit renewal for the Duncan Tank allotment. The action culminates an evaluation conducted on the allotment under the Arizona BLM Standards for Rangeland Health and Guidelines for Grazing Management (S&Gs). In addition, this EA looks at the present allotment management, and determines if current grazing management practices would maintain desirable conditions and allow improvement of public land resources where that potential has been identified, or if changes in grazing management for this allotment are necessary. This EA is intended to evaluate the findings of the Duncan Tank assessment as it relates to vegetation conditions and resource values in the allotment. This is done in an effort to balance demands placed on the resources by various authorized uses within the allotment.

Analysis of existing allotment data indicates that species composition objectives and vegetation cover are being met and species frequency trends are trending upward. It was determined by the Interdisciplinary Assessment Team (IAT) during the assessment process, that resource conditions on the allotment are meeting Standards for Rangeland Health.

### **Purpose and Need**

The purpose and need of this action is to renew the grazing permit associated with the Duncan Tank grazing allotment (#4820) for a period of ten years. The Duncan Tank grazing allotment is located 59 miles south-southwest of St. George, Utah, in the northwest portion of Arizona on lands managed by Bureau of Land Management's Grand Canyon-Parashant National Monument.

### **Conformance with Land Use Plan**

This proposal is found to be in conformance with the Arizona Strip District Resource Management Plan (RMP) dated January 1992, as amended April 1997. The RMP adopted resource specific activity plans from the Shivwits Grazing EIS (July, 1980), including allotment management plans. The Shivwits Grazing EIS proposed that the Duncan Tank allotment should

continue to be managed under the implemented grazing rotation.

### **Grand Canyon Parashant National Monument**

Most of the public lands within Duncan Tank are within the Grand Canyon Parashant National Monument. Designation of the monument does not, in and of itself, require modification of the current grazing practices. The presidential proclamation states that “Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing leases on all lands under its jurisdiction shall continue to apply...”. However, Interim Management Guidelines (IM 2002-008, October 11, 2001) have been established to guide management while current planning efforts are under way. These guidelines postpone the implementation of new range improvement projects (fences, pipelines, vegetative treatments) until a new Resource Management Plan (RMP) is completed. Under the Antiquities Act, BLM must protect objects identified in the presidential proclamations that establish national monuments. Therefore, if BLM determines, through the current planning process or otherwise, that any monument objects are harmed by current management, then management (including permit conditions) will be modified accordingly.

### **Relationships to Statutes, Regulations, or other Plans**

This action is in conformance with Arizona’s Standards and Guides, which were developed through a collaborative process involving the Arizona Resource Advisory Council and the Bureau of Land Management State Standards and Guidelines team. The Secretary of the Interior approved the Standards and Guidelines in April 1997. The Decision Record, signed by the BLM Arizona State Director (April 1997) provided for full implementation of the Standards and Guides in all Arizona BLM Land Use Plans

Grazing permit renewals are also provided for in 43 CFRs 4100 where the objectives of regulations are “...to promote healthy, sustainable rangeland ecosystems; to accelerate restoration and improvement of public rangelands to properly functioning conditions; to promote the orderly use,....; to establish efficient and effective administration of grazing of public rangelands;....”, and as provided for in the Land Use Plans in accordance with multiple-use objectives, requirements and provisions of established laws, regulations and BLM policies incorporating Desired Plant Community (DPC) objectives using the Ecological Site Index approach.

Grazing management practices of the Duncan Tank allotment are in conformance with Arizona Standards for Rangeland Health and Guidelines for Grazing Administration. These practices are intended to assist management in meeting the Standards for Rangeland Health.

Renewal of the Duncan Tank permit conforms to the President’s National Energy Policy and would not have adverse energy impacts. This action would not deny energy projects, withdraw lands, close roads or in any other way deny or limit access to mineral materials to support energy actions.

## **Issues raised relating to Standards for Rangeland Health**

The process of identifying issues for the Duncan Tank S&G evaluation and this assessment were followed by the Rangeland Resources Team (RRT), Interdisciplinary Assessment Team (IAT), and livestock permittee during scoping on January 14, 2003. No specific issues relating to rangeland health were brought forward during this course of action.

## **Current Planning Process**

The Arizona Strip District Office is in the final stages of a planning process that will result in three stand alone RMPs, one for each new National Monument and one for the Arizona Strip outside of the monuments. No grazing changes are currently anticipated for the Duncan Tank allotment. However, there may be modifications as a result of the new RMPs. The 10- year grazing permit, in part, states “This permit is subject to (A) modification, suspension or cancellation as required by land plans and applicable law; (B) annual review and to modification of terms and conditions as appropriate; ...”. BLM may use these permit conditions to implement any changes required under the new RMPs.

## **II. PROPOSED ACTION AND ALTERNATIVES**

### **Proposed Action (Renewal of the 10 Year Grazing Permit on Duncan Tank allotment)**

The Proposed Action is to renew the grazing permit on the Duncan Tank allotment for a period of ten years with current terms and conditions. Under this alternative, BLM would:

- Cancel the existing annual permit (Table 2) and reissue term (ten year) grazing permit on the Duncan Tank allotment as listed in Table 1. Livestock grazing would occur during the season of use, and with the number of AUMs, identified in Table 1. There would be no change to the current active grazing preference on the allotment.
- Consider, through the NEPA process new range improvements to assist in grazing practices and promote rangeland health.

Table 1 - Proposed Action Term (10 Year) Permit Issuance								
Allotment Name	Permittee	Permit Number	Livestock			Active AUMs	Public Land (acres)	% Public Land
			No.	Kind	Season of Use			
Duncan Tank	NA	4820	53	Cattle	03/01-07/31	208	6,250	78%
			53	Cattle	10/01-02/28	205		
			4	Horses	12/01-05/15	7		
			4	Horses	10/01-02/28	8		

Table 2 – Annual Grazing Permit to be Cancelled								
Allotment Name	Permittee	Permit Number	Livestock			Active AUMs	Public Land (acres)	% Public Land
			No.	Kind	Season of Use			
Duncan Tank	NA	4820	53	Cattle	03/01-07/31	208	6,250	78%
			53	Cattle	10/01-02/28	205		
			4	Horses	12/01-05/15	7		
			4	Horses	10/01-02/28	8		

### Alternatives Considered But Rejected For Further Analysis

Alternatives are tiered to the Arizona Strip District RMP (January, 1992) and the Shivwits Grazing EIS (July, 1980) which was adopted into the RMP and are basically the same for this action. The Grazing EIS addressed five alternatives: Full Stocking with Management, Stocking Level by Condition Class, No Vegetation Manipulation, Elimination of Grazing on Public Lands, and Less Intensive Management of Livestock Grazing.

The following three alternatives were considered for this EA but rejected because they were analyzed in the RMP, to which this document is tiered.

