



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Arizona Strip District
4001 E. Aviator Drive
St. George, Utah 84790

In Reply Refer To:
4160 (LLAZA05000)

Heaton Livestock Co., LLC.
P.O. Box 100773
Alton, UT 84710

April 3, 2026

Certified #7022 2410 0003 0406 5086
RETURN RECEIPT REQUESTED

NOTICE OF FINAL DECISION

June Tank Water Developments
DOI-BLM-AZ-A010-2026-0004-DNA

INTRODUCTION

A Notice of Proposed Decision (NOPD) was signed February 11, 2026, for the June Tank Water Developments. Western Watersheds Project (WWP) received notification of the NOPD on February 18, 2026. The Bureau of Land Management (BLM) received a timely protest to the NOPD from WWP on March 5, 2026.

The protest reasons are addressed below in the section titled “Response to Protest Statements of Reasons”. Addressing the protest reasons did not cause substantive changes to the Determination of NEPA Adequacy (DNA) assessment; however, additional narrative (for clarification purposes) was added to the DNA. The specific changes to the DNA are noted in the Response to Protest Statements of Reason below.

After considering the protest reasons, this Notice of Final Decision (NOFD) is the final administrative step in the environmental review process for the June Tank Water Developments. My final decision is to approve the construction and maintenance of seven water catchments and one additional water storage tank, all with troughs, throughout the allotment.

BACKGROUND

The BLM, Arizona Strip Field Office, along with Heaton Livestock Co., LLC, the rancher who holds the grazing permit, have been working cooperatively to improve grazing management, watershed conditions and rangeland health within the June Tank Allotment. The June Tank Allotment is permitted for seasonal grazing from October 16 through May 15. Livestock are rotated around this allotment during the grazing season by controlling the waters (i.e., by turning on/off and forcing cattle to other parts of the allotment). Thus, having reliable water in the allotment is important to ensuring this rotation occurs, resulting in more

uniform utilization of forage (while not exceeding the maximum utilization level of 50%). The uniformity in livestock distribution will enhance rangeland vegetation by accelerating plant succession while increasing plant diversity and vigor.

As stated above, the BLM received a timely protest for the June Tank Water Developments NOPD on March 5, 2026. The BLM has carefully considered each protest statement of reasons as to why the proposed decision was in error and has responded to each reason below.

RESPONSE TO PROTEST STATEMENTS OF REASONS

Protest Reason 01: The DNA is tiered to analyses in the Environmental Assessment For The Proposed Arizona Strip Field Office Water Development Projects On The Arizona Strip, Mohave And Coconino Counties, Arizona and the Clayhole Allotments Water Development EAs. The CX concludes under Item 4 that “new information and new circumstances do not warrant substantial change to the analysis of the new proposed action”, so changes to the analysis of the project is not warranted. However, the project area is within the BNIK National Monument. It was designated in 2023, one year after the Clayhole EA was completed. This designation changed management from a multiple use managed area to one subject to the monument Proclamation, IMM, and National Conservation Lands direction. Grazing became a discretionary activity that can only occur as long as monument objects are protected from impacts. Direction in the Proclamation, IMM, and National Conservation Lands Handbooks must be included in the analysis of this project.

Response to Protest Reason 01: While this DNA is tiered to EAs that were prepared before the designation of BNIK, the analysis of the current proposed action is still valid. Item 4 in the NEPA Adequacy Criteria section of the DNA states: “*Is existing analysis valid considering any new information or circumstances relevant to the proposed action (such as, rangeland health standards assessment, recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances do not warrant substantial change to the analysis of the new proposed action?*”

The analysis of impacts in the existing EAs includes analysis of impacts to resources that would now be considered monument objects, including cultural resources, vegetation, and wildlife. Designation of BNIK did not change the resources present in the project area. For example, the vegetation communities and wildlife are still the same as before designation. In addition, until a resource management plan for the monument is developed, the lands are managed under the Interim Management for the monument and the Arizona Strip Field Office Resource Management Plan (RMP) unless there is a conflict with the Proclamation. The Proclamation specifically states that “*Nothing in this proclamation shall be deemed to prohibit grazing pursuant to existing leases or permits within the monument, or the renewal or assignment of such leases or permits...*” It further states: “*.... and water infrastructure, including wildlife water developments or water district facilities, may be expanded, and new facilities of such kind may be constructed, to the extent consistent with the proper care and management of the objects identified....*” The BLM determined that the analysis in both EAs is valid to ensure proper care and management of objects identified in the Proclamation (see response to NEPA Adequacy Criterion 4 in the DNA).

