



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Arizona Strip Field Office
345 East Riverside Drive
St. George, Utah 84790
www.az.blm.gov

In Reply Refer To:
LLAZA01000: 4160 (0200281)

NOTICE OF FINAL DECISION
Lizard and Wolfhole Lake Allotments
Grazing Permit Renewal and Structural Range Improvements

INTRODUCTION

A Notice of Final Decision (NOFD) and Finding of No Significant Impact (FONSI) were signed July 15, 2019 for the Grazing Permit Renewal, Vegetation Treatments, and Structural Range Improvements for Lizard and Wolfhole Lake allotments. Western Watersheds Project (WWP) received notification of the NOPD on July 22, 2019. The Bureau of Land Management (BLM) received a timely protest to the NOPD from WWP on August 12, 2019 (postmarked August 6, 2019), responded to the protest comments, then issued a Notice of Final Decision (NOFD) in December 2019. WWP filed a Notice of Appeal and Petition for Stay on January 10, 2020. The BLM requested a Motion to Remand this Decision, WWP did not oppose this request, and the Court granted the request on June 25, 2020.

On September 14, 2020, the BLM issued a new NOPD for Wolfhole Lake and Lizard Grazing Allotments Permit Renewal and Structural Range Improvements. A protest of this NOPD was received from WWP on September 30, 2020. A separate NOPD for the Wolfhole Lake vegetation treatments was also issued in September 2020. The reason for issuing separate NOPDs is due to the Wolfhole Lake Allotment not meeting Arizona Rangeland Health Standard 3 (see EA Sections 2.4 and 3.2.3 for details). Briefly explained, the allotment is not meeting Standard 3 due to fire exclusion, which has allowed woody vegetation encroachment, including juniper, pinyon pine, and sagebrush; the causal factor is not livestock grazing. The land health evaluation for the allotment recommended vegetation treatments to address the woody vegetation encroachment. The BLM determined it was important to analyze all of the actions (grazing permit renewal, structural range improvements, and a vegetation treatment that is spatially relevant to the Wolfhole Lake Allotment) in one comprehensive EA, but equally important to separate the decisions for these standalone proposals. The independence of these projects is evident as either may be implemented without the approval of the other. The grazing permit and structural range improvements do not rely on vegetation treatments in order for continued livestock grazing on the allotments to occur. While the vegetation treatments would move the

area of the Wolfhole Lake Allotment to what is thought to be more of the historic composition of that area, including less dense overstory of woody vegetation with a mosaic of perennial grass and forbs dominating the understory, as previously stated, livestock grazing is not identified as the causal factor for the woody vegetation encroachment so is not tied to the renewal of the grazing permit or construction of structural range improvements. Analyzing the two proposals in one EA was simply the comprehensive approach for analysis.

The protest reasons from WWP's September 2020 protest are addressed below in the section titled "Response to Protest Statements of Reasons". Addressing the protest reasons did not cause substantive changes to the analysis contained within the environmental assessment (EA).

After considering the protest reasons, this NOFD is the final administrative step in the land health evaluation and permit renewal process for the Lizard and Wolfhole Lake allotments. This final decision is to issue a new ten-year term grazing permit with new terms and conditions for the Lizard and Wolfhole Lake allotments, as well as authorize structural range improvements in the Wolfhole Lake Allotment, as described in the "Decision" section below.

BACKGROUND

The Taylor Grazing Act of 1934 and the Federal Land Policy and Management Act of 1976 provide for livestock grazing use of the public lands that have been classified as available for grazing. Grazing use must be consistent with good range management aimed at conservation and protection of the natural and cultural resources.

An assessment of these allotments was conducted in accordance with directions set forth by the Washington Office and Arizona State Office for implementation of the Arizona Standards for Rangeland Health and Guidelines for Grazing Administration (Standard for Rangeland Health). The purpose of the Standards for Rangeland Health is to ensure the health of public rangelands. These standards help the BLM, rangeland users, and interested members of the public achieve a common understanding of acceptable resource conditions, and work together to implement that vision. Standards for Rangeland Health were developed by the BLM State Standards and Guidelines Team and the Arizona Resource Advisory Council (RAC), a state level council appointed by the Secretary of the Interior. The Secretary of the Interior approved the Standards for Rangeland Health for Arizona in April 1997, and the BLM Arizona State Director mandated full implementation of the Standards for Rangeland Health in all Arizona land use plans.

The permittee, the RAC, Interdisciplinary Assessment Team (IAT), Rangeland Resources Team (RRT), and the interested public were invited to an issue/scoping meeting on November 10, 2005 for the Lizard Allotment, and a scoping meeting on November 10, 2005 for the Wolfhole Lake Allotment. In addition, a field visit with the IAT and RRT was held on September 5, 2006 for the Wolfhole Lake Allotment. The land health evaluations for the Lizard and Wolfhole Lake allotments were completed in 2011 and 2013 respectively. Based on analysis of allotment monitoring data (including data collected since the land health evaluation was completed – see Appendix D of the EA) and supporting documentation contained in the land health evaluation report prepared for the Lizard Allotment (BLM 2011), it has been determined that the allotment is meeting the Rangeland Health Standards. Evaluations conducted in the Wolfhole Lake Allotment, including data collected since the land health evaluation was completed (see Appendix D of EA) and supporting documentation contained in the land health evaluation report prepared for the allotment (BLM 2013), concluded that this allotment is neither meeting nor making progress for Rangeland Health Standard 3 - Desired Resource Conditions. The reason for non-attainment of this Standard is due to encroachment of Wyoming big sagebrush. The primary

cause of this encroachment is fire exclusion; livestock are not identified as the causal factor for this encroachment. The interdisciplinary team recommended vegetation treatments to address increasing density of pinyon and juniper trees and sagebrush.

Public involvement for the Lizard and Wolfhole Lake allotments permit renewal process began with the scoping meetings for the land health evaluations described above, followed by the September 5, 2006 field visit for Wolfhole Lake Allotment. Additional meetings and field visits have also occurred over the years. These include office meetings with the permittee in December 2016 and January of 2017 to review the proposal for vegetation treatments and range improvements, as well as field visits to the allotment with the permittee and other agencies (including Arizona Game and Fish Department (AGFD) and the Natural Resources Conservation Service (NRCS)) on May 11, 2017 to discuss specific vegetation treatments and locations.

The EA prepared for the final grazing permit renewal and structural range improvements (DOI-BLM-AZ-A010-2018-0032-EA) analyzes the potential effects of these actions in accordance with the National Environmental Policy Act (NEPA) and other relevant federal and state laws and regulations.

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 LWP-Intro 01:** WWP submitted comments on the Land Health Evaluation (LHE) for the Wolfhole Lake Allotment on April 10, 2013, and asked that those comments be included as scoping comments for the National Environmental Policy Act (NEPA) analysis before reissuing any grazing permit on the Wolfhole Lake Allotment. We incorporated those into our December 2018 comments as Appendix A. WWP submitted comments in response to the Lizard Allotment Range Health Evaluation (RHE) in 2012, also incorporated in our December 2018 comments as Appendix B. BLM has issued a proposed decision for this project that did not adequately respond to WWP's concerns, expressed over the past six years, as detailed below. Therefore, WWP protests this proposed decision.*

Response to LWP-Intro 01: The BLM thanks WWP for their interest in the land health evaluation process for the subject allotments. The BLM responded to WWP comments concerning the recent EA, as well as responded to land health evaluation comments dating back to 2012 and 2013 (please see EA Appendix G). The BLM incorporated WWP comments and concerns into the EA. This included the analysis of two alternatives that would reduce or eliminate livestock grazing on the two subject allotments: Alternative C – Reduced Grazing; and Alternative D - No Grazing (see EA 2.5, 2.6, and Chapter 4). WWP's input contributed to development of project design features to reduce adverse impacts to various resources. Some of the specific design features to address WWP's concerns include: reducing impacts to soils by restricting operation on saturated soils; reducing invasive vegetation in the project area by implementing a variety of measures; and avoiding areas with high biological crust coverage (see EA Section 2.4.1.4).