- **Full Stocking with Management alternative** would allow stocking at the estimated livestock carrying capacity of each allotment but otherwise would provide the same management as the proposed action, which is intensive management of 40 allotments and less intensive management on 10 allotments.
- **Stocking Level by Condition Class alternative** would set the stocking level based on the average condition and apparent trend of the allotment.
- **No Grazing Alternative (Elimination of Livestock Grazing on Public Lands).** The decision to authorize livestock grazing in this area and specifically on the Duncan Tank allotment is documented in the approved land use plan. The absence of new information or

other land use plan decisions showing that continued livestock grazing would preclude BLM from meeting or making significant progress toward achieving land health standards renders the existing land use plan authorizing grazing valid. A no grazing alternative or not renewing a grazing permit would not conform to the land use plan. A plan amendment would be required before closing an allotment to livestock grazing.

**The Grazing System Description for the Duncan Tank Allotment**

The permittee runs a cow-calf operation. The allotment is divided into summer and winter use. The Duncan Tank pastures are used during the summer period (May-July and October-November) while the Mule Canyon pastures receive winter use (December-April).

A grazing system was developed and has been in place since 1979 and only includes pastures containing public land, which are Brown #3, Back #5, and the Mule Canyon pastures. The 160, or Weaning pasture, although all public land, is not included in the grazing system. This pasture is used as a weaning and bull pasture. There are eight fenced private pastures which are not a part of the grazing system. Private pastures are under a prescribed grazing rotation at the permittees discretion and are used in conjunction with the BLM system.

The Duncan Tank unit consists of the Brown and Back pastures. Each pasture is used under a deferred-rotation grazing treatment. With this system, each pasture is grazed only once in the spring every three years.

Mule Canyon pastures are grazed on a deferred-rotation schedule as well. There are two pastures within this unit, Mule Canyon North and Mule Canyon South. Each year, grazing use in the pastures is rotated, deferring early spring use every other year.

**Grazing Preference and Current Use on the Allotment**

<u>Livestock Numbers</u>	<u>Season of Use</u>	<u>% Federal</u>	<u>Active AUMs</u>
53 Cattle	03/01 to 07/31	78%	208
53 Cattle	10/01 to 02/28	78%	205
2 Horses	03/01 to 07/31	78%	7
2 Horses	10/01 to 02/28	78%	8
	Total		428

**Terms and Conditions of Grazing Permit**

Grazing would be in accordance with the grazing preference, livestock numbers, and season of use specified on the grazing permit. Billing for grazing use would be based on the actual use report which is due on or before March 15 each year. Livestock may be moved 15 days before or after scheduled move dates.

## **Desired Plant Community (DPC)**

This EA also incorporates by reference the “Implementation of Standards for Rangeland Health and Guidelines for Grazing Administration, Duncan Tank Allotment S&G Assessment” (2005)<sup>1</sup>. The Duncan Tank Assessment lists and evaluates achievement of the allotments DPC objectives summarized below. These objectives are expressed in species composition by weight and vegetative cover.

### Key Area #5; Back Pasture (Loamy Upland 10-14" p.z.)

- Maintain perennial grass composition between 50-70% through 2030 by,
  - Maintaining Hija CBW between 10 to 15%
  - Maintaining Spcr CBW between 3 to 10%
  - Maintaining Orhy CBW between 5 to 10%
  - Maintaining Sihy CBW between 5 to 10%
- Maintain shrub CBW between 15-50% through 2030.
- Maintain forb CBW between 2-10% through 2030.
- Maintain tree CBW between 0 to 5% through 2030.

### Key Area #6; (Stony Upland 7-11" p.z.)

- Maintain perennial grass composition between 50 to 70% through 2030 by,
  - Maintaining Hija CBW between 5 to 20%
  - Maintaining Boer CBW between 10 to 15%
  - Maintaining Spcr CBW between 5 to 20%
- Maintain shrub CBW between 25 to 40% through 2030.
- Maintain forb CBW between 5 to 15% through 2030.
- Maintain tree CBW between 0 to 2% through 2030.

## **Monitoring**

The goals of monitoring would be to determine if the fundamentals or conditions of Rangeland Health are being met within the allotment area under 43 CFR 4180. These conditions of Rangeland Health are:

- (a) Watersheds are in, or are making significant progress toward, properly functioning physical condition, including their upland, riparian-wetland, and aquatic components; soil and plant conditions support infiltration, soil moisture storage, and the release of water that are in balance with climate and land form and maintain or improve water-quality, water quantity, and timing and duration of flow.

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<sup>1</sup>Duncan Tank Allotment S&G Assessment, available at the Bureau of Land Management, Arizona Strip Field Office, 345 E. Riverside Drive, St. George, Utah 84790.

(b) Ecological processes, including the hydrologic cycle, nutrient cycle, and energy flow, are maintained, or there is significant progress toward their attainment, in order to support healthy biotic populations and communities.

(c) Water quality complies with State water quality standards and achieves, or is making significant progress toward achieving, established BLM management objectives such as meeting wildlife needs.

(d) Habitats are, or are making significant progress toward being restored or maintained for Federal threatened and endangered species, Federal Proposed, Category 1 and 2 Federal candidate and other special status species.

To monitor rangeland health conditions, key areas as defined in the *Monitoring* "Planning for Monitoring", "TR 4400-1", (1984) would be used. The key area would be used as an indicator area to reflect the effect of on the ground management on the site they represent. Each key area would be established based on a Range Site/Ecological Site (developed by the Natural Resource Conservation Service, (NRCS)) with a specific Potential Natural Community (PNC) and specific physical site characteristics. Knowing the PNC of the area, and using the ecological site descriptions as a guide, DPC objectives can be developed. The DPC then becomes the objectives by which management actions would be measured.

Dry Weight Rank (DWR) method of data collection would be used to monitor species composition. In addition, Pace Frequency and Step-Point studies would be used at each key area to detect changes of individual species and vegetative cover, which indicates a trend and status of basal and foliar cover. Pace Frequency, Step-Point and DWR would be completed on each key area every 3-6 years. DWR and Pace Frequency study methods are described in *Sampling Vegetation Attributes*, "Interagency Technical Reference 1734-4" (1996).

Livestock use on forage plants would be determined by conducting grazing utilization studies using the Grazed-Class Method as described in the *Utilization Studies and Residual Measurements* "Interagency Technical Reference 1734-3" (1996). Utilization studies would be completed annually in each grazing unit by BLM prior to and/or after livestock have been removed from the pasture. Study data would be compiled each year. Other information to be collected and compiled is precipitation, actual use, etc. All monitoring data would be used to evaluate current management and assist BLM in making management decisions that helps achieve vegetation objectives on the allotment.

Analysis of existing allotment data suggests DPC objectives are being met. It was determined by the Interdisciplinary Assessment Team (IAT) during the assessment process, that resource conditions on the allotment are meeting Standards for Rangeland Health.

Allotment compliance would be conducted annually on the allotment. Compliance monitoring assures terms and conditions of the permit and any other subsequent requirements attached to range improvement permits are being met.



Based on analyses of the allotment's monitoring data and supporting documentation contained in the Duncan Tank S&G Assessment Report (2002), resource conditions on the allotment meet all applicable standards for rangeland health.

### **III. AFFECTED ENVIRONMENT**

The Duncan Tank grazing allotment is located 59 miles south of St. George, Utah, in the northwest portion of Arizona on lands managed by BLM in the Grand Canyon-Parashant National Monument. The allotment is within the boundaries of T. 34 and 35 N., R. 10 W., southwest of Bundyville. Elevations range from 5,520' on the pinyon-juniper ridges to 3,800' at the lower reaches of Parashant Canyon.