Based on this, the analysis in the existing EAs is valid because there is no conflict with the monument proclamation or conflicts with anything that was previously analyzed. Additional information regarding this has been added to the DNA.

Protest Reason 02: The BNIK Proclamation and IMM emphasize ecological restoration and protection of native vegetation and ecosystems several times. The area supports “sensitive and endangered species...[and] endemic plants”, including the Siler’s pincushion cactus and Fickeisen plains cactus. It also was established to protect the “abundant diversity of plant and animal species of scientific interest”,

“ecological Great Basin grasslands, woodlands, and desert scrublands”, “native grasses,...sagebrush and saltbush, and juniper woodlands and savannas.” Management activities must be consistent with the proper care and management of those objects.

Response to Protest Reason 02: The June Tank Water Developments proposed action was developed to protect native vegetation and ecosystems. The BLM evaluated the potential for impacts to special status plants, including Siler pincushion cactus and Fickeisen plains cactus. The interdisciplinary team determination that no threatened, endangered, or sensitive plant species or suitable habitat are known to occur within the project areas is supported by the best available data. A review of known species occurrence records, vegetation mapping, soil and geologic data, and available field surveys indicates:

- No known Siler pincushion cactus or Fickeisen plains cactus populations occur within the June Tank Allotment.
- No Potential Natural Communities (PNCs) or habitat types associated with either species occur within the project areas.
- The June Tank Allotment lacks the required substrate conditions—such as gypsum-rich soils or specific clay-derived geological contexts—used by both species, consistent with suitability assessments conducted for similar projects.

Because these species and their required ecological conditions are absent from the affected environment, the proposed action will have *no effect* on either species or their habitat. Under Endangered Species Act (ESA) requirements, “no effect” determinations do not require consultation with the U.S. Fish and Wildlife Service. Accordingly, the BLM finds that the determination of “no effect” is appropriate, supported by available data, and consistent with ESA Section 7 standards, BLM Manual 6840 policy. The agency’s ESA responsibilities are therefore satisfied.

Protest Reason 03: The IMM says that because the 2008 Arizona Strip Field Office Resource Management Plan [and the 2017 and 2022 EAs] were developed before the issuance of Proclamation 10606, “a finding that a proposed project conforms to the resource management plan does not necessarily ensure that the proposal is consistent with the protection of objects for which the monument has been designated. BLM-AZ should ensure that the decision document and associated record provide adequate documentation of both the conformity to the resource management plan and compliance with Proclamation 10606.” BLM-AZ should ensure that the NEPA analysis for the decision adequately addresses potential impacts to monument objects and document the basis for its determinations and, if not, undertake additional environmental analysis as necessary. BLM-AZ’s determination...should be explained in the decision document for the proposed action. The CX does not mention the Proclamation and IMM except to say that the proposed action does not conflict with them. This assessment requires further analysis.

Response to Protest Reason 03: The BLM determined that the proposed action is consistent with Proclamation 10606 and the Interim Management for BNIK. See response to Protest Reason 01.

Protest Reason 04: Secretarial Order 3308, “Management of the National Landscape Conservation System” (Nov. 15, 2010), directs that “[s]cience shall be integrated into management decisions concerning NLCS components in order to enhance land and resource stewardship.” Id. Actions that occur in units of the NLCS “will be managed in a manner consistent with the protection of those values.”

Response to Protest Reason 04: The BLM is managing BNIK in a manner consistent with the protection of monument objects, integrating science into its management decisions. For example, as described in the

response to Protest Reason 02, in evaluating the potential for impacts to special status plants, including Siler pincushion cactus and Fickeisen plains cactus, the interdisciplinary team conducted a review of known species occurrence records, vegetation mapping, soil and geologic data, and available field surveys to determine that no threatened, endangered, or sensitive plant species or suitable habitat occurs within the project areas. In addition, the BLM regularly monitors vegetation condition and long-term trend across the entire Arizona Strip, including within the June Tank Allotment. Monitoring sites (key areas) are read for composition, pace-frequency, trend and dry weight rank. From this information/data, the BLM determines whether an allotment is meeting the applicable standards for rangeland health.