***Protest Reason LWP-Intro 02:** BLM has issued a second proposed decision for this project that removes the vegetation treatment aspect from this decision, while on the same date, September 14, 2020, issuing what appears to be a final decision for that vegetation treatment project. The BLM notes that "[n]o changes have been made to the EA since it was issued with the December 2019 NOFD and is still considered a valid analysis for this current NOPD." September 2020 EA for the grazing permit renewal, page 2.*

This second Proposed Decision still does not adequately respond to WWP's concerns, expressed over the past seven years, as detailed below. This second decision also does not incorporate any changes responsive to Judge Sweitzer's concerns identified in the February 21, 2020, Order granting WWP's Petition to Stay wherein Judge Sweitzer found the balance of harms likely from the proposed project weighed in favor of a stay. See Exhibit A, Judge Sweitzer's February 21, 2020 Order.

Response to LWP-Intro 02: BLM Manual Handbook, H-1790-1, Sec. 6.5.2.1 states: “Connected actions are those actions that are “closely related” and “should be discussed” in the same NEPA document”. The BLM has completed the analysis of the livestock grazing permit renewal, structural range improvements, and vegetation treatments in one EA. As previously described, the BLM determined it was important to analyze all of the actions (grazing permit renewal, structural range improvements, and a vegetation treatment that is spatially relevant to the Wolfhole Lake Allotment) in one comprehensive EA so that all potential impacts (including cumulative impacts) would be addressed together. BLM Manual Handbook, H-1790-1, Sec. 6.5.2.2 states: “Cumulative actions are proposed actions which potentially have a cumulatively significant impact together with other proposed actions and ‘should be discussed’ in the same NEPA document.”. The BLM also determined that it was equally important to separate the decisions for these standalone proposals due to their independence (i.e., either project may be implemented without the approval of the other). The grazing permit and structural range improvements do not rely on vegetation treatments in order for continued livestock grazing on the allotments to occur. Through the analysis contained in the referenced EA, specialist input provided the BLM authorized officer with adequate information and data to determine that a Finding of No Significant Impact (FONSI) was proper for both decisions when considered collectively.

It should be noted that Judge Sweitzer states in the Stay referenced by WWP: “... BLM's decision not to oppose the stay should in no way be construed as an agreement with WWP's allegations”.

See also response to Protest Reason LWP-Intro 01.

Protest Reason LWP-A01: *The BLM has issued the exact same decision and analysis that Judge Sweitzer found in violation of NEPA. It appears the BLM believes that the only thing wrong with the 2019 NOFD was that the BLM combined the livestock grazing permit renewal and structural range "improvements" with a vegetation project and that by segmenting the projects into two separate decisions it can avoid NEPA compliance. Indeed, after the prior decision was stayed, remanded back to BLM, and after BLM supposedly engaged in "further internal review," BLM makes this explicit in the 2020 NOPD and EA: The BLM determined that issuing one decision for the proposed vegetation treatments, as well as a separate decision for the grazing permit and proposed structural range improvements, was appropriate. The BLM determined that the vegetation treatments and livestock grazing permit with proposed range improvements are spatially related, but are in fact two separate projects or activities, so they should be addressed under separate decisions.*

Unfortunately, BLM has failed to address Judge Sweitzer's concerns that both the "range projects and the vegetation treatment warrant further investigation and analysis." February 21, 2020 Order at 6, emphasis added. Not only has BLM ignored these substantive concerns regarding a failure to take a hard look at hydrological impacts, impacts to soils, and the likely spread of invasive plant species, BLM has now compounded the problem by illegally segmenting these projects, in further violation of NEPA. Judge Sweitzer noted that WWP's questions "provide fair grounds for litigation and more deliberative investigation sufficient to support the entry of a stay." Id.

Because BLM has made no changes to the NEPA analysis underlying the current NOPD for the livestock grazing permit renewal and structural range improvements, WWP provides our prior protest as submitted in 2019 below, with additional information regarding the violation of NEPA as it relates to the improper segmentation of the analysis of these projects. Also, because it is unclear whether decision notice for the vegetation treatment aspect of this project is a notice of proposed or final decision to the extent that it is a "proposed" decision, WWP again protests that proposed decision. To the extent that it is a "final" decision, BLM should be aware that WWP will submit an appeal for that aspect of this project separately.

Response to LWP-A01: After the motion to remand the previous decision was granted, the BLM re-evaluated the analysis contained within the subject EA; the BLM determined that this analysis fully analyzes the anticipated impacts from the Lizard and Wolfhole Lake grazing permit renewals, structural range improvements, and vegetation treatments in Wolfhole Lake Allotment (vegetation treatments is addressed in a separate decision) and that no changes to the EA were necessary.

WWP incorrectly characterizes what constitutes “segmentation”. Segmentation is commonly used in the context of splitting or segmenting federal projects to avoid the proper level of NEPA analysis. Segmentation occurs when an agency intentionally attempts to circumvent NEPA by dividing a federal action into smaller components in order to allow those smaller components to avoid studying the overall impacts of a single project (Veenendaal 2012). This was not the case with these current projects – the livestock grazing permit renewal, structural range improvements, and vegetation treatments were fully analyzed in one EA, including an adequate range of alternatives, cumulative impact analysis, and a single FONSI was issued, meaning all impacts were considered collectively to reach the “finding of no significant impact.” Thus, segmentation clearly did not occur. Multiple decisions from a single EA, issued both concurrently and separately, have been commonly used throughout the BLM and does not constitute segmentation.

The BLM has determined that even though these actions are spatially related and it was proper to analyze them collectively in a single EA, the causal factor for the Wolfhole Lake Allotment not meeting land health standards is not related to livestock grazing. The reasons for not meeting land health standards in the Wolfhole Lake Allotment is due to woody vegetation encroachment and fire exclusion as stated in the LHE and analyzed under the Proposed Action (see EA Section 3.2.3, 1.2, and 2.4). The BLM determined that issuing a separate decision to resolve this specific resource problem was the proper approach. In addition, the vegetation treatment decision is not a grazing decision under the grazing regulations (under Title 43 of the Code of Federal Regulations (CFR), Part 4100 – Grazing Administration), and therefore to address WWP's question, the Decision Record to approve the vegetation treatments was the final decision for that action. See also response to Protest Reason LWP-Intro 02.

Resource concerns identified by WWP include impacts to soils, hydrology, and introduction of invasive/non-native invasive plants. These concerns are addressed and analyzed in the EA. Livestock grazing design features are included to reduce impacts of livestock grazing on any treated or seeded areas. These restrictions will allow establishment of adequate ground cover prior to livestock access. Invasive, non-native vegetation species are addressed in Table 3.2. The two allotments are meeting land health standards in regard to noxious and non-native invasive vegetation. Two species of noxious weeds are identified for the two allotments. As stated in Table 3.2, known sites of these species are treated and monitored on a regular basis to reduce spread. Any new occurrences of these species are also treated and monitored. Soil resources are analyzed in detail in Chapters 3 and 4, including cumulative impacts to soil resources. Hydrology is addressed in Table 3.2 under the headings of Water Quality and Wetlands/Riparian Zones. No surface water within the allotments is used for

domestic drinking water, so no effect to water quality is expected from the actions.