The affected environment is tiered to the Arizona Strip District RMP (January 31, 1992), Affected Environment pages III-1 to III-58, and pages 41 to 92 of the Shivwits Grazing EIS (July, 1980) which was adopted into the RMP and are essentially the same for this action. Chapter 2 of the Shivwits Grazing EIS describes the environmental components likely to be impacted by the proposed action. Environmental components discussed in the EIS that might affect or be affected by the proposal are: Climate, Vegetation, Threatened and Endangered Plant Species, Riparian Vegetation, Soils, Water Resources, Animals (wildlife), Cultural Resources, Visual Resources, and Land Uses including livestock grazing and recreation.

This EA also incorporates by reference the "Implementation of Standards for Rangeland Health and Guidelines for Grazing Administration, Duncan Tank Allotment S&G Assessment" (2005)<sup>2</sup>. This S&G Assessment describes the resources and issues applicable to the allotment area. See the Duncan Tank Allotment S&G Assessment Appendix for other resource data and associated information.

**The following critical elements of the human environment or resources are not present in the allotment or would not be affected by the proposed action or alternatives:**

- Wilderness
- Wild & Scenic Rivers
- Wetlands/Riparian Areas
- Areas of Critical Environmental Concern (ACECs)
- Wild Horses and Burros
- Minerals
- Hazardous Materials
- Native American Religious Concerns

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<sup>2</sup> Duncan Tank Allotment S&G Assessment, available at the Bureau of Land Management, Arizona Strip Field Office, 345 E. Riverside Drive, St. George, Utah 84790.

## Climate

Average annual precipitation on the allotment is approximately 9-13". Since there is no rain gauge on the allotment, the two nearest gauges at Alcorn and Bundyville are used to interpret annual rainfall amounts. The Alcorn rain gauge is located in T35N, R10W, Sec.30, approximately 1.5 miles northwest of the allotment boundary. Average precipitation is ~13.02" annually. Approximately 12 percent (1.58") comes in the fall, 30 percent (3.94") in the winter, 19 percent (2.44") in the spring and 39 percent (5.05") in the summer.

The Bundyville rain gauge is located in T35N, R9W, Sec.19, approximately 1 mile northeast of the allotment. Average precipitation is 10.88" annually. Approximately 13 percent (1.42") comes in the fall, 24 percent (2.63") in the winter, 24 percent (2.56") in the spring, and 39 percent (4.27") in the summer. Even though the two rain gauges differ in the amount of annual rain fall, seasonal distribution of the precipitation is very similar.

## Vegetation

The principal vegetative types<sup>3</sup> within the allotment are pinyon-juniper woodlands with associated sagebrush and grass understory and the desert shrub type in Parashant Canyon.

- The pinyon-juniper type includes pinyon, juniper, sagebrush, cliffrose, desert holly, banana yucca, blue grama, sand dropseed, squirrel tail, and a variety of forbs.
- The desert shrub vegetation type consists of Mormon tea, banana yucca, snake weed, prickly pear and cholla cactus, galleta, sand dropseed and black grama.

Vegetation found at any given site generally correlates to soil type and associated ecological sites<sup>4</sup>. These vegetative types consist of three dominant ecological sites that are part of the Major Land Resource Units, as defined by the NRCS. The limestone ridges and slopes are classified as a Shallow Loamy Upland 9-13" precipitation zone (pz). The draws, swales, and bottoms are classified as Loamy Uplands 9-13" pz. Parashant Canyon consists of a conglomerate of inclusions; however the key area location is classified as a Stony Upland 7-11 pz.

## Water Sources

Duncan Tank allotment contains:

- 3 unfenced reservoirs
- 1 developed spring

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<sup>3</sup> Shivwits Grazing Environmental Impact Statement

<sup>4</sup> An ecological site is a distinctive kind of land that differs from other kinds in its ability to produce a characteristic plant community. Each ecological site is a product of all environmental factors responsible for its development. Each site is capable of producing and supporting a plant community typified by an association of species that differs from other ecological sites in species kind, proportion and total production.

## **Threatened and Endangered (T&E) Species**

There is no suitable habitat for any listed threatened or endangered species on the allotment. However, bald eagle (*Haliaeetus leucocephalus*), California condor (*Gymnogyps californianus*), and peregrine falcon (*Falco peregrinus alatum*) may occasionally fly over the area. There are no riparian areas that would provide habitat for the southwestern willow flycatcher (*Empidonax trailii extimus*). An experimental non-essential population (as defined under section 10J of the Endangered Species Act) of California condors was established on the Vermillion Cliffs in 1996. These birds may eventually forage on carrion within the allotments but have not yet been observed doing so. Peregrine falcons, a recently (1999) delisted species may nest in Parashant Canyon.

No other, federally listed T&E species are known to occur in the area covered by this EA.

## **BLM Sensitive and State Species of Concern**

Ferruginous hawks (*Buteo regalis*) are known to forage over grassland habitat similar to that found on the allotment, though specific sightings have not been recorded for the area. A variety of sensitive bat species have been captured on neighboring allotments including Townsend's big-eared (*Corynorhinus townsendii*), spotted bats (*Euderma maculatum*), small-footed myotis (*Myotis ciliolabrum*), fringed myotis (*Myotis thysanodes*), and big free-tailed bats (*Nyctinomops macrotis*).

## **Wildlife**

The allotment supports a wide variety of wildlife. Common or notable species would include Gambel's quail in Parashant Canyon, desert cottontail, black tailed jackrabbit, pinyon jays, golden eagles and red-tailed hawk, plus a variety of reptiles and small birds.

Non-game and small game wildlife found on the allotment is typical of the area, including a variety of small mammals, grassland birds, raptors, and reptiles. In late summer, large flocks of pinyon jays are often noted. Coyotes, bobcats, and mountain lions can be found in this allotment.

Mule deer (*Odocoileus hemionus*) are the principal big game species. Mule deer populations in the area are stable to slightly increasing and population numbers appear to be in balance with available resources. The allotment lies within the Arizona Game and Fish Department's (AGFD's) Game Management Unit 13B.

The Hurricane Valley area north of the allotment, provides habitat for a herd of pronghorn antelope (*Antilocarpa Americana*). Pronghorn however, have not been observed in the Duncan Tank allotment. The allotment is not considered suitable habitat for pronghorn due to the abundance of sagebrush and juniper trees. It is unlikely that pronghorn occur on the allotment.