The land health evaluation for the June Tank Allotment was completed in 2004; the interdisciplinary assessment team recommended that the allotment was making progress toward meeting standards. The reason the allotment was not meeting standards was not due to livestock grazing, but instead was due to increased density of sagebrush and associated soil erosion. The east half of this allotment is dominated with *Artemisia tridentata wyomingensis* (Wyoming big sagebrush), and seven of the ten key areas were exceeding the desired shrub objective. A recommendation from the land health evaluation was to continue implementing a brush management program to reduce the amount of Wyoming big sagebrush, which would help restore the natural plant community balance, and restore the desired vegetative cover to protect soils, control erosion, reduce sediment and improve water quality.

While this determination was made based upon monitoring data collected in 1993-2002, it is important to note that the BLM has performed a variety of monitoring since that time. Long-term (trend) monitoring and composition data collection (which is performed on average every five years) was conducted most recently in 2024, as shown below.

- Nates Pasture #5: 2008, 2013, 2018, 2024
- Twins Tank #6: 2006, 2011, 2016, 2024
- Robinson Pasture #9: 2006, 2011, 2016, 2024
- Merles #4 :2008, 2013, 2018, 2024
- Preserve #1: 2006, 2011, 2016, 2024
- Sage Brush Exclosure: 2006, 2013, 2018, 2024
- Findlay #8: 2006, 2011, 2016, 2024
- Indian #7: 2006, 2011, 2016, 2024
- South June Tank #3: 2008, 2013, 2018, 2024

This monitoring reconfirmed the 2004 land health evaluation determination that the allotment was making progress toward meeting standards. As in the 2004 determination, the reason for “making progress” versus “meeting” standards was due to the high composition of sagebrush.

The BLM has also collected substantial utilization data at these key areas, as shown below:

- Nates Pasture #5: 2005, 2007, 2008, 2009, 2010, 2012, 2013, 2014, 2015, 2018, 2020, 2021, 2022
- Twins Tank #6: 2005, 2007, 2008, 2009, 2010, 2011, 2012, 2014, 2015, 2016, 2018, 2020, 2021, 2022
- Robinson Pasture #9: 2005, 2007, 2008, 2009, 2010, 2011, 2013, 2014, 2015, 2019, 2020, 2021, 2022
- Merles #4: 2005, 2007, 2008, 2009, 2010, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2020, 2021, 2022
- Preserve #1: 2006, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022
- Sage Brush Exclosure: Utilization not read at this exclosure because no livestock use occurs.
- Findlay #8: 2007, 2008, 2009, 2010, 2011, 2013, 2014, 2015, 2016, 2019, 2020, 2021, 2022
- Indian #7: 2005, 2007, 2008, 2009, 2010, 2013, 2014, 2015, 2019, 2020, 2021, 2022

- South June Tank #3: 2008, 2010, 2011, 2012, 2013, 2014, 2015, 2018, 2019, 2020, 2021, 2022

The BLM will continue to monitor the allotment to ensure that it continues to progress toward meeting the Arizona Standards for Rangeland Health, including maintaining or improving the ecological condition of the plant communities. Additional information regarding land health on this allotment has been added to the DNA.

Protest Reason 05: BLM Manual 6100 directs that science and the scientific process will inform and guide management decisions concerning NLCS units in order to enhance the conservation, protection, and restoration of the values for which these lands were designated.

Response to Protest Reason 05: See response to Protest Reasons 01, 02 and 04.

Protest Reason 06: BLM Manual 6220 directs BLM managers to analyze whether discretionary uses are consistent with NCLS objects and values and document how activities are consistent with designating legislation in approving proposed actions. As required under the Omnibus Public Land Management Act of 2009 (OPLMA), the BLM will manage components of the NLCS to “conserve, protect, and restore nationally significant landscapes.”

Response to Protest Reason 06: See response to Protest Reasons 01, 02 and 04.

Protest Reason 07: When approving a proposed action within BNIK, the decision must document how the activity is consistent with the proclamation or designating legislation.

Response to Protest Reason 07: See response to Protest Reason 01.

Protest Reason 08: The DNA only analyzes the effects in the immediate project area where infrastructure would be installed. It failed to take a hard look at the impacts of redistributing livestock to areas that have previously had less use. The analysis of impacts in the 2017 and the 2022 EAs cited in the CX both claim that dispersing livestock use over wider area improves range condition. However, these new waters will shift grazing impacts to new areas and may damage Monument objects, including vegetation and rare plant species. Increased grazing, new infrastructure, and ground disturbance may also increase bare ground, reduce biological soil crust, and introduce more non-native species (e.g., cheatgrass) to the area.