Protest Reason LWP-B01: *The BLM has violated NEPA by using an EA for this complex, multi-pronged project with significant impacts.*

Response to LWP-B01: The effects of installation, maintenance, and use of range improvements, as well as livestock grazing and vegetation treatments (such as those analyzed in the EA) are not unknown (or uncertain) or highly controversial. There are no known effects of the action identified and analyzed in the EA that are considered uncertain or involve unique or unknown risks – the effects of livestock grazing, vegetation treatments, and structural range improvements on the Arizona Strip (and elsewhere in the western U.S.) are well known and well documented. The BLM has proficiency implementing similar actions in similar areas. The environmental effects are fully analyzed in the EA (Chapter 4).

The BLM conducted an interdisciplinary review for the actions. After consideration of the environmental effects described in the EA and supporting documentation, the BLM determined that the actions are not a major Federal action and will not have a significant effect on the quality of the human environment, either individually or cumulatively with other actions in the area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27. Therefore, the preparation of an Environmental Impact Statement (EIS) is not required. This finding is based on the context and the intensity of project as described in the attached FONSI.

Protest Reason LWP-B02: *The BLM has combined three projects, which on their own may (and we stress may) be suitable for the level of NEPA analysis found in an EA, but when combined are completely inappropriate. In order to make a Finding of No Significant Impact, the BLM must decide that no aspect of this project has a significant impact, including a beneficial impact. If that is the case, it begs the question, why is the BLM proceeding with this combined project at all? Do the vegetation treatments not significantly improve the project area? Will the range “improvements” not significantly improve range management and range conditions? If not, why are they being proposed?*

Response to LWP-B02: The proposed vegetation treatments are comprehensively analyzed in the same EA as the grazing permit renewal and structural range improvements, however, separate decisions authorize the two independent proposals (see response to Protest Reason LWP-A01). Please note that a single FONSI was issued for all of the actions analyzed in the EA – see response to Protest Reason LWP-B01.

The grazing permit renewal and structural range improvements will allow for a more effective grazing rotation system, allowing for periodic rest and deferment – the scheduled graze and rest periods benefit key species and other vegetation by increasing plant vigor, aiding in seed dissemination, and providing periodic rest during critical growing periods. This will allow expansion and re-establishment of perennial grasses and forbs in the understory, which will benefit vegetation throughout the allotment, as described in Section 4.3.2 of the EA. However, these actions will not “significantly” affect range management and range conditions – see discussion on context and intensity in the attached FONSI. See also Section 1.2 of the EA, which describes the purpose and need for all actions addressed in the EA.

Protest Reason LWP-B03: *The project authorizes 1,138 AUMs on 16,788 acres of land. More than 4,700 acres will be subject to vegetation treatment that will leave 25% of the treated areas without any canopy cover at all, fences will be installed in areas that were previously free from barriers to wildlife movement, and water developments will include a 150,000 gallon pond or tank, at least two miles of pipeline, four 500-1,000 gallon troughs, and three 10,000 to 12,000 gallon storage tanks.*

The impacts of pumping and moving and storing this amount of water on the watershed, the wildlife, and the groundwater has not been disclosed.

Response to LWP-B03: Vegetation treatments are addressed in the referenced EA and the separate Wolfhole Lake Vegetation Treatment Decision Record; please refer to those documents for further discussion as this NOFD does not include authorization for vegetation treatments.

The proposed fences have been minimized to the extent possible through the use of natural barriers, such as rock outcrops and natural topography. None of the proposed fences will exclude wildlife, as they are not contiguous, and will be designed to meet wildlife specifications to not restrict wildlife movement. This includes spacing between the top two strands being at least 12 inches, the bottom strand being smooth (no barbed) wire, and the bottom strand being at least 16 inches above the ground. This will reduce impacts to wildlife movement (text added to EA, see Section 4.4.2 of the EA).

The proposed Seegmiller water catchment will collect and store precipitation. The other proposed water developments are associated with either Wolfhole Spring (that originates on private land and has a private water right) or Oak Spring, which is on public land but is currently not functional. AGFD is a cooperator in restoring the functionality of this spring. Once this spring is restored, the associated improvements will be constructed to benefit livestock and wildlife.

The Arizona Department of Water Resources is the agency responsible for managing the use of ground water and surface water developments on public and private lands in Arizona. The BLM is responsible for permitting the facilities for these water uses, which is what is analyzed in the EA.

Protest Reason LWP-B04: *This project requires road construction, which on its own would perhaps be suitable for an EA, but combined with the other aspects of this project, causes significant cumulative impacts. This is especially true because the public will be authorized to use this previously non-existent road as part of the official travel management system.*

Response to LWP-B04: The proposed road will be two tenths of a mile in length. The acres of ground disturbance associated with this construction is estimated to be less than 0.25 acres. As this road will be a short extension of an existing road with minimal maintenance, it is expected that little impact will result from construction and use of this road. Once construction is complete, use of the road (including visitation by the public) would be minimal due to its remote location, resulting in minimal ongoing disturbance to mule deer and other wildlife. Impacts from construction and use of this road have been analyzed in the EA, and the BLM determined these impacts did not rise to the level of “significance,” either individually or cumulatively.

Protest Reason LWP-B05: *The BLM proposes to use a controversial herbicide for treating the project area. This forecloses the use of an EA and requires a more robust analysis that is found in an EIS.*

Response to LWP-B05: Vegetation treatments, including herbicide use, are addressed in the referenced EA and the separate Wolfhole Lake Vegetation Treatment Decision Record; please refer to those documents for further discussion as this NOFD does not include authorization for vegetation treatments.

Protest Reason LWP-B06: *In the context of the myriad other livestock grazing permit renewals and authorizations, this project has significant cumulative impacts.*

Response to LWP-B06: The cumulative impacts are analyzed in Section 4.6 of the EA. This analysis

includes acknowledgement of other grazing activities occurring in the area. After consideration of the environmental effects described in the EA and supporting documentation, the BLM determined that the actions are not a major Federal action and will not have a significant effect on the quality of the human environment, either individually or cumulatively with other actions in the area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27, as described in the attached FONSI.

Protest Reason LWP-B07: *It is clear the BLM is removing trees and installing water development and range “improvements” to make this area more suitable to livestock grazing, not to improve the ecological health of the project area.*

Response to LWP-B07: The purpose and need for the range improvements is defined in Section 1.2 of the EA. The impacts of the actions are described in Chapter 4 of the EA. See also response to Protest Reason LWP- B02.

Protest Reason LWP-B08: *Additionally, a significant change in the project proposal was made and the public has not had an opportunity to comment on that change. For the vegetation treatments in the Wolfhole Lake allotment, the draft EA included a provision in Alternative B to leave a remaining canopy level of 0-15%, suggesting that some canopy would remain in at least portions of the treatment area. This has been changed, without notice, to 0%. NOPD at 4. This project will now leave no canopy cover in treated areas, essentially clear-cutting trees from 25% of each treatment unit. This is not a “slight deviation” as described in the NOPD. Failing to provide adequate opportunity for public review and comment upon this aspect of the project is a violation of NEPA. The intensity of just this one aspect of the proposed project requires the development of an EIS.*

Response to LWP-B08: Vegetation treatments are addressed in the referenced EA and the separate Wolfhole Lake Vegetation Treatment Decision Record; please refer to those documents for further discussion as this NOFD does not include authorization for vegetation treatments.