## Soil

The only soils monitoring data for this area is the Phase 1 Watershed Conservation and Development Inventory of 1971-1973 (See Field Office Files 7300). It was based upon a general soils map and thus ended up as broad interpretations and averages over large areas. Other more specific and detailed soils information is as follows:

### North Segment (near the schoolhouse)

- 08** Barx fine sandy loam, 1 to 5 percent slopes, (fan terraces), mixed; Loamy Upland, 9" to 13"  
Bisoodi-Anasazi family complex, 1 to 8 percent slopes, (plateaus), limestone and sandstone;  
Bisoodi-Shallow Loamy, 9" to 13" ppt; Anasazi family-Sandy Loam Upland (calcareous), 9" to 13" ppt
- 45** Mellenthin-Rock outcrop-Torriorthents complex, 10 to 70 percent slopes (hills) Kiabab; Mellenthin-Shallow Loamy, 9" to 13"; Torriorthents-Breaks, 9" to 13"
- 46** Mellenthin-Strych Complex, 4 to 25 percent slopes, cool, (plateaus, mesas), limestone; Mellenthin-Shallow Loamy, 9" to 13"; Strych-Loamy Upland, 9" to 13"
- 49** Mellenthin-Tanbark complex, 5 to 50 percent slopes, dry, (plateau, mesa, hill), SS, gypsite; Mellenthin-Limey Upland, 9" to 13"; Tanbark- Gypsum Hills, 9" to 13"  
Radnik loam, 1 to 5 percent slopes (floodplain) mixed; Loamy Bottom, 9" to 13" ppt
- 73** Strych very gravelly loam, 2 to 10 percent slopes (fan) mixed; Loamy Upland, 9" to 13"

### Parashant Canyon Segment

- 10** Berzatic fam-RO-Goblin complex, 35 to 70 percent slopes, (escarpments, cliffs), LS-gyp; Berzatic-Breaks, 7" to 11"; Goblin-Breaks (gypsiferous), 7" to 11"
- 51** Meriwhitica-Rock outcrop-Strych complex, 35 to 70 percent slopes, (cliffs canyons) Callville & Redwall limestones; Meriwhitica-Breaks, 9" to 13"; Strych-Loamy Upland, 9" to 13"
- 58** Nutter-Gyppocket complex, 2 to 20 percent slopes, (fan terraces), gyp-alluvium; Gypsum Upland, 7" to 11" ppt
- 64** Riverwash-Torrifluents complex, 1 to 3 percent slopes, (channel, floodplain), mixed; Torrifluents-Sandy Wash, 9" to 12" ppt

## Lithology

The Duncan Tank allotment consists mainly of Kaibab limestone, Moenkopi mudstones and gypsum hills and ridges with associated alluvial fans and floodplains. Steep limestone walls of the Parashant Canyon are at the allotments south end.

## **Cultural/Historical**

Prehistoric and Historical sites exist throughout the allotment.

## **Visual Resources**

The upper portions of the allotment are in Visual Resource Management Class (VRM) Class IV, as classified by the 1992 RMP. VRM Class IV represents lands with low visual resource values when compared to others in the region. That part of the allotment within the Parashant Canyon is in a VRM Class II. Class II lands are categorized as having high visual resource value.

## **Livestock Grazing**

The Duncan Tank allotment (#4820) is comprised of 6,250 acres of federal BLM land, 1,220 acres of state land, and 2,168 acres of private land. The total number of active AUMs on the allotment is 428. The current season of use is 03/01 to 07/31 and 10/01 to 02/28.

## **Recreation Resources**

The Duncan Tank allotment is considered to have recreation values for its geology, scenic view sheds, and remoteness. General recreation activities might include sightseeing, horseback riding, hiking, camping, hunting, rock collecting, photography, bird watching and nature study.

Off Highway Vehicles: This allotment falls in an area classified as Limited to Existing Roads and Trails.

Recreation Opportunity Spectrum: This allotment was classified as having the following Recreation Spectrum Classes in it: Semi Primitive - Motorized, and Roded Natural.

## **Noxious Weeds**

A patch of scotch thistle has been identified around a stock pond on private ground in the north end of the allotment. Presently, the infestation is limited to private land and has not spread to public lands on Duncan Tank. This area is monitored annually and any noxious weeds would be treated upon detection.

## **Socio/Economic**

The economic revenue generated from the Arizona Strip has historically been ranching with a few gypsum/selenite mines and uranium operations. Nearby communities are supported by tourism (including outdoor recreation), construction and light industry. The social aspect involves remote, unpopulated settings with moderate to high opportunities for solitude.

## **IV. ENVIRONMENTAL IMPACTS**

Only impacts that may result from implementing the proposed action are described in this EA. If an ecological component is not discussed, it should be assumed that the resource specialists have considered effects to the component and found the proposed action or alternatives would have minimal or no effects.

General effects from projects similar to the proposed action alternative are also described in the documents to which this plan is tiered.

This document incorporates by reference the Duncan Tank Allotment S&G Assessment (2005), which provides a complete discussion, analysis and summaries of the range resources and associated issues. Also, see the Duncan Tank S&G Assessment Appendix for specific resource data and other associated information.

### **Climate**

Implementing the Proposed Action would have no effect on the climate. However, the Proposed Action would allow affected resources to respond to the climate with improvement to these resources, as mentioned below in the vegetation section.

### **Drought**

In response to drought conditions, BLM may modify the terms and conditions of a grazing permit (ie. number of cattle, turn out dates, removal dates, etc.) temporarily or on a more long-term basis. Most modifications are accomplished on a cooperative basis with the livestock permittee. However, if a permittee disagrees with BLM's assessment of the resource conditions or the necessary modifications, BLM may nevertheless issue a Full Force and Effect Grazing Decision to protect resources.

### **Vegetation**

Grazing impacts on vegetation under the Proposed Action are mitigated by timing of use, duration of grazing, adjusting of stocking rates, and conformance with Standards and Guidelines for Grazing Management. The Proposed Action would have an established grazing rotation designed to allow each pasture a different season of rest during growing cycles, let cool and warm season grasses and browse to elongate their apical buds, build vigor and achieve seed ripe.

The major vegetation component of the allotments' upper area consists mainly of scattered pinyon-juniper with an associated understory of sagebrush, cliffrose, desert holly, blue grama, squirrel tail, sand dropseed, and a variety of forbs. Vegetation at lower elevations is characterized by Mormon tea, banana yucca, snake weed, prickly pear and cholla cactus, galleta, sand dropseed and black grama.

Monitoring data (1982 to 2004) of the Duncan Tank allotment indicates that both key areas are in an upward trend of species frequency and utilization has been below allowable levels. These data reflect and suggest that current management coupled with precipitation would allow objectives for the vegetation components to be met on the allotment. These vegetation components constitute the ecological sites upon which DPC objectives are based. Key areas are established on ecological sites and monitored to determine the species composition, the frequency of plant species, and the vegetative ground cover on the site.

**Table 3.** Summary of pace-frequency and vegetation cover data collected on Duncan Tank Allotment from 1982 to 2004. Figures shown are frequency percentages.

Pasture	Key Area	Year Read	Key Species	Live Veg. Cover	Litter	Total
Back	#5	1982	66	5	29	100
		1984	73	6	29	108
		1987	80	6	32	118
		1991	38	10	20	68
		2004	97	20	21	138
Mule Canyon	#6	1982	38	2	16	56
		1986	67	8	34	109
		1991	50	14	15	79
		2004	47	16	25	88

Utilization data from 1993-2003 has been compiled for this evaluation. The Key Species Grazed Class method was used to collect the data. Utilization is read at or around the designated key area for each pasture.

