
File Code: 1570; 1950
Date: January 6, 2023

Mr. Jeffrey D. Burgess
7650S. McClintock Drive
#103-248
Tempe, AZ 85284

Dear Jeffrey D. Burgess:

This letter is in response to your objection, #22-03-12-003-O218, to the Hicks-Pikes Peak Grazing Authorization Environmental Assessment (EA) and Draft Decision Notice (Draft DN) on the Globe Ranger District, Tonto National Forest. I have read your objection and reviewed the project record and EA, including the disclosed environmental effects. My review was conducted in accordance with 36 CFR § 218, Subparts A and B.

District Ranger Adam Bromley, as the Responsible Official, released the EA, Draft DN, and Finding of No Significant Impact (FONSI), on September 7, 2022, with publication of the legal notice of the pre-decisional objection filing period.

As Reviewing Officer, I must provide a written response to each objection filed; however, this written response need not be point-by-point. I have reviewed the project record and considered the issues presented in your objection letter. Based on my review, I find that the analysis presented in the EA and supporting documentation does not clearly disclose existing conditions, potential site-specific actions, or effects of the actions for each alternative.

By copy of this letter, I am instructing the Responsible Official to withdraw the Final EA and draft DN and proceed with clarifying the proposed action as well as developing additional analyses and documentation to address the findings of my review. While much of the existing information and technical data prepared in association with the withdrawn EA may be utilized to the extent possible, I anticipate the development of a new EA will be needed. The forest may also need to reinstate consultation under the Endangered Species Act and complete other tasks to comply with applicable laws and regulations.

The new EA must better define the proposed action and alternatives, clearly describe the existing conditions, clearly disclose the potential site-specific resource effects of the actions for each alternative and, describe the actions that may be taken under an adaptive management strategy as well as the resource conditions that would trigger those actions.

As a result of this withdrawal, I must set aside and not review your objection in accordance with 36 C.F.R. § 218.10(a)(9). This letter serves as notice that your objection is set aside from review, as required by 36 C.F.R. § 218.10(b).



My review constitutes the final administrative determination of the Department of Agriculture; no further review from any other Forest Service or USDA official of my written response to your objection is available [36 CFR § 218.11(b)(2)].

I encourage District Ranger Bromley, with support from resource specialists from the Tonto National Forest, to engage with you to understand the issues more fully you brought forward in your objection in preparation for the development of the new Environmental Analysis as described above.

If you have any questions or need additional information, please contact Lee Ann Atkinson, Assistant Regional Administrative Review Coordinator, by email to leeann.atkinson@usda.gov. Thank you for your interest and involvement.

Sincerely,

Thomas A.
Torres

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Thomas A. Torres
Date: 2023.01.06
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TOM TORRES
Deputy Forest Supervisor

cc: adam.bromley@usda.gov; roxanne.turley@usda.gov; marianne.thomas@usda.gov