Protest Reason LWP-B09: *Finally, at pages 4-6 of the FONSI, the BLM itself identifies the significant beneficial and negative impacts of this project and provides no explanation as to how these impacts result in a Finding of No Significant Impacts. There is no acknowledgment of the controversial nature of public lands livestock grazing or the controversy surrounding the use of herbicides on federally managed public lands.*

Response to LWP-B09: WWP mischaracterizes the cited portion of the FONSI. What this section states is: “The EA considered both the beneficial and adverse impacts of the action. The action will impact resources as described in the EA. The beneficial effects of the action include: [list of beneficial effects]. The adverse effects of the action include: [list of adverse effects].” Nowhere does the BLM state that these are “significant” impacts.

The section of the FONSI document WWP cited is the ten significance criteria described in 40 CFR 1508.27. Specifically, WWP cites criteria 1, which is “Impacts [of the action] may be both beneficial and adverse.” The remaining nine criteria detail how a finding of no significant impact was arrived at by the BLM. Please see these portions of the FONSI for clarification, specifically criterion 4, which describes “[t]he degree to which the effects [of the action] on the quality of the human environment are likely to be highly controversial.”

Protest Reason LWP-B10: *The BLM turns a blind eye to the other grazing permit authorizations that are clearly related to this project and that have cumulatively significant impacts.*

Response to LWP-B10: See response to Protest Reason LWP-B06.

Protest Reason LWP-B11: *The EA for this project is over 80 pages and with appendices is over 177 pages. As the BLM is well aware, the Council on Environmental Quality identifies EAs over 15 pages in length as very likely suitable for the preparation of the EIS. Documents of this length, when moved forward through the NEPA process using an EA, do not provide the public with adequate notice and opportunity to comments.*

Response to LWP-B11: The BLM provided multiple opportunities for public involvement in the planning process for this EA. Public involvement for the Lizard and Wolfhole Lake allotments permit renewal process began during the land health evaluation process. As described in Section 5.1 of the EA, scoping meetings were held during the land health evaluation process for each allotment; draft evaluations were sent out for public review and comment to individuals, groups, and agencies. Comments were incorporated into the final land health evaluation reports; comments received in response to the completion of the land health evaluations were incorporated into the EA process as scoping comments. A preliminary EA was posted on the BLM ePlanning web page on November 14, 2018 for review; a notice of public comment period letter was sent to those persons and groups listed on the Arizona Strip interested publics mailing list notifying them of the availability of the EA for a 30-day review and comment period. All comments received during development of the EA are summarized in Appendix G of the EA along with a response to each comment. For “proper” level of NEPA analysis see response to Protest Reason LWP-B01.

Protest Reason LWP-C01: *The BLM has violated NEPA by Improperly Segmenting the Decision-making and Analysis of these projects.*

The NEPA requires agencies to analyze connected actions within the same impact statement. 40 C.F.R. §§ 1502.4(a), § 1508.25(a)(1). Although federal agencies are given discretion in determining the scope of NEPA review, “[c]onnected or cumulative actions must be considered together to prevent an agency from dividing a project into multiple actions, each of which individually has an insignificant environmental impact, but which collectively have a substantial impact.” Wetlands Action Network v. U.S. Army Corps of Engineers, 22 F.3d 1105, 1118 (9th Cir. 2000).

The Ninth Circuit applies an “independent utility” test to determine whether multiple actions are connected so as to require an agency to consider them in a single NEPA review. N. Plains Res. Council, Inc. v. Surface Transp. Bd., 668 F.3d 1067, 1087 (9th Cir. 2011); Sierra Club v. Babbitt, 69 F. Supp. 2d 1202, 1230 (E.D. Cal. 1999). Under this test, a court will evaluate “whether each of two projects would have taken place with or without the other.” Id. “If the answer is yes, then the projects have independent utility, and do not require the same EIS.” Id. The Ninth Circuit has also looked at whether given the dependency of one project on another, “it would be irrational, or at least unwise, to undertake” the first project without the second. Wetlands Action Network v. U.S. Army Corps of Eng’rs, 22 F.3d 1105, 1118-19 (9th Cir. 2000) (quoting Trout Unltd. v. Morton, 509 F.2d 1276, 1285 (9th Cir. 1974)).

Here, BLM knows these projects are so connected that one cannot occur without the other to such a degree that they were just one year ago all part of a single decision-making process. BLM admits these projects are spatially related and has provided no explanation as to why BLM now considers the projects to be “separate projects or activities.” In fact, there remains just a single FONSI for all aspects of this project - the grazing permit renewal, the range improvements, and the vegetation treatment.

Response to LWP-C01: The grazing permit renewal including structural range improvements is

separate and independent from the vegetation treatment proposal. They are spatially related, as the vegetation treatment is proposed for the Wolfhole Lake Allotment. The vegetation treatment addresses an issue separate and not causal of livestock grazing. It is clear that the two proposals, and separate Decisions are not reliant on one another for successful implementation. See response to Protest Reasons LWP-Intro 02 for connected action discussion and LWP-A01 for segmentation discussion.

Protest Reason LWP-D01: *The Ecological Site Description for a portion of the project area “is still to be developed.” From Appendix F, at page 109 of the EA. The BLM has not explained how the ecological impacts of this proposed project can be determined or disclosed to the public when the description is yet to be developed.*

Response to LWP-D01: This Ecological Site Description for the Lizard Allotment is what is known as “provisional” by the Natural Resources Conservation Service (NRCS). This means that the NRCS has not developed a “state and transition” model for this ESD. However, state and transition models are only one component of an ESD, and the lack of these models does not invalidate the existing ecological site guide (which predicts the expected plant community based upon the mapped soil type) that currently exists and was used by the BLM for this analysis.

Protest Reason LWP-E01: *The BLM has failed to respond to substantive comments that are specific to this project. WWP asked BLM to explain how allowing livestock to use the majority of forage available on an allotment could reasonably be considered “multiple use.” Appendix G at page 107 of the EA. The BLM response is that vegetation treatments are necessary to enhance vegetation communities. Id. While that, in theory, is nice, it fails to answer the important question asked.*

Response to LWP-E01: Overall utilization in the Wolfhole Lake Allotment has been 18% from 1985 to present, which is only a small percentage of the overall forage available on the allotment. This amount of livestock use leaves more than adequate forage for wildlife (see EA Section 3.2.3 and Appendix D, Tables D.7 and D.8).

Protest Reason LWP-E02: *WWP asked BLM to analyze the ecological and economic costs of the proposed vegetation treatments, water infrastructure, and fence lines. Appendix F, at page 108 of the EA. BLM failed to respond adequately to the ecological question and failed entirely to address the economic question.*

Response to LWP-E02: The BLM analyzed “ecological cost” (which we presume to mean ecological impacts) throughout Chapter 4 of the EA. This is also reflected by comparing the impacts of the proposed action to no action. Please note that since this NOFD does not authorize the vegetation treatments, this response only addresses the structural range improvements. Materials for construction of the projects will be jointly provided by NRCS, AGFD, BLM, and Arizona Association of Conservation Districts, with possible funding by the Arizona Strip Grazing Board. This may happen in phases over numerous years. As the size of tanks and troughs are analyzed in size ranges (due to availability), it is difficult to estimate this as well. Labor is typically provided by the grazing permittee as part of the cost sharing agreement. For all of these reasons, a cost assessment was not considered necessary.