Response to Protest Reason 08: The proposed water developments are within a grazing allotment that is available for livestock use within the Arizona Strip Field Office RMP, and that has a current, valid grazing permit. As such, utilization of up to 50% of current year’s growth can occur on all parts of the allotment. Note that this 50% utilization is averaged across an entire use area (generally on a pasture basis). Thus, while it is true that certain areas will have increased utilization due to more even distribution of livestock, overall utilization will not exceed the prescribed utilization limit of 50%. The BLM will continue to monitor the allotment to ensure that it continues to progress toward meeting the Arizona Standards for Rangeland Health, including maintaining or improving the ecological condition of the plant communities.

It is important to note that there are no “new areas” of the allotment that will be grazed – cattle already graze the areas where improved livestock distribution is sought. The purpose for the proposed water developments is not to open up new areas to livestock use or to increase permitted numbers of livestock, but rather to distribute cattle more evenly across the allotment for more uniform utilization. The projects will help the BLM and permittee achieve the need which is to more uniformly distribute livestock and therefore achieve more uniform utilization of forage. Having reliable water helps ensure that pasture rotations occur as planned, providing more reliable deferment and rest for pastures (as outlined in the

allotment management plan) and thus periodic rest for vegetation, which will also ensure that range condition on the allotment is maintained or improved.

Protest Reason 09: The assumption that dispersing use improves land health has no empirical support. In fact, most peer-reviewed, published research regarding cattle impacts around water sources indicates that water attracts and concentrates livestock and wildlife and creates impacts that radiate out from water sources for up to 1-2 miles or more, removing vegetation and biological soil crusts, increasing bare ground, soil, and water erosion, and facilitating expansion of exotic invasive weeds.^{4,5,6,7,8} For example, Holechek et al. (2004) noted the effects of water developments on forage production and native bunchgrasses, including that nearly 100% of forage is used immediately adjacent to water developments. The authors cite studies from New Mexico, which found that under moderate grazing intensities, forage production was most severely reduced in the zone 0.5 mile from water. Research on the Grand Staircase-Escalante National Monument also shows long-term damage resulting from livestock trailing associated with water sources

The contention that better livestock distribution within the allotment will enhance vegetation implies that current livestock distribution is uneven, with some areas undergoing heavier impacts than others. Again, now that the allotment is within the BNIK national monument, livestock grazing is a discretionary activity that must be consistent with protection of monument objects. If livestock are impacting vegetation to the point that they are inflicting damage, shifting those impacts to additional areas is not appropriate.

Response to Protest Reason 09: The BLM does not disagree that there would be more impact close to water than far away; however, the scope of these impacts will be limited because the new troughs will be located along existing roads, and one of the troughs will be located at a livestock reservoir site, where disturbance to vegetation has already occurred. The BLM does assess overall utilization by considering utilization patterns across an entire use area (in this case, individual pastures). In accordance with direction found in BLM Technical Reference 4400-3, unused or lightly used areas suitable for grazing and areas of animal concentration help identify range improvements needed to change grazing use distribution, which is the case for this allotment – the 2004 land health evaluation for the June Tank Allotment recommended to “Continue with existing watershed, brush management and vegetation projects and new proposals such as constructing water catchments, new reservoirs, and roads.” This recommendation is still valid. The grazing management system identified in the allotment management plan will continue to be followed, and with more reliable waters within each affected pasture, more uniform distribution and utilization will occur across the pasture, thus reducing long-term effects close to each water.

See also response to Protest Reasons 01, 02 and 04.

Protest Reason 10: We recommend that livestock stocking rates or season of use be adjusted to allow recovery of monument objects around areas of current impact. Avoid introducing additional impacts to monument objects in the areas around new water sources.

