

# Proposed Temporary Fence for the Horseshoe Grazing Allotment

Decision Memorandum

DOI-BLM-AZ-P030-2017-0002-CX

September 2017



## Introduction

The Brooklyn Wildfire consumed approximately 33,550 acres of available summer forage between July 7<sup>th</sup> and July 13<sup>th</sup>, 2017 resulting in the loss of 31,503 acres (52%) of the jointly managed upland summer grazing pasture on the Horseshoe and Copper Creek allotments administered by the Agua Fria National Monument (AFNM) and Tonto National Forest (TNF), respectively (see Table 1; Map). The Horseshoe Allotment is actively leased for 350 head of livestock annually. The rotational grazing strategy implemented by the operator uses the upland Horseshoe pastures during the summer and the riparian pastures in the winter. The riparian pastures have very strict season of use to accommodate proposed and occupied critical habitat for Gila chub (*Gila intermedia*) and yellow-billed cuckoo (*Coccyzus Americanus*) which only permits use by livestock in these pastures from November 1<sup>st</sup> to March 1<sup>st</sup> (AFNM RMP, 2010). The Horseshoe Allotment lost 15,281 acres out of 22,532 acres of available upland summer pasture during the Brooklyn Wildfire which, is approximately 68% of all available upland summer grazing forage for the entire allotment (Table 2; Map). The loss of the summer pastures placed a significant burden on the operator and could limit management action alternatives to range conditions after the wildfire. The construction of a proposed temporary fence excluding the critical riparian areas from livestock grazing in Boone Tank Pasture would temporarily adjust the Pasture's classification and season of use. The upland portions of Boone Tank Pasture would be available for temporary use providing forage for livestock while protecting critical riparian habitat from livestock grazing. Upland utilization thresholds would be consistent with the existing AFNM Biological Opinion and not exceed 40% use and the livestock operator would be coordinated with during the initiation of this project. This would allow AFNM and the lessee greater flexibility to adaptively managing summer grazing in response to range conditions after the Brooklyn Wildfire.

**Table 1: Summary Acres Affected by Agency.**

	Pasture Acres	Burned Acres	Unburned Acres	Percent Acres Burned
<b>Both Agencies</b>	60,609	31,503	29,106	52
<b>AFNM</b>	21,262	15,281	5,981	72
<b>TNF</b>	39,347	16,222	23,126	41

**Table 2: Summary of Horseshoe Allotment Acres Affected.**

	Total Allotment Acres	Total Allotment Burned Acres	Total Allotment Unburned Acres	Total Percent of Allotment Acres Burned
<b>All Allotment Pastures</b>	32,325	15,404	16,920	48
<b>Upland Allotment Pastures</b>	22,532	15,281	7,251	68
<b>Riparian Allotment Pastures</b>	9,793	123	9,669	1

## **Land Use Conformance**

Agua Fria National Monument Record of Decision and Approved Resource Management Plan (April 2010)

GM-5: "Limit livestock grazing in riparian areas to the winter season (November 1 to March 1)"

GM-7: "Fence construction and maintenance will follow guidance provided in BLM's Handbook on Fencing No. 1741-1."

GM-9: "Inventory and/or monitoring studies will be used to determine if adjustments to permitted use levels, terms and conditions and management practices are necessary in order to meet and/or make significant progress towards meeting the Arizona Standards for Rangeland Health and other management objectives."

GM-11: "Rest-rotation, deferred-rotation, seasonal or short-duration use, or other management systems may be implemented where needs are identified through monitoring. Monitoring will be used to assess the effectiveness of changes brought about by the new management practices."

GM-12: "Range improvements needed for proper management of the grazing program will be determined and completed, including repair and/or installation of fences, cattle guards, and water developments."

## **Authority**

Implementation of the Proposed Action is under the authority of the Federal Land Policy and Management Act of 1976.

## **Rationale**

The construction of the temporary fence action is needed to provide greater flexibility in grazing management actions for the BLM and the lessee in response to range conditions after the Brooklyn Wildfire.

## **Mitigation Measures**

The BLM would carry out monitoring during the life of the project, to ensure that utilization associated with livestock grazing does not exceed thresholds established in the AFNM Biological Opinion.

**Decision**

Based on a review of the project described in the attached Categorical Exclusion documentation and staff recommendations, I have determined that the project is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed.



Ron Tipton  
Agua Fria National Monument Manager/  
Assistant Field Manager  
Hassayampa Field Office

09/11/17  
Date

## **APPEAL PROCEDURES**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Ron Tipton  
Agua Fria National Monument Manager/  
Assistant Field Manager  
BLM, Hassayampa Field Office  
21605 North 7<sup>th</sup> Avenue  
Phoenix, Arizona 85027

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals  
Dockets Attorney  
801 N. Quincy Street, Suite 300  
Arlington, VA 22203

A copy must also be sent to the appropriate Office of the Solicitor at the same time the original documents are filed with the above office.

Office of the Field Solicitor  
Sandra Day O'Connor US Courthouse, Suite 404  
401 West Washington Street, SPC-44  
Phoenix, Arizona 85003-2151

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to 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.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals. Electronically filed appeals will therefore not be accepted.