Protest Reason LWP-E03: *WWP asked BLM to describe and disclose predator management activities related to livestock operations. BLM refused to respond and instead states that “BLM has no specific information concerning permits or additional predator control” in the project area. Appendix G, page 112 and 134 of the EA. WWP cannot believe that BLM has no information on any use of Wildlife Service*

predator management or any complaints or concerns expressed by the livestock permittee for these allotments regarding predators or the need for predator management. This is a significant failure to provide information critical to the public's understanding of how livestock management on federally managed public lands impacts predators.

Response to LWP-E03: To reiterate, the BLM is not refusing to respond – we simply have no specific information beyond what is stated in the EA. As stated in response to EA Comment No. WL017, AGFD manages the wildlife including predators and issuance of permits for predator species. The BLM is unaware of Wildlife Services presence in the two subject allotments. The permittee has not stated that he has specific predator issues in the subject allotments. If you require more specific information regarding state hunting permits issued, please contact AGFD.

Protest Reason LWP-E04: *BLM inappropriately dismissed WWP's concerns that range "improvements" such as tanks and water developments will serve as an attractive nuisance, increasing the presence of trash and target shooting damage and related dumping and waste. Appendix G, page 125 of the EA. The BLM apparently dismissed our concerns because the example photos we provided were not from the project area. WWP wonders how we could have provided an example of a trashed water development in an area where the BLM is proposing to build these developments? Regardless, the BLM inappropriately dismissed our concerns regarding the potential impacts related to trash dumping and target shooting and the related issues of toxic soil contamination and impacts to wildlife.*

Response to LWP-E04: The referenced comment was not dismissed. We acknowledge that trash dumping does sometimes occur on public land (not just at range improvement sites), which is a law enforcement issue and beyond the scope of this EA (as stated in the response to EA Comment No. EA009). From the range specialist's experience, trash at range developments is the exception, not the rule. The current permittee has a good history of maintaining range improvements on the permitted subject allotments, and the public in general does not dump trash at these sites. WWP stated that the photos furnished were "range improvements for the allotment". The BLM took this literally, when in fact the provided photos do not represent either of the subject allotments.

Protest Reason LWP-F01: *The BLM has proposed a decision for a project that will not solve a key issue identified in the project area. In the FONSI for this project, the BLM notes that the Wolfhole Lake Allotment is not meeting Arizona Rangeland Health Standard 3 and that the reason for this failure to meet the standard is primarily sagebrush, pinyon, and juniper tree encroachment. FONSI at 2. Fire is suggested as the cause for this encroachment, yet prescribed fire is not identified as part of this project. Id. "Management" is identified as necessary to provide additional forage for livestock, but the needs of wildlife in the area are not addressed. Id.*

Response to LWP-F01: Vegetation treatments are addressed in the referenced EA and the separate Wolfhole Lake Vegetation Treatment Decision Record; please refer to those documents for further discussion as this NOFD does not include authorization for vegetation treatments.

Protest Reason LWP-F02: *In response to WWP's concern that the BLM failed to adequately analyze and discuss the high amount of Guterrezia – a plant species usually indicative of disturbance, especially overgrazing – the BLM notes that the Key Area where this species is found (but that the BLM does not analyze) "was chained in the past[.]" Appendix G, page 109 of the EA. Given that this undesirable species does favor disturbance and is still present in high amounts in the project area, the BLM should have explained how vegetation treatments that will include a large amount of chaining will help reduce invasive species such as this and improve the representation of native species. BLM failed to provide this explanation and WWP is concerned that the proposed project is*

going to exacerbate the spread of this species.

Response to LWP-F02: The response provided in regards to *Gutierrezia* in Appendix G of the EA (see response to Comment No. WL010) is still appropriate for this current protest reason. It is important to note that this species has been decreasing with the corresponding increase in native perennial grasses for the past decade (as stated in the response to EA Comment No. WL010).

WWP mistakenly states that BLM does not analyze Wolfhole Lake Key Area #2. Analysis can be found for this site throughout the document, including reference to Desired Plant Community (DPC) in Appendix C. Additional analysis is contained within Appendix D, Table D.10 Trend Data, where it is determined that this site is “static” as far as trend. Table D.12 shows that the site is in a late seral stage. An explanation of this late seral stage is likely due to fire exclusion. As evidenced by the DPC, an early or mid-seral with more grass and less shrub cover is likely the historic plant community (see response to LWP-A04) and would be desirable in a mosaic of all stages throughout the allotment, as will occur under the selected action (see referenced EA and Wolfhole Lake Vegetation Treatment Decision Record).

Please note that “overgrazing” does not occur on either of the subject allotments (see response to Protest Reason LWP-E01). Utilization data is available for Wolfhole Lake Key Area #2 in Appendix D, Table D.8.

Vegetation treatments, including the treatment methods that are to be utilized, are addressed in the referenced EA and the separate Wolfhole Lake Vegetation Treatment Decision Record; please refer to those documents for further discussion as this NOFD does not include authorization for vegetation treatments.

Protest Reason LWP-F03: *The BLM has refused to acknowledge the role that livestock grazing plays in contributing to grassland conversion to shrublands. WWP specifically identified this issue and BLM deflected the concern with a vague statement that “livestock grazing in the region has evolved” since the 1860s. Appendix G, page 114 of the EA.*

Response to LWP-F03: As stated in Section 3.2.3 of the EA, the BLM determined that “The primary cause of ... encroachment [of Wyoming big sagebrush] is fire exclusion; livestock are not identified as the causal factor for this encroachment.” Text was added to the EA to further clarify the processes of shrub and tree encroachment into grasslands (see Sections 1.2 and 2.4).

Protest Reason LWP-F04: *The BLM continues to plan to use invasive plants for “restoration” of the project area. Appendix G, page 127 of the EA. The use of invasive seeds will do little, if anything, to improve ecological condition of the allotments and will result in the need for future “treatments” creating a never-ending cycle of heavy-handed management to prop up the livestock permittee, and that will cause long-term harm to native species.*

Response to LWP-F04: The Decision regarding vegetation treatments, including proposed reseeding specifics, are addressed in the referenced EA and the separate Wolfhole Lake Vegetation Treatment Decision Record; please refer to those documents for further discussion as this NOFD does not include authorization for vegetation treatments.

Protest Reason LWP-Conclusion 01: *We find nothing that actually addresses our concerns and we find additional problems with BLM's attempts to comply with NEPA. Without fully addressing our concerns the BLM cannot make a Finding of No Significant Impact. BLM has failed to address a substantive, significant issue raised during the public comment period in violation of the National*

Environmental Policy Act (NEPA), rendering the analysis in this EA inadequate and precluding a Finding of No Significant Impact. The BLM has inappropriately utilized an EA for a project that requires an EIS. The BLM has improperly segmented the decision-making process for this project and has failed to address cumulative impacts.

Response to LWP-Conclusion 01: Concerning segmentation, significance and proper level of NEPA analysis please see response to Protest Reasons LWP-A01, LWP-Intro 02, and LWP-B01 (respective order).

Protest Reason LWP-Conclusion 02: *It appears that BLM believes grazing must continue on this allotment and has approached grazing permit renewals with this pre-determined outcome in mind. The result is that the analysis in this EA is flawed. The proposed decision was not reached by a full and fair analysis of the conditions on the allotment, and the Finding of No Significant Impact is rendered invalid. The analysis should be revised, and the decision revisited.*

The lack of information and violations of NEPA as described above may lead to violations of Federal Land Policy Management, which requires the BLM to "take any action necessary to prevent unnecessary or undue degradation" of public lands (43 U.S.C. § 1 732(b)).