Response to Protest Reason 10: The issues brought up in this protest reason regarding adjustments in stocking rates or season of use are not pertinent to the current proposed action, but would be addressed during the permit renewal process. The grazing permit is the instrument that authorizes a particular use (including amount of grazing preference) of an allotment. The issue of considering reduced livestock numbers would be addressed during the permit renewal process, when a variety of information (including land health) is considered and evaluated. It should be noted that there must be valid data to suggest that reducing livestock use is warranted. Current monitoring data does not suggest that adjusting stocking rates or season of use is necessary (see response to Protest Reason 04). The BLM will continue to monitor the allotment to ensure that desired resource conditions are met, and that the allotment meets (or makes progress toward meeting) the Arizona Standards for Rangeland Health, including maintaining or improving the

ecological condition of the plant communities. See also response to Protest Reasons 04, 08 and 09.

Protest Reason 11: The Interdisciplinary Team Checklist in the CX says that there are no sensitive plant species or suitable habitat known to occur within the proposed project areas. Again, the areas of analysis is the narrow zone of direct impact from pipeline and trough construction, which is inappropriately small. There are known populations and suitable habitat for the listed Endangered Fickeisen plains cactus and the listed Threatened Siler pincushion cactus that could be within the zone of livestock impacts radiating out from the new water sources. The CX says that the USFWS is being consulted.

Response to Protest Reason 11: See response to Protest Reason 02.

Protest Reason 12: We request that surveys be conducted for the two cacti species, and other rare plants, within range of project impacts, which can extend up to two miles around the new water developments. We also request that the results of the USFWS consultation be posted to the project's ePlanning website.

Response to Protest Reason 12: The request that the analysis area for special status plants should “extend up to two miles around the new water developments” assumes presence of sensitive species and suitable habitat where none exists. NEPA and ESA require analysis of the area where effects may reasonably occur, and where species or habitat are known or expected to be present. In this case, neither condition is met, so expanding the analysis area would not alter the conclusion that no special status plant species are present or would be affected by the proposed action. See also response to Protest Reason 02.

Protest Reason 13: Without a robust monitoring plan, it is difficult to assess change in condition of resources over time as the result of management actions. Objective, empirical evidence is needed beyond utilization and trend data. Having a baseline reference is invaluable. The monument needs objective empirical data showing or refuting the BLM's main assumption that dispersing livestock use improves land health throughout the allotment.

Response to Protest Reason 13: See response to Protest Reason 04.

Protest Reason 14: We request that the BLM install permanent exclosures in representative habitat types in the allotment at varying distances from water sources to assess land health around old water sources to assess recovery, and around new water sources to assess additional impacts.

Response to Protest Reason 14: There are ten long-term key areas that are well established within the June Tank Allotment; nine of those key areas are within the pastures where the proposed water developments would be constructed. These key areas are regularly monitored, as outlined in the response to Protest Reason 04. There is no need to establish more monitoring sites within the allotment.

FINDING OF NO SIGNIFICANT IMPACT

After consideration of the environmental effects described in the existing EAs to which the DNA is evaluating, and supporting documentation, I have determined that the action is not a major Federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the area. Using the criteria in the National Environmental Policy Act (NEPA), the BLM has determined the action will not have significant adverse effects on the human environment. Therefore, the preparation of an Environmental Impact Statement is not required as per Section 106 of NEPA.

FINAL DECISION

This final decision has been made after considering impacts to resources, such as vegetation, wildlife, cultural resources, and soils, while also meeting the purpose and need for agency action as described below

and in the DNA. Water distribution in this allotment is limited because the existing reservoirs are unreliable, lack in water storage capabilities, and leak due to the soils' inability to retain water. The water developments approved by this final decision will support responsible livestock grazing on public land while allowing the vegetation in the allotment to maintain at or better progress toward its natural potential by increasing plant diversity and vigor, and ensuring protection of monument objects. The purpose of the action is to encourage and achieve better livestock distribution within the allotment; it is not to increase permitted use or increase animal unit months.

The land health evaluation for this allotment was completed in 2004; the interdisciplinary assessment team recommended that the allotment is making progress toward meeting all applicable standards for rangeland health. The reason the allotment was not meeting standards was not due to livestock grazing but instead was due to increased density of sagebrush and associated soil erosion. The east half of this allotment is dominated with *Artemisia tridentata wyomingensis* (Wyoming big sagebrush), and seven of the ten key areas were exceeding the desired shrub objective. A recommendation from the land health evaluation was to continue implementing a brush management program to reduce the amount of Wyoming big sagebrush, which would help restore the natural plant community balance, and restore the desired vegetative cover to protect soils, control erosion, reduce sediment and improve water quality. While the 2004 land health determination was made based upon monitoring data collected in 1993-2002, it is important to note that the BLM has performed a variety of monitoring since that time. Long-term (trend) monitoring and composition data collection (which is performed on average every five years) was conducted most recently in 2024. This monitoring reconfirmed the 2004 land health evaluation determination that the allotment was making progress toward meeting standards. As in the 2004 determination, the reason for "making progress" versus "meeting" standards was due to the high composition of sagebrush.