Utilization of Key Species at Key Area #5, Back Pasture											
	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Hija	39	ND	51	51	41	45	44	45	35	NU	43
Spcr	43	ND	46	48	42	44	41	44	39	NU	38
Sihy	31	ND	49	47	38	46	46	39	46	NU	52
Orhy	49	ND	34	52	21	48	38	45	45	NU	49

In the Back pasture, the highest utilization on a key species occurred in 1995, 1996 and 2003. However, overall utilization in the Back pasture for the evaluation period was 43%.

<b>Utilization of Key Species at Key Area #6, Mule Canyon</b>											
	1991	1992	1993-95	1996	1997	1998	1999	2000	2001	2002	2003
Hija	21	35	ND	50	ND	47	ND	45	52	47	32
Boer	40	41	ND	41	ND	34	ND	39	54	45	28
Spcr	37	46	ND	52	ND	34	ND	34	45	52	29
Atca	54	50	ND	53	ND	41	ND	48	57	55	37

The Mule Canyon pastures do not have extensive utilization data like the Brown and Back pastures. The canyon pastures do not have consistent accessibility by motor vehicle. The access road is frequently washed out and at times has remained impassable for up to two years. The most consecutive utilization data occurred within 1991-2003, with gaps from 1993-1995. Use levels on individual key species above the 50% level occurred eight times as shown in the table above. The overall pasture average for all key species is 43%.

### **Threatened and Endangered (T&E) Species**

The Proposed Action would not impact any listed threatened or endangered species nor would the Proposed Action have an impact on an occasional fly over by the bald eagle, California condor or peregrine falcon.

### **BLM Sensitive Species and State Species of Concern**

The Proposed Action would have no substantial impact on BLM sensitive and state species of concern. These species include the avian species, Ferruginous hawk and sensitive bat species such as Townsend’s big eared, spotted bats, small-footed myotis, fringed myotis and big free-tailed bats.

### **Wildlife**

The Proposed Action would have no substantial impacts on big game or the other non-game wildlife found on the allotment. All waters within this arid region are important for wildlife and benefit from the maintenance of those waters by the livestock operator.

### **Migratory Birds**

Executive Order 13186 requires BLM and other federal agencies to work with the U.S. Fish and Wildlife Service to improve protection for migratory birds. Implementation of the proposed action is not likely to adversely affect any species of migratory bird known or suspected to occur on the allotments. No take of any such species is anticipated.

### **Soil**

Attributes making up the soil resource should remain stable or improve through implementation



of the Proposed Action and the enforcement of the Arizona Standards and Guides process for permitted livestock grazing within the Duncan Tank grazing allotment. Grazing rotations associated with the Proposed Action allow for seasonal plant rest and vigor, allowing ground cover and litter to increase, thus protecting the soil. Utilization levels are within that allowable and current species and vegetation cover trends are up.

### **Cultural Resources**

There would be no substantial impact to cultural or historical sites as a result of renewing this grazing permit under the Proposed Action. Cultural resources project file AZ BLM-100-2002-10 contains documentation of compliance with Section 106 of the National Historic Preservation Act. Great efforts are made to avoid these sites during allotment project implementation. Further, archaeological clearances are completed prior to all project initiation.

### **Visual Resources**

No adverse impacts on visual resources have been identified.

### **Livestock Grazing**

Under the Proposed Action, the forage preference would remain active and livestock grazing would continue.

### **Recreation Resources**

Recreation in the area is primarily composed of driving for pleasure, recreational OHV use, horseback riding, hiking, backpacking, camping, hunting, photography and nature study. No impact to recreation is expected from the Proposed Action.

### **Cumulative Impacts**

Cumulative Impacts are tiered to the Arizona Strip RMP (1992), Environmental Consequences pages IV-36 to IV-38, and to chapter 3 of the Shivwits Grazing EIS (1980) which was adopted into the RMP. Unavoidable Adverse Impacts, Relationship between Local Short-term Uses of Man's Environment, Maintenance and Enhancement of Long-term Productivity, and the Irreversible and Irrecoverable Commitments of Resources were discussed.

Cumulative impacts occur when additional management facilities are added to those already present. Grazing plans set specific objectives and include rangeland improvements that are designed to maintain or improve wildlife habitat, watershed, and overall resource conditions, thus improving ecosystem health.

Past, present, and reasonably foreseeable actions within the analysis area would continue to influence range resources, naturalness, aesthetics, watershed conditions and trends. The impact

of land treatments targeting woody species, voluntary livestock reductions during dry periods and implementation of a grazing system have improved range conditions. The net result has been greater species diversity, improved plant vigor, and increased ground cover from grasses and forbs. No cumulative impacts are predicted to the range resource as a result of the Proposed Action.

### **Residual Impacts**

Residual Impacts are tiered to the Arizona Strip RMP (1992), Irreversible and Irrecoverable Commitments of Resources page 172 of the Shivwits Grazing EIS (1980) which was adopted into the RMP. Though the Proposed Action does not propose any new fences, it does allow for the existence of present fence lines, which do create some restrictions of free passage, but do not prevent or prohibit passage of mule deer. Nor are other forms of wildlife using the area restricted by existing fences.

There are no residual impacts as a result of the Proposed Action to the vegetative resource. Future maintenance of existing vegetation treatments would likely take place and would not affect additional acres beyond that done previously. Residual impacts from maintenance activities would be improve watershed conditions, wildlife habitat, and rangeland resources over time.

### **Monitoring**

The monitoring addressed in the proposed action (pages 7-8) is sufficient to identify changes in vegetation as a result of livestock grazing activities. In addition to those methods described, there are efforts in place to inventory for noxious weed establishment, as well as monitor treated areas for treatment effectiveness. BLM weed specialist (LD Walker) has the lead on monitoring and treating noxious weeds on the Arizona Strip. He has provided training in identification and treatment as well as ways to reduce the spread of weeds to BLM employees and permittees.

Annual allotment compliance would be included in monitoring conducted on the allotment. Compliance monitoring would assure terms and conditions of the permit are being met. Compliance checks would also monitor any special conditions or mitigation included in Cooperative Agreements, Section 4 Permits, or other grazing regulations.

### **Mitigation**

When noxious weeds are located, various methods are used for their control depending on the size of the infestation and growth stage of the plants. The methods include but are not limited to:

- Physical or mechanical
- Biological
- Chemical or Cultural

If vegetative monitoring indicates current livestock grazing practices are causing non-attainment of resource objectives, BLM would modify the terms and conditions of a grazing permit (ie. number of cattle, turn out dates, removal dates, etc.) temporarily or on a more long-term basis. Most modifications are accomplished on a cooperative basis with the livestock permittee. However, if a permittee disagrees with BLM's assessment of the resource conditions or the necessary modifications, BLM may nevertheless issue a Full Force and Effect Grazing Decision to protect resources.

## V. CONSULTATION AND COORDINATION

This EA was prepared by the Bureau of Land Management, Arizona Strip Field Office, 345 E. Riverside Drive, St. George, UT 84790. Phone (435) 688-3200. Public involvement for the Duncan Tank S&G evaluation began on January 14, 2003. No rangeland health issues were raised at the public scoping meeting; therefore, an assessment field trip to the allotment was not conducted. The Interdisciplinary Assessment Team (IAT) was assisted by the Rangeland Resources Team (RRT) appointed by the Arizona Resource Advisory Council. A draft evaluation was sent out for public review and comment to Individuals, Groups and Agencies. Comments from Individuals, Groups and Agencies were incorporated in to the Final Duncan Tank evaluation report. This EA reflects those comments.

