



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Lake Havasu Field Office  
1785 Kiowa Avenue  
Lake Havasu City, Arizona 86403-2847  
Phone: (928) 505-1200

In Reply Refer To:  
4120 (AZC0300)

AUG 24 2022



Certified Mailed – Return Receipt Requested No. 7021 0350 0001 5797 6740

Tom and Sharon Marriott  
RT. 2 Box 32  
Cibola AZ 85328

**PROPOSED DECISION**  
Bishop Allotment (#05009)

Dear Mr. and Mrs. Marriott:

On July 12, 2022, the Lake Havasu Field Office (LHFO) sent a notification of completion letter regarding the grazing permit renewal Environmental Assessment (EA) DOI-BLM-AZ-C030-2021-0041-EA. The letter gave notice for public opportunity to review and submit comments on the EA document. The review period for the grazing permit renewal EA ended July 26, 2022. Comments were received and considered in the Final EA and the Finding of No Significant Impact (FONSI) documents. Available at the following weblink: <https://go.usa.gov/xuT9s>

**PROPOSED DECISION:**

It is my Proposed Decision to approve the Reduced Grazing Alternative 1 as described in the EA document for the Bishop Allotment, grazing permit authorization No. 0205300, with a term of 10-years upon acceptance of the permit as described below:

From:

Allotment	Number	Livestock Number and Kind		Period of Use	% Public Land	Use Type	AUM*
Bishop	AZ05009	50	Cattle	03/01-02/28	98	Active	588

\*AUM = Animal Unit Month

Standard terms and conditions are found on Grazing Permit/Lease Form 4130-2a.

To:

Allotment	Number	Livestock Number and Kind		Period of Use	% Public Land	Use Type	AUM*
Bishop	AZ05009	0	Cattle	03/01-02/28	98	Ephemeral	0
*AUM = Animal Unit Month							

**Other terms and Conditions:**

Standard terms and conditions are found on Grazing Permit/Lease Form 4130-2a. In addition to the mandatory terms and conditions above, the following terms and conditions would also apply to the Bishop Allotment grazing permit as described below:

1. When forage conditions warrant, livestock grazing may be authorized upon application to utilize an ephemeral forage crop pursuant to federal grazing regulations, special management requirements, and other guidance including:
  - a. No more than 50 percent of available ephemeral forage may be grazed.
  - b. Ephemeral grazing may only be authorized when seeds are present on ephemeral forage species.
2. During years when grazing is authorized, the permittee/lessee must properly complete, sign and date an Actual Grazing Use Report Form (BLM Form 4130-5). The completed form(s) must be submitted to the BLM, YFO within 15 days from the last day of authorized grazing use (43 CFR 4130.3-2(d)).

**RATIONALE:**

Based on the data compiled and analyzed in the Land Health Assessment and Evaluation Report, the Bishop Allotment is failing to achieve Standard 3 of the Arizona Standards for Rangeland Health. Perennial grass composition, vegetation cover, and desirable palatable species objectives are not achieved on one or more sites. However, Standard 1 is achieved indicating soil conditions and processes on upland sites are stable including hydrological process as it interacts with other resources. Perennial livestock grazing, as previously authorized, is not expected to assist in making progress towards achieving standard 3. Ephemeral grazing is not expected to contribute to the non-achievement of Standard 3 or cause significant impacts to other resources. The authorized officer maintains the discretion to deny ephemeral applications. Adjustment of the terms and conditions and management practices are necessary in order to place protection measures on annual forage crops to meet and/or make significant progress towards meeting Standards for Rangeland Health and Guidelines for Grazing Administration and other Land Use Plan multiple use objectives.

The requirement of an Actual Grazing Use Report Form is needed to obtain consistent grazing year end information when livestock was authorized. The information is used to document the actual amount of livestock grazing use on public lands and to help evaluate the effectiveness of management actions in meeting resource management objectives.

**AUTHORITY:**

In addition to the Federal Land Policy and Management Act of 1976 and the Taylor Grazing Act of 1934, The authority for this decision is contained at Title 43 of the Code of Federal Regulations, as amended, effective July 11, 2006, which states pertinent subparts and sections:



- § 4100.0-8
- § 4110.2-4
- § 4110.3
- § 4110.4(a)
- § 4120.3-1(a)
- § 4120.3-2(b)
- § 4130.2(b)
- § 4130.3
- § 4110.3-2(b)
- § 4110.3-3(a)
- § 4130.3
- § 4130.3-1(a)
- § 4130.3-1(c)
- § 4130.3-2
- § 4130.3-3
- § 4160.2
- § 4180.2(c)

**RIGHT OF PROTEST AND/OR APPEAL**

Any applicant, permittee, lessee, or other affected interest may protest this proposed decision under 43 CFR §§ 4160.1 and 4160.2 within 15 calendar days after the first recorded delivery attempt of this proposed decision. Protests may be either in person or in writing to Bureau of Land Management, Lake Havasu Field Office ATTN: William Mack Jr., District Manager, 1785 Kiowa Ave, Lake Havasu City, AZ 86403.

The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error. In absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice in accordance with 43 CFR § 4160.3, unless otherwise provided in the proposed decision.

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 final decision pending final determination on appeal under 43 CFR §4160.4, §4.21 and must follow the requirements set forth in §§ 4.470 through 4.480 of this title. The appeal and petition for stay must be filed in the office of the authorized officer, as noted above, within 30 calendar days following receipt of the final decision, or 30 calendar days after the proposed decision becomes final.

The appeal shall comply with the provisions of 43 CFR 4.470 and state the reasons, clearly and concisely, why the appellant thinks the final decision is in error. When filing a petition for stay, the appellant must 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.

If you have any questions about this decision, contact Eric Duarte by telephone at (928) 412-5650, by email at [eduarte@blm.gov](mailto:eduarte@blm.gov), or at the Lake Havasu Field Office 1785 Kiowa Ave. Lake Havasu AZ, 86403.

Sincerely,

William Mack  
 District Field Manager  
 Colorado River District

Enclosures: Mailing Copies