



United States Department of the Interior



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

In Reply Refer To:
4120 (AZC0300)

AUG 24 2022

 ORIGINAL

DECISION RECORD

Planet and Primrose Allotments (#03067 and #03069)

Dear interested Public:

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

DECISION:

It is my Decision to implement the Reduced Grazing Alternative 1 as described in the EA document for both the vacant Planet and Primrose Allotments for a term of 