### **Interdisciplinary Assessment Team (IAT)**

Linda Price.....Project Coordinator  
Whit Bunting....Range/Grazing  
John Herron.....Archaeologist  
Robert Smith....Soils, Watershed

Larry Gearhart.....Wilderness/Recreation  
Mike Small.....Wildlife Biologist  
Robert Price.....Field Supervisor,  
Arizona Game and Fish Department

### **Internal Reviewers:**

Gloria Benson, Native American Coordinator  
Tom Folks, Recreation  
Laurie Ford, Lands/Realty/Minerals  
Mike Small, Wildlife  
John Herron, Cultural  
Dennis Curtis, GCPNM Manager

Linda Price, S&G Coordinator  
Bob Sandberg, Range  
Ron Wadsworth, Law Enforcement  
Richard Spotts, Environmental Coordinator  
Lee Hughes, T/E Plants

Reviewed by Arizona Strip District Office Planning and Environmental Coordinator (P&EC)

/s/ Richard Spotts  
**Richard Spotts,**  
**P&EC**

March 5, 2007  
**Date**

## FINDING OF NO SIGNIFICANT ENVIRONMENTAL IMPACT

The Environmental Assessment AZ-130-2005-0020, hereby incorporated by reference, analyzed a livestock grazing permit renewal action conducted under the Arizona BLM Standards for Rangeland Health and Guidelines for Grazing Management (S&Gs) where an intensive allotment evaluation was conducted with public and other agency involvement throughout the process. Analysis of existing study data indicates that overall Ecological Condition trends are static or up and pace frequency trends are improving on the allotment. The resource conditions, on the allotment are meeting Standards for Rangeland Health. Issues were analyzed and it was determined that current management is not a factor in preventing attainment of Standards.

The Environmental Assessment reaffirmed the present Allotment Management Plan (AMP), and determines that the present grazing management program would continue to allow improvement to the health of public land resources, such as soil, water, vegetation, wildlife habitat, and wildlife and other resource values.

Based on the analysis of Environmental Assessment AZ-130-2005-0020, I have determined that the renewal of the Duncan Tank Livestock Grazing Permit with current terms and conditions will not have a significant effect on the human environment. Therefore, an environmental impact statement will not be prepared.

/s/Dennis Curtis  
**Manager,**  
**Grand Canyon-Parashant National Monument**

March 6, 2007  
**Date**



Phone: (435)



**UNITED STATES DEPARTMENT OF THE INTERIOR  
GRAND CANYON-PARASHANT NATIONAL MONUMENT**

**345 East Riverside Drive  
St. George, Utah 84790  
688-3345 Fax: (435) 688-3388**

**In Reply Refer To:**  
(4110) (010)

March 7, 2007

**Certified #  
RETURN RECEIPT REQUESTED**

**NOTICE OF PROPOSED DECISION**

Dear Interested Publics:

A Formal Allotment Evaluation was completed to address the Arizona Standards for Rangeland Health and Guidelines for Grazing Administration for the Duncan Tank Grazing Allotment #4820. On April 28, 1997, Arizona Standards for Rangeland Health and Guidelines for Grazing Administration (S&Gs) were approved by Secretary of the Interior and adopted into all Land Use Plans (LUPs) in Arizona as indicated by the Decision Record for the Statewide Amendment. The Duncan Tank Allotment Evaluation was conducted in accordance with the direction set forth in the Washington Office Instruction Memorandum No. 98-91 for implementation of Standards Rangeland Health and guidelines for grazing administration. The evaluation revealed that issuing a grazing permit, for a period of ten years, conformed to the applicable land use plans and amendments and the existing NEPA documentation adequately addresses the proposed action.

In accordance with 43 Code of Federal Regulations 4130.2, and based upon the allotment evaluation, consultation with affected permittee, interested publics, rangeland resource team and recommendations from the interdisciplinary assessment team, my proposed decision is to offer the grazing permit/lease, for the Duncan Tank Allotment for a period of ten years with the following terms and conditions. The following terms and conditions become effective upon acceptance of the permit/lease.

1. The new Desired Plant Community (DPC) and vegetation cover objectives as listed in the Environmental Assessment (EA) EA-AZ-130-2005-0020 will be monitored to determine trends.

2. The season of use for the Duncan Tank Allotment will be from March 1 through July 31 and from October 1 to February 28.
3. Livestock grazing will be in accordance with the Proposed Action as outlined in EA-AZ-130-2005-0020. The following terms will apply.
  - Billing for grazing use will be based on the Actual Use Report which is due on or before March 15 each year.
  - Livestock may be moved into or out of a pasture 15 days before or after scheduled move dates.
  - Associated maintenance of facilities and improvements relevant to the grazing operation will be required and authorized.

**Authorized Permitted use is as follows:**

<u>Allotment</u>	<u>Active AUMs</u>	<u>Suspended AUMs</u>	<u>Permitted Use</u>
04820 Duncan Tank	428	0	428

**Kind and number of Livestock, period(s) of use and the amount of use, in animal unit months (AUMs):**

Duncan Tank Allotment Grazing Preference								
Allotment Name	Permittee	Permit Number	Livestock			Active AUMs	Public Land (acres)	% Public Land
			No.	Kind	Season of Use			
Duncan Tank	NA	4820	53	Cattle	03/01-07/31	208	6,250	78%
			53	Cattle	10/01-02/28	205		78%
			4	Horses	12/01-05/15	7		78%
			4	Horses	10/01-02/28	8		78%

**RATIONALE:**

The Taylor Grazing Act of 1934 and the Federal Land Policy and Management Act of 1976 provides for livestock grazing use of the public lands which have been classified as proper for grazing. Grazing use must be consistent with proper rangeland management aimed at conservation and protection of the natural resources.

Arizona Standards and Guidelines (S&G) for grazing administration were developed through a collaborative process involving the Bureau of Land Management State S&G Team and the Arizona Resource Advisory Council. Together, through meetings, conference calls, correspondence, and Open Houses with the public, the BLM State Team and RAC prepared

Standards and Guidelines to address the minimum requirements outlined in the grazing regulations. The Standards and Guidelines, criterion for meeting Standards, and indicators are an integrated document that conforms to the fundamentals of rangeland health and the requirements of the regulations when taken as a whole.

The BLM has also reviewed the legal concerns and has concluded that the Standards and Guidelines evaluation and term permit renewal is supported by the National Environmental Policy Act and Council of Environmental Quality (CEQ) regulations. The proposed action of renewing leases/permitted use conforms to the Arizona Strip Resource Management Plan (Land Use Plan) dated January 31, 1992, as amended. The NEPA documentation covers the proposed action and alternatives which constitute BLM's compliance with the requirements of NEPA, and procedural requirements as provided in the CEQ regulations. This is demonstrated by the following background information:

In December of 1996 a ("draft") Statewide Plan Amendment of Land Use Plans in Arizona for implementation of Arizona Standards for Rangeland Health and Guidelines for Grazing Administration, and preliminary Finding of No Significant Impact, and supporting Environmental Assessment was sent out to 900 interested publics.