Construction of the new water catchments and water storage tank will benefit rangeland health by providing reliable year-round water sources in this allotment which will aid in keeping livestock dispersed throughout the allotment. The June Tank Allotment is permitted for seasonal grazing from October 16 through May 15. Livestock are rotated around this allotment during the grazing season by controlling the waters (i.e., by temporarily turning a water off and forcing cattle to other parts of the allotment, followed by turning the water back on for wildlife). Thus, having reliable water in the allotment is important to ensuring this rotation occurs, resulting in more uniform utilization of forage (while not exceeding the maximum utilization level of 50%). The uniformity in livestock distribution will enhance rangeland vegetation by accelerating plant succession while increasing plant diversity and vigor.

The water development projects will also provide additional (reliable) water sources for wildlife (including pronghorn and mule deer). The Arizona Strip Interdisciplinary Mule Deer Management Plan 2015-2019, which was developed jointly by the BLM and Arizona Game and Fish Department (AGFD), states that "water distribution should be improved in [Unit 13A] by utilizing both cooperative projects and wildlife catchments". The Arizona Statewide Pronghorn Management Plan (2009) identifies several management objectives, including objectives related to water availability. The catchment locations fall within pronghorn and mule deer habitat. Thus, pronghorn, and mule deer (along with other wildlife species) will benefit from the catchments by improving water distribution and improving habitat use, which are also objectives contained within the Arizona Strip Field Office RMP. The action is in conformance with the Arizona Strip Field Office RMP, approved on January 29, 2008.¹

¹ The project area is within Baaj Nwaavjo I'tah Kukveni-Ancestral Footprints of the Grand Canyon National Monument (BNIK), designated on August 8, 2023, by Presidential Proclamation 10606. An RMP for this new monument has not yet been developed. Until a new RMP is developed, the lands are managed under the Interim Management for the monument and the Arizona Strip Field Office RMP unless there is a conflict with the Proclamation. The Proclamation specifically states that "*Nothing in this proclamation shall be deemed to prohibit grazing pursuant to existing leases or permits within the monument, or the renewal or assignment of such leases or*

Based on my review and consideration of the environmental effects described in the existing EAs to which the project DNA evaluated and the FONSI, it is my final decision to approve the construction and maintenance of the water developments as described in the proposed action, and as identified below.

- *Charlie's Catchment:* This catchment will provide reliable water to the Merles pasture within the allotment. A two-track road (approximately 0.1 miles long) will be constructed to haul materials for catchment construction and for catchment and pipeline maintenance. This will be a temporary road and will be rehabilitated/restored after construction of the catchment.
- *Thomas Jensen Catchment:* This catchment will provide reliable water to both the Water Canyon and Merles pastures.
- *Findlay Catchment:* This catchment will provide reliable water to the Big Jackson, Findlay, Indian and Twin Tanks pastures.
- *Twins Catchment:* This catchment will provide reliable water to the Nate's and Twin Tanks pastures.
- *Middle Robinson Catchment:* This catchment will provide reliable water to the Robinson Pasture.
- *Merles Robinson Catchment:* This catchment will provide reliable water to the Merles and Robinson pastures.
- *Big Jackson Storage Tank:* This tank will be used to pump water out of the Big Jackson Reservoir (located 0.25 miles to the west) and flow to a water trough adjacent to the storage tank.
- *South June Tank Catchment:* This catchment will provide reliable water to the both the South June Tank and Indian pastures. While there are four potential troughs shown on the project map included as part of the DNA, only two troughs will be installed (one trough in each pasture). Locations will not be finalized until engineering is completed.

These water developments will be designed, constructed, and maintained according to the description of the proposed action in the June Tank Water Developments DNA, including the project design features.