Response to LWP-Conclusion 02: The BLM has followed NEPA procedure, including development of design features to reduce or mitigate impacts, and a thorough analysis of viable alternatives, including a No Action Alternative to this proposal. The BLM, with input from resource specialists, has concluded that the proposal will benefit resource management including livestock and wildlife management while having minimal impact to other resources including hydrology, soils, and invasive or noxious vegetation. Both of the subject allotments are classified as available to grazing in the Arizona Strip Field Office RMP (2008), and monitoring data continues to support that proper grazing is occurring in these two allotments and a reduction of grazing use is not warranted. In addition, see response to Protest Reasons LWP-Intro 02 and LWP-B01 for discussion on significance.

FINDING OF NO SIGNIFICANT IMPACT

After consideration of the environmental effects described in the EA and supporting documentation, I have determined that the selected 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. No effects identified in the EA meet the definition of significant in context or intensity as described in 40 CFR 1508.27. Therefore, the preparation of an environmental impact statement is not required as per Section 102 (2) of NEPA. This finding and conclusion is based on the consideration of the Council on Environmental Quality's criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA and as described in the attached Finding of No Significant Impact.

FINAL DECISION

After considering the analysis contained with the above referenced EA, it is my final decision to authorize the action as described in Alternative B of the EA and summarized below. This decision is to cancel the existing Esplin Family Trust term grazing permit and issue a new ten-year term permit with new terms and conditions for the Lizard and Wolfhole Lake allotments, as well as authorize structural range improvements as described in Section 2.4.2.2 of the EA. The specific decision is outlined below.

Grazing Permit

A new grazing permit will be issued for a period of 10-years in the Lizard and Wolfhole Lake allotments. There will be no changes in the number of livestock or season of use for the allotments; there will be no change in AUMs. The new grazing permit will include the mandatory terms and conditions shown below in Table 1, which are the same as those in the current grazing permit.

Table 1 - Mandatory Terms and Conditions

Allotment Name	Livestock			Active AUMs	Total Active AUMs by Allotment	Suspended AUMs	Public Land (acres)	% Public Land
	No.	Kind	Season of Use					
Wolfhole Lake	80	Cattle	12/1 - 2/28	227	928	0	12,549	96
	80	Cattle	3/1 - 11/30	694				
	1	Cattle	3/1 - 9/30	7				
Lizard	30	Cattle	3/1 - 6/15	106	210	0	4,198	100
	23	Cattle	10/16 - 2/28	103				
	1	Cattle	3/1 - 3/30	1				

A. Other Terms and Conditions

- Permittee must submit the actual use report within 15 days after their billing year ends. Livestock may be moved 15 days before or after scheduled move dates.
- Up to three of the cattle on the Lizard Allotment can be substituted for horses; total AUMs on the permit will remain the same (questions arose during public comment period, the BLM attempted to better clarify that this is a substitution not an increase in AUMs; see EA Section 2.2).
- Use of nutritional livestock supplements is allowed, including protein, minerals and salt. However, any supplements used must be dispersed at a minimum of ¼ mile from any known water sources, and cultural or sensitive sites. Any hay or other feed used in administering the livestock operation must be certified weed-free and subject to approval prior to use.
- The AMP for the Lizard and Wolfhole Lake allotments (approved in 1982) will continue to be followed as long as there is no conflict with the current land use plan.

Miscellaneous

Grazing System

The Lizard and Wolfhole Lake allotments are permitted for year-round grazing (March 1 to February 28). A two-pasture rotation system is utilized in the Lizard Allotment; through the structural range improvements described below, a four-pasture deferred-rest rotation system will be implemented in the Wolfhole Lake Allotment.

In addition, the allotments will be managed for the following:

- Allowable use on key forage species on the allotments will be no more than 50% utilization of current year's production, removed through grazing or other loss. (Key

species for Lizard and Wolfhole Lake Allotments are listed in Section 3.4.2 of the EA.) The BLM will assess resource conditions through field inspections and determine, in consultation with the permittee, whether management changes (e.g., changes in livestock numbers, adjustment of move date, or other changes or use within the parameters identified under this alternative) may be implemented prior to reaching maximum utilization. Move dates (i.e., removal of livestock from a pasture) may be adjusted if monitoring indicates maximum utilization has been reached or due to unusual climatic conditions, fire, flood, or other acts of nature. If maximum utilization is reached on key species/areas in the allotment before a scheduled move date, the use of salt, herding, or other management options may be used to distribute livestock away from an area where maximum utilization has been reached, or livestock may be removed from the pasture (after consultation with the permittee), as deemed necessary by the BLM.

- Achieve the DPC objectives listed in Appendix C of the EA.

Structural Range Improvements – Wolfhole Lake Allotment

The Wolfhole Lake Allotment is approximately 13,230 acres in size (12,590 public land acres); other than a small 150-acre pasture known as the Chaining Pasture, it has no pasture division fences. Three additional pastures will be created through construction of less than three miles of fence, coupled with utilizing existing natural features. This will amount to a total of five pastures in this allotment, including the existing South Pasture and the Chaining Pasture (although the Chaining is not an actual pasture since it has no water development, and is used as a holding pasture when gathering). These "new" pastures will aid in complete rest of areas, and allow for a rest and rotation grazing system. The fences will be permanent.

There are currently very few water developments in this allotment. The new pastures will require adequate water developments for livestock. The following water developments will be constructed: one water catchment approximately 0.75-1.0 acres in size; one 150,000 gallon lined pond or storage tanks with a pipeline from the catchment apron to the storage tanks or pond; approximately two miles of pipeline, including short extensions from an existing pipeline to troughs to service the new pastures; four 500-1,000 gallon water troughs; and three 10,000 to 12,000 gallon storage tanks to service the new troughs. See Section 2.4.2.2 of the EA for a detailed description of these structural range improvements, and Table 2.3 in the EA for a summary of number and types of range improvements and total miles of linear range improvement features. A two track road (less than 0.2 miles long) will be constructed to haul materials for catchment construction and for catchment maintenance. This road will be added as a designated public route for Arizona Strip Field Office travel management purposes. See attached map for locations of these structural range improvements.

Long-Term Maintenance

Existing structural range improvements will be maintained as currently required; new range improvements will be maintained through a cooperative agreement with you, the permittee.

Adaptive Management

My final decision includes adaptive management, as described in Section 2.2.3 of the EA.

RATIONALE FOR DECISION

This decision has been made after considering impacts to resources, such as vegetation, wildlife, cultural resources, and soils, while providing opportunities for livestock grazing that meets management objectives, including the Arizona Standards for Rangeland Health and Guidelines for Livestock Grazing Management and the Arizona Strip Field Office RMP. It is my decision to select Alternative B (Proposed Action) to cancel the existing Esplin Family Trust term grazing permit and issue a new ten-year term permit with new terms and conditions for the Lizard and Wolfhole Lake allotments, as well as authorize structural range improvements as described in Section 2.4.2.2 of the EA.

The NEPA analysis, documented in the above referenced EA, indicates that the action is in conformance with the RMP. Impacts from the action are either minimal or mitigated through design features incorporated into the action. The EA constitutes the BLM's compliance with the requirements of NEPA, and procedural requirements as provided in the Council on Environmental Quality regulations. Based upon the above information and analysis, I have determined that the action will allow the Lizard and Wolfhole Lake allotments to meet or make progress toward meeting the Arizona Standards for Rangeland Health and Guidelines for Grazing Administration and land use plan objectives.