On April 28, 1997, Arizona Standards for Rangeland Health and Guidelines for Grazing Administration (S&Gs) were approved by Secretary of the Interior and adopted into all LUPs in Arizona as indicated by the Decision Record for the Statewide Amendment.

The BLM has followed the mandate of Federal Land Policy and Management Act, which requires the Secretary of the Interior to: develop, maintain, and revise land use plans. The Resource Management Plan/Environmental Impact Statement guides the BLM's management of public lands and all resources.

The BLM has complied with the grazing regulations, Washington Office and Arizona BLM policies for permit/lease renewals and fundamentals of Rangeland Health as specified in 43 CFR 4180.

The Bureau of Land Management's grazing regulations contains many provisions for public participation in the decision making process. Consultation, cooperation and coordination (CCC) are the core of the public participation process and provides the BLM decision-maker the opportunity to consider the most complete information before making decisions.

Prior to scoping, the public was notified that the Duncan Tank Grazing Allotment would be evaluated during that year to determine if the resource conditions were meeting the Arizona standards for Rangeland Health and Guidelines for Grazing Administration. This initial notification was provided to allow for public participation in CCC process. Different individuals, groups, organizations and agencies, were contacted from the general Resource Management Plan mailing lists to determine specific interest in the Duncan Tank Allotment and

to solicit interest in the decision making process for grazing term permit renewal and Standard and Guideline evaluation.

Issue scoping took place on January 14, 2003, and a Draft Duncan Tank S&G evaluation was sent out for public review and comment to 61 Individuals, Groups and Agencies. No response from the public was received. The Final Duncan Tank S&G evaluation report was completed and signed October 30, 2006.

The assessment fulfilled its purpose of determining if the existing permitted livestock use, and other activity plans, which identify terms and conditions for management on public lands within the Duncan Tank Allotment, meet, or are making significant progress toward meeting the standards or other LUP objectives and are in conformance with Arizona's Standards for Rangeland Health and Guidelines for Grazing Administration. A thirty-day comment period on the draft report was afforded to the Permittees, Arizona Game and Fish Department, Arizona State Land Department, Natural Resources Conservation Service, and interested public and other agencies.

The S&G assessment was conducted by an interdisciplinary assessment team (IAT) of resource specialists from the Bureau of Land Management (BLM) and the Natural Resource Conservation Service (NRCS). The IAT was assisted by the Rangeland Resource Team (RRT). The RRTs were established under the charter of the Resource Advisory Council (RAC) and are involved during the S&G assessment process for permit/lease renewals. Recommendations were considered from the (RRTs), which represented a variety of commodity, environmental and recreational interests, to assist in the interdisciplinary assessment of Standards for Rangeland Health.

In accordance with Bureau Policy and regulations, all applicable monitoring data were examined and evaluated in order to determine progress in meeting Arizona Standards for Rangeland Health and other land use plan objectives. Analysis of data indicated that the Land Use Planning (LUP) Objectives are being met. LUP Objectives pertaining to DPC's are being met and they assure rangeland health, state water quality standards, and habitat for: endangered, threatened, and sensitive species, as well as other wildlife is being maintained and improved. All key area DPC objectives for the allotment are being met. Issues were analyzed and it was determined that current management is not a factor in preventing attainment of Standards. A review of the resource data revealed that the allotment meets Standards 1 and 3. Standard 2 is not applicable (there are no riparian areas in the Allotment).

The IAT completed the rangeland health assessment to determine if renewal of the term grazing permits/leases would preclude the attainment of Arizona's S&Gs and determine if the proposed action (permit/lease renewal) was in conformance with the documented Land Use Plan and adequately covered under the National Environmental Policy Act (NEPA).



The EA/FONSI, EA-AZ-130-2005-0020, which analyzed the livestock grazing permit renewal action, based on the S&G evaluation, was completed March 6, 2007. This referenced EA/FONSI is considered a public document and is available upon request.

The Environmental Assessment proposed no modifications to livestock numbers or current season of use for Duncan Tank, reaffirmed the present grazing management, and determined that the present grazing management program would continue to allow improvement to the health of public land resources, such as soil, water, vegetation, wildlife habitat, and wildlife and other resource values. Further, the Authorized Officer made a determination that issuing a grazing permit for a period of ten years, conformed to the applicable land use plans and amendments, and the existing NEPA documentation adequately addresses the proposed action.

The Code of Federal Regulations (43 CFR 4130.2(a) require that, “Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through . . .” the Arizona Strip Field Office Resource Management Plan, which adopted the Shivwits Resource Area Grazing Environmental Impact Statement.

The Duncan Tank allotment is within the designated Grand Canyon Parashant National Monument. Designation of the monument does not, in and of itself, require modification of the current grazing practices. The presidential proclamation states that “Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing leases on all lands under its jurisdiction shall continue to apply...”. Therefore, the renewal of grazing permits within the Grand Canyon Parashant National is consistent with the Monument Proclamation. Under the Antiquities Act, BLM must protect objects identified in the presidential proclamations that establish national monuments. If BLM determines, through the current planning process or otherwise, that any monument objects are harmed by current management, then management (including permit conditions) will be modified accordingly.

Also, the renewal of grazing permits are allowed: As provided for in 43 CFRs 4100 where the objectives of regulations are “. . . to promote healthy sustainable rangeland ecosystems; to accelerate restoration and improvement of public rangelands to properly functioning conditions; to promote the orderly use, . . . ; to establish efficient and effective administration of grazing of public rangelands; . . .”, and as provided for in the Land Use Plans in accordance with multiple-use objectives, requirements and provisions of established laws, regulations and BLM policies incorporating DPC Objectives using the Ecological Site Index approach.

Renewal of the grazing permit would comply with Section 401 of the Federal Clean Water Act and ARS§ 49-202 of the State Environmental Quality Act Certification. The management practices of the allotment are in conformance with Arizona Standards for Rangeland Health and Guidelines for Grazing Administration, and are designed to assist management in meeting these Standards for Rangeland Health through guideline consistency on the Duncan Tank Grazing Allotment.

As required by Bureau Instruction Memorandum No. 2002-052 renewal of these grazing permits would not result in an adverse effect on energy development, production or distribution.

**Authority:** The authority for this proposed decision is contained in Title 43 of the Code of Federal Regulations, which states in pertinent parts:

4100.0-8 “The authorized officer shall manage livestock grazing on public lands under the principles of multiple use and sustained yield and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b).”

4110.3 “The authorized officer shall periodically review the permitted use specified in grazing permits or leases and shall make changes in the permitted use as needed to manage, maintain or improve rangeland productivity, to assist in restoring ecosystems to properly functioning condition, to conform with land use plans or activity plans or to comply with provisions of subpart 4180 of this part.”

4130.2(a) “Grazing permits or leases shall be issued to qualified applicants to authorize use on public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans. Permits or leases shall specify the types and levels of use authorized, including livestock grazing, suspended use, and conservation use. These grazing permits or leases shall also specify terms and conditions pursuant to 4130.3, 4130.3-1, and 4130.3-2.”

4130.2(b) “The authorized officer shall consult, cooperate and coordinate with affected permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits and leases.”