RATIONALE FOR DECISION

This decision has been made after considering impacts to resources, such as vegetation, wildlife, cultural resources, and soils, while also meeting the purpose and need for agency action as described in the June Tank Water Developments DNA. This decision also best addresses the goals and objectives of the Arizona Strip Field Office RMP (while ensuring the proper care and management of BNIK monument objects), the *Arizona Strip Interdisciplinary Mule Deer Management Plan 2015-2019* and the *Arizona Statewide Pronghorn Management Plan*, and all applicable statutes, regulations, and policies. The water developments approved by this decision will support responsible livestock grazing on public land and will allow the vegetation in the pastures to maintain at or better progress toward its natural potential by increasing plant diversity and vigor. Thus, ecological status of the allotment will be maintained and/or improved due to flexibility for grazing use to allow for periodic rest of each pasture. In addition, the water developments will increase the availability of water for wildlife, including being available year-long.

permits..." It further states: "... and water infrastructure, including wildlife water developments or water district facilities, may be expanded, and new facilities of such kind may be constructed, to the extent consistent with the proper care and management of the objects identified..." It should be noted that the analysis of impacts in the tiered EAs includes analysis of impacts to resources that would now be considered monument objects, including cultural resources, vegetation, and wildlife. Designation of BNIK did not change the resources present in the project area. For example, the vegetation communities and wildlife are still the same as before designation. The selected action will not conflict with the monument proclamation or with anything that was previously analyzed.

The NEPA review documented in the project DNA indicates that the action is in conformance with the Arizona Strip Field Office RMP (see previous discussion, in the footnote on page 8 of this NOFD, about BNIK). Impacts from the action are either minimal or mitigated through design features incorporated into the action. The DNA constitutes the BLM's compliance with the requirements of NEPA.

AUTHORITY

The authority for this decision is found in a number of statutory and regulatory authorities contained in the Taylor Grazing Act, as amended; the Federal Land Policy and Management Act of 1976, as amended; and throughout Title 43 of the Code of Federal Regulations (CFR), Part 4100 (Grazing Administration-exclusive of Alaska). The following sections of Part 4100 are noted below, although other subparts of Part 4100 are used to authorize grazing activities, with this list not meant to be exhaustive.

- 43 CFR §4120.3-1 – Conditions for range improvements.
- 43 CFR §4120.3-2 – Cooperative range improvement agreements.
- 43 CFR §4120.3-3 – Range improvement permits.
- 43 CFR §4120.3-4 – Standards, design, and stipulations.
- 43 CFR §4120.3-5 – Assignment of range improvements.
- 43 CFR §4160.3 – Final decisions.

RIGHT OF APPEAL

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final decision may file a notice of appeal in writing for the purpose of a hearing before an administrative law judge in accordance with 43 CFR 4160.3(c), 4160.4, and 4.470. The notice of appeal must be filed within 30 days following receipt of the final decision. The notice of appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 pending final determination on appeal. The notice of appeal and petition for a stay must be filed in the office of the authorized officer, as noted above.

The BLM cannot accept electronic filing of appeal documents by any other means, including compact disc, thumb drive, or similar media due to Federal Information Systems Security Awareness policies. As defined in 43 CFR 4.22(a), "A document is filed in the office where the filing is required only when the document is received in that office during its regular business hours and by a person authorized to receive it. A document received after the office's regular business hours is considered filed on the next business day."

Within 15 days of filing the appeal, the appellant must provide the BLM with proof of service to the other persons named in this decision (Appendix A - List of all Persons or Groups Receiving this NOPD) in accordance with 43 CFR 4.470(a). A copy of the appeal must also be served on the Office of the Solicitor located at the address below in accordance with 43 CFR 4.413(a).

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

In accordance with 43 CFR 4.413(b), failure to serve a notice of appeal will subject the appeal to summary dismissal as provided in 43 CFR 4.402. Appellants are responsible for determining whether the Office of the Solicitor or other persons named in the decision will accept service of a notice of appeal and/or petition for stay electronically via email.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise complies with the provisions of 43 CFR 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay 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 granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and served in accordance with 43 CFR 4.471.

**DARREL
MONGER**

 Digitally signed by DARREL
MONGER
Date: 2026.04.03 10:49:39 -06'00'

Darrel W. Monger
District Manager
Arizona Strip District Office

Attachment

List of all Persons or Groups Receiving this NOFD

Enclosure

Finding of No Significant Impact

ATTACHMENT

List of all Persons or Groups Receiving this NOPD

Heaton Livestock Co., LLC.
P.O. Box 100773
Alton, UT 84710

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