The Proposed Action will provide for livestock grazing opportunities while ensuring that the goals and objectives of the RMP, including land health standards, are being met, or making progress towards being met with the development of a pasture system in the Wolfhole Lake Allotment. This will allow for complete rest of portions of the allotment while creating a rotation grazing system. This will allow more native forbs and perennial grass to set and disperse seed unimpeded from livestock in the years that a pasture is rested.

Alternative A (from the EA) was not chosen because while it would meet the purpose and need to provide opportunities for livestock grazing, it would not establish a pasture system in the Wolfhole Lake Allotment that will provide periodic rest and allow native perennial understory vegetation to increase over time. This will likely provide progress towards meeting Land Health Standards 3 – Desired Resource Conditions.

Alternatives C and D were not chosen because the new ten-year term grazing permit would be issued with decreased grazing preference (Alternative C) or no active preference (Alternative D) on both allotments, and no vegetation treatments would occur. These alternatives would not provide the same livestock grazing opportunities as the selected action. Although the grazing preference in Alternative C is based upon what the permittee has actually been using, the new permit would not allow any flexibility to increase actual use should conditions result in good forage production in a given year. Alternative D would eliminate all livestock grazing on the allotments for the ten-year term of the new permit. The Arizona Strip Field Office RMP determined both of these allotments are available for grazing, and monitoring data continues to support that proper grazing is occurring in these two allotments and a reduction of grazing use is not warranted.

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 listing not meant to be exhaustive.

§4100.0-8 "The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans... Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b)."

§4110.3 "The authorized officer shall periodically review the permitted use specified in a grazing permit or grazing lease and shall make changes in the permitted use as needed to manage, maintain or improve rangeland productivity, to assist in restoring ecosystems to properly functioning condition, to conform with land use plans or activity plans, or to comply with the provisions of subpart 4180 of this part. These changes must be supported by monitoring, field observations, ecological site inventory or other data acceptable to- the authorized officer."

§4130.2(b) "The authorized officer shall consult, cooperate and coordinate with affected permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits and leases."

§4130.3 "Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve the management and resource condition objectives for the public lands and other lands administered by the Bureau of Land Management, and to ensure conformance with the provisions of subpart 4180 of this part."

§4130.3-1(a) "The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use in animal unit months, for every grazing permit or lease. The authorized livestock grazing use shall not exceed the livestock carrying capacity of the allotment."

§4130.3-1(c) "Permits and leases shall incorporate terms and conditions that ensure conformance with subpart 4180 of this part."

§4130.3-2 "The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management-objectives provide for proper range management or assist in the orderly administration of the public rangelands. These may include but are not limited to: ... (d) A requirement that permittees or lessees operating under a grazing permit or lease submit within 15 days after completing their annual grazing use, or as otherwise specified in the permit or lease, the actual use made; ... (t) Provisions for livestock grazing temporarily to be delayed, discontinued or modified to allow for the reproduction, establishment, or restoration of vigor of plants ... of for the protection of other rangeland resources and values consistent with objectives of applicable land use plans, "

RIGHT OF APPEAL

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final BLM grazing decision may file an appeal for the purpose of a hearing before an administrative law judge in accordance with 43 CFR 4160.3(c), 4160.4, 4.21, and 4.470. The appeal must be filed within 30 days following receipt of the final decision or 30 days after the date the proposed

decision becomes final. The appeal should state the reasons, clearly and concisely, why the appellant thinks the final BLM grazing decision is in error. A petition for a stay of the decision pending final determination of the appeal by the administrative law judge may also be submitted during this same 30 day time period. The appeal, or the appeal and petition for stay, must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Arizona Strip Field Office as noted above.

Should you wish to file a petition for a stay in accordance with 43 CFR Section 4.471(c), 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 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.

43 CFR 4.471(d) provides that the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

Within 15 days of filing the appeal, or the appeal and petition for stay, with the BLM officer named above, the appellant must serve copies to any other person named in this decision and on the Office of the Regional Solicitor located at: U.S. Courthouse, Suite 404, 401 West Washington Street, SPC-44, Phoenix, Arizona 85003-2151 in accordance with 43 CFR 4.470(a) and 4.471(b).

 Digitally signed by
LORRAINE
CHRISTIAN
Date: 2020.11.05
11:59:57 -07'00'

Lorraine M. Christian
Field Manager
Arizona Strip Field Office

Attachments:

List of all Persons or Groups Receiving this NOFD
Maps

References:

Veenendaal, Elijah. 2012. *Avoiding Improper Segmentation and Accounting for Cumulative Impacts During Deployment of a Broadband Infrastructure*. Department of Commerce. Washington, DC.

List of all Persons or Groups Receiving this NOFD

Esplin Family
Trust Terry
Esplin

S.O. Bundy Ranch
LLC Barry Bundy

Western Watershed
Project Cyndi Tuell

Five County Association of Governments
Bryan Thiriot

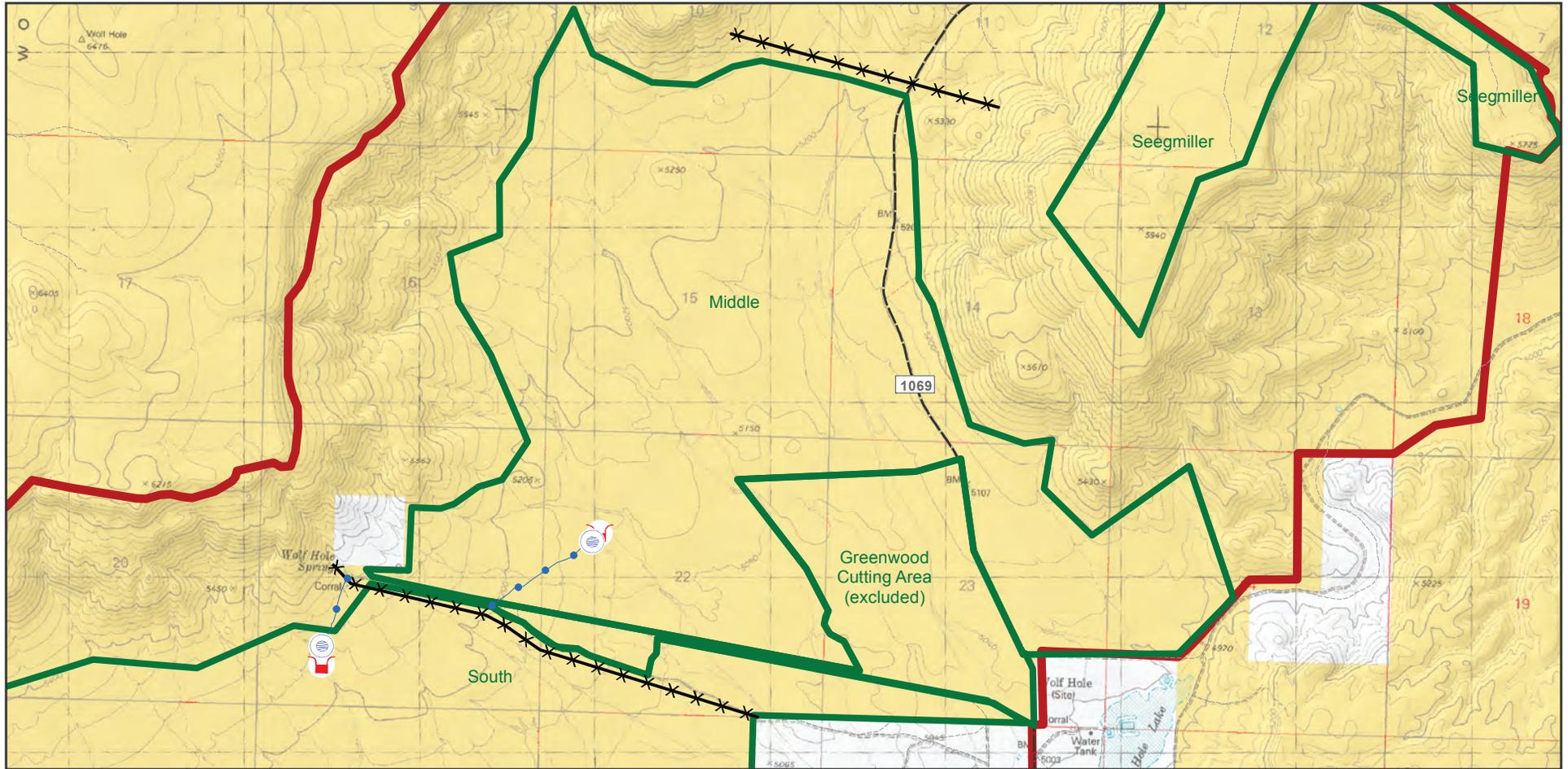
Center for Biological Diversity
Joe Trudeau



