

**DECISION RECORD  
EA. AZ-024-95-060**

**I. DECISION**

It is our decision to approve the implementation of the Coordinated Resource Management Plan for the Horseshoe and Copper Creek Allotments including a management strategy and the placement of range and wildlife improvements.

**II. RATIONALE**

1. The proposed action does not conflict with visual, cultural, botanical, wildlife, recreational, mineral or range resource values in the area.
2. The proposed action is consistent with Bureau and Forest policies and management goals in the area.

**III. MITIGATING MEASURES**

Fence would be constructed south of Bishop Creek, so that Comstak Pasture will not include this section of riparian.

Improvements called for will be planned to avoid conflicts with cultural sites and special status species. If conflicts cannot be avoided, further environmental analysis, public involvement, and mitigation will be completed prior to any ground-disturbing activities.

All improvements would conform to BLM/FS and Arizona Game and Fish Department wildlife standards for mule deer and pronghorn.

Best Management Practices will be used to avoid adverse impacts by grazing cattle to watershed and water quality. For livestock grazing, these practices include: controlling livestock numbers and season of use; and controlling livestock distribution by fence construction, a pasture system of management, development of waters, herding to shift livestock locations, use of salt and supplemental feed as tools to gain proper distribution of livestock, and prescribed burning.

Prescribed burning on the Copper Creek Allotment should be completed outside of peak activity periods for desert tortoise (April, May, late July, August and September) (Cordery, et al. 1993). Acquire necessary air pollution permits and conduct prescribed burning in compliance with air regulatory agency statutes and guidelines. Control prescribed burning activities to minimize visibility reduction and adverse smoke effects on Class I Air Sheds, public facilities, private lands, and other smoke-sensitive areas.

Individual projects within this EA will comply with Section 106 of the National Historic Preservation Act.

**IV. PUBLIC INVOLVEMENT AND SCOPING**

This project was initiated by a letter from the permittee/lessee to the BLM on February 27, 1993. A project feasibility report, IRM-phase 4 was completed on October 8, 1993 by the Forest Service and the BLM. A public meeting was held on April 8, 1994 to solicit information regarding the Coordinated

Resource Management Plan. Nineteen members of the public and agencies attended the meeting. Information gathered at this meeting was used along with existing agency guidelines and plans to develop this proposed plan. On April 20, 1996 a public meeting was held at Copper Creek Administrative Site on the Tonto National Forest, on the Copper Creek Allotment, to inform interested publics of the proposed action and discuss the Environmental Assessment and Coordinated Resource Management Plan. Comments were accepted during the meeting, and in writing until May 3, 1996.

## **V. ALTERNATIVES CONSIDERED**

The alternatives considered in detail are Proposed Action, a No Change in Current Management Alternative, and a No Grazing/No Action Alternative.

**ALTERNATIVE A: PROPOSED ACTION:** Under this alternative, the BLM and Forest Service Allotments would be combined into one grazing management unit. Action would be taken to improve upland and riparian vegetation, re-engineer or improve roads, recover native fish species, remove fence impediments to pronghorn movements, construct additional waters for livestock and wildlife, and provide site steward and interpretive information on cultural resources in the area.

**ALTERNATIVE B: NO CHANGE IN CURRENT MANAGEMENT:** Under this alternative, the BLM and Forest allotments would continue to be grazed separately, under separate management plans. No actions would be taken to re-engineer or improve roads, construct additional waters for livestock, or provide interpretive information on the cultural resources of the area.

**ALTERNATIVE C: NO GRAZING:** Under this alternative, grazing would be phased out on both BLM and Forest Service allotments.

## **VI. IMPLEMENTATION DATE**

Implementation may begin 5 business days from the end of the appeal filing period established in the notice of decision in the Foothills Sentinel. If an appeal is filed, implementation will not begin sooner than 15 calendar days following a final decision on the appeal.

Since this decision affects both Forest Service and BLM lands, appeals may be through either or both agencies. Appeal procedures for each agency are described below:

### **Forest Service:**

This decision is subject to appeal in accordance with 36 CFR 215.7. A notice of appeal must be in writing and clearly state that it is a Notice of Appeal being filed pursuant to 36 CFR 215. Appeals must be filed with Regional Forester, Southwestern Region, 517 Gold Ave. SW, Albuquerque, NM 87102-0084 within 45 days of the date of legal notice of this decision in the Foothills Sentinel.

### **BLM:**

Any applicant, permittee, lessee, or other affected interest may protest the proposed decision under Section 43 CFR 4160.1, in person or in writing to Mike Taylor, Field Manager, Phoenix Field Office, 2015 W Deer Valley Road, Phoenix Az. 85027, within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the decision is in error.

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.

The appeal and petition for stay must be filed in the office of the authorized officer, as noted above, within 30 days following publication of the final decision.

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 appellants 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 granting the stay.

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

In the absence of a protest, the proposed decision will become the final decision of the authorized officers.

**INFORMATION CONTACT PERSON** - For additional information concerning this decision or the Forest Service or BLM appeal processes, contact Mike Taylor, Field Manager, Phoenix Field Office, Bureau of Land Management 2015 W. Deer Valley Rd., Phoenix, Az. 85027, (602) 780-8090, or Delvin R. Lopez, Cave Creek District Ranger, P.O. Box 5068, Carefree, Az. 85377, (602) 488-3441.

## VII. FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.

## VIII. SIGNATURES

  
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Field Manager  
Phoenix Field Office  
Bureau of Land Management

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
District Ranger  
Cave Creek Ranger District  
Tonto National Forest

  
\_\_\_\_\_  
Date