4130.3 “Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve the management and resource condition objectives for public lands and other lands administered by the Bureau of Land Management, and to ensure conformance with the provisions of subpart 4180 of this part.”

4130.3-1(a) “The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. The authorized livestock grazing use shall not exceed the livestock carrying capacity of the allotment.”

4130.3-2 “The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands...”

4130.2(f) “The authorized officer will not offer, grant or renew grazing permits or leases when the applicants, including permittees/lessees seeking renewal, refuse to accept the proposed terms and conditions of a permit or lease.”

4160.1(a) “Proposed decisions shall be served on any affected applicant, permittee, or lessee, and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modification relating to applications, permits and agreements (including range improvement permits) or leases, by certified mail or personal delivery. Copies of proposed decisions shall also be sent to the interest publics.”

4160.2 “Any applicant, permittee, lessee or other affected interests may protest the proposed decision under Sec. 4160.1 of this title in person or in writing to the authorized officer within 15 days after receipt of such decision.”

4180.2(c) The authorized officer shall take appropriate action as soon as practicable but not later than the start of next grazing year upon a determination that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve standards and conform with the guidelines that are made effective under this section...”

### **Protests:**

Any applicant, permittee, lessee or other affected interests may protest the proposed decision under 43 CFR 4160.1 in person or in writing to the authorized officer, Dennis Curtis, at 345 East Riverside Dr., St. George, Utah 84790, within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal and petition for stay of the decision pending final determination on appeal under 43 CFR 4160.4, 4.21 and 4.470. The appeal and petition for stay must be filed in the office of the authorized officer, as noted above, within 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error.

Should you wish to file a motion for stay, the appellant shall show sufficient justification based on the following standards:

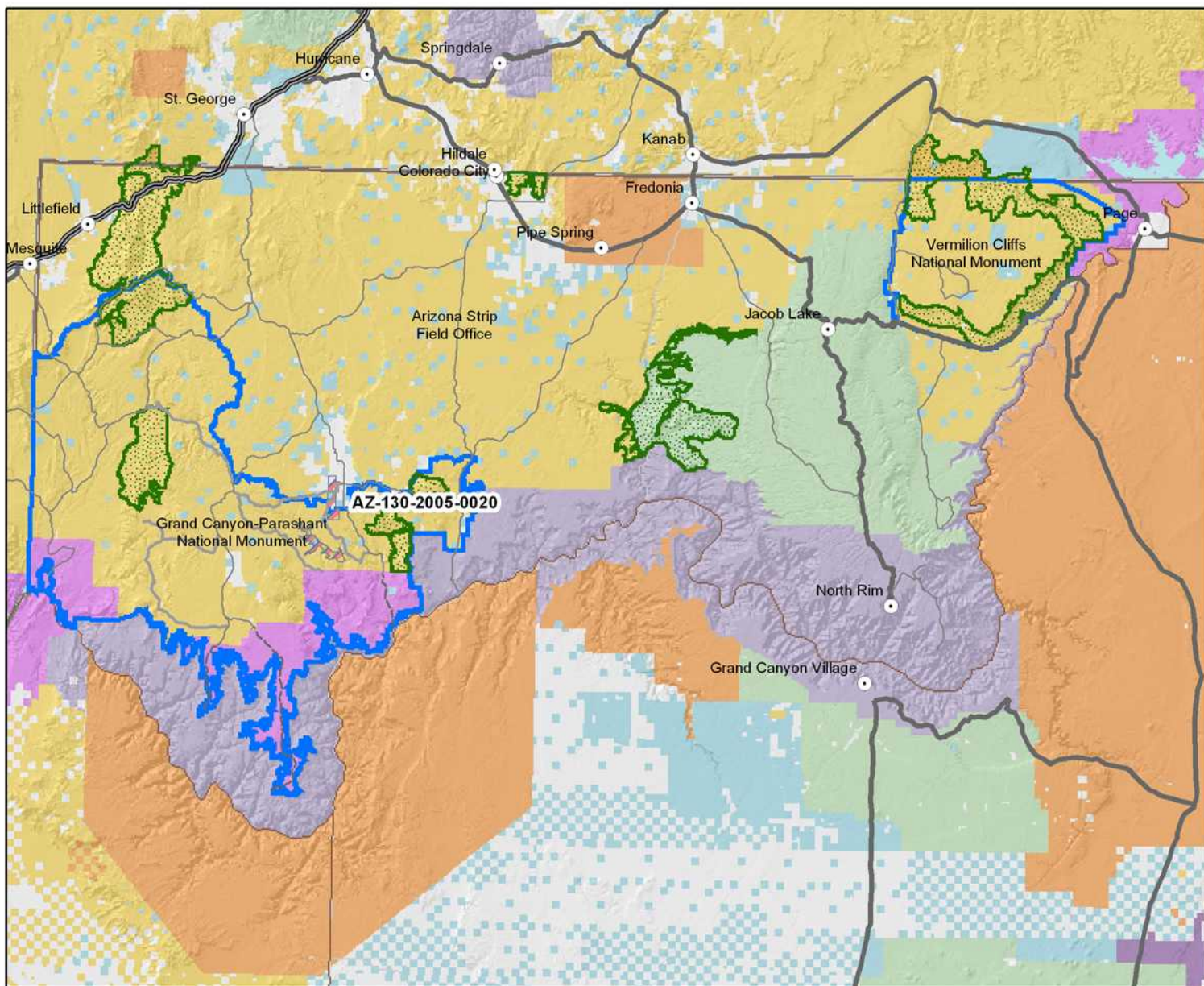
- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors the stay.

As noted above the petition for stay must be filed in the office of the authorized officer.













Sincerely,

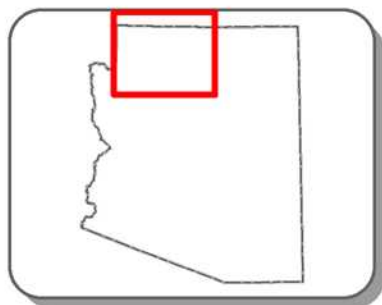
/s/ Dennis Curtis

Dennis Curtis, Manager  
Grand Canyon-Parashant National Monument

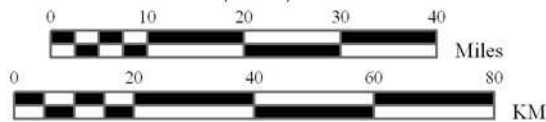


**Legend**

- |   |   |  |  |
|---|---|--|--|
|  Area of NEPA Project  |  Bureau of Land Management |  National Park Service    |  National Forest            |
|  Designated Wilderness |  State Lands               |  National Recreation Area |  National Forest Wilderness |
|  Monuments             |  Private Lands             |  Indian Lands             |  Military Reservation       |



1:1,260,000



**CAUTION:**  
Land ownership data is derived from less accurate data than the 1:24000 scale base map. Therefore, land ownership may not be shown for parcels smaller than 40 acres, and land ownership lines may have plotting errors due to source data.

No warranty is made by the Bureau of Land Management for the use of the data for purposes not intended by the BLM.



United States Department of the Interior  
Bureau of Land Management  
Arizona Strip District Office

Map created on Feb 15, 2005