Wolfhole Lake Allotment Proposed Range Improvements (Middle and South Proposed Pastures)

DOI-BLM-AZ-A010-2018-0032-EA

Bureau of Land Management - Arizona Strip District - Arizona Strip Field Office



proposed Wolfhole Lk Water Storage Tank

proposed_wolfhole_troughs

proposed_wolfhole_pipeline_ext

proposed_wolfholelk_fences

Arizona Strip Routes

Primary Road Unpaved

Tertiary Road Unpaved

Arizona Strip District

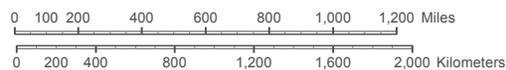
Surface Management Agency

Bureau of Land Management

Private

Wolfhole Lake Veg tmts

Wolfhole_Lake_Allot



Map Produced by BLM Arizona Strip District
 File: Middle and south proposed RIPS 2018.mxd
 Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLS GSRB&B
 Scale: 1:35,000 at 8.5x11 page output
 User: mcutler
 Date: 9/25/2018



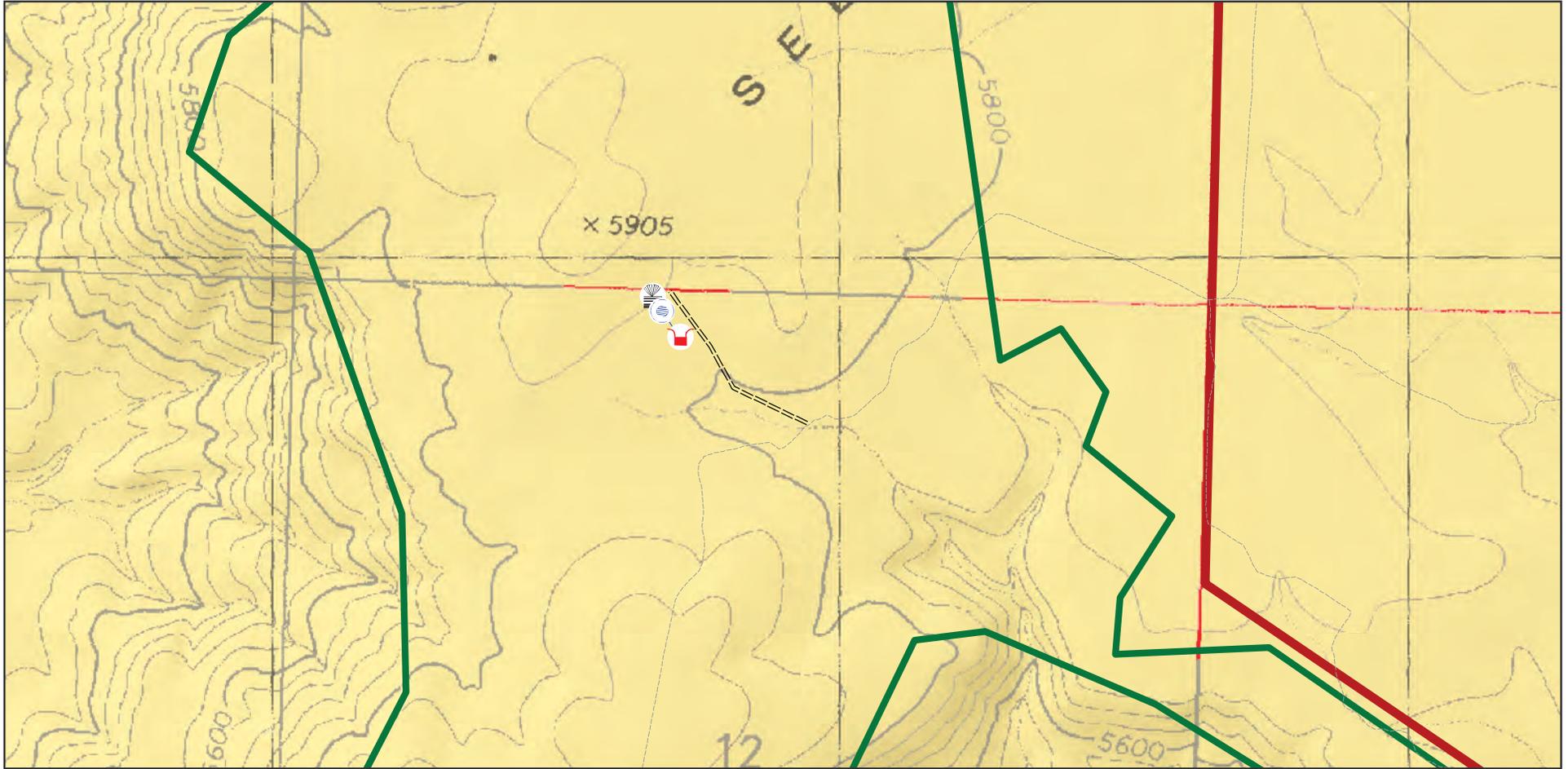
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Wolfhole Lake Allotment Proposed Range Improvements (Seegmiller Pasture)

DOI-BLM-AZ-A010-2018-0032-EA

Bureau of Land Management - Arizona Strip District - Arizona Strip Field Office



proposed Wolfhole Lk Water Storage Tank

proposed_wolfhole_troughs

proposeed_catchment

proposed__wolfhole_pipeline_ext

proposed Wolfhole Lk catchment access route

Arizona Strip Routes

Tertiary Road Unpaved

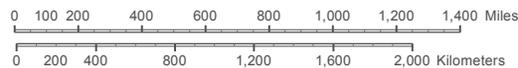
Arizona Strip District

Surface Management

Bureau of Land Management

Wolfhole Lk veg tmts

Wolfhole_Lake_Allot



Map Produced by BLM Arizona Strip District
 File: Seegmiller proposed RIPS 2018.mxd
 Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLSS GSRB&B
 Scale: 1:10,827 at 8.5x11 page output
 User: mcutler
 Date: 6/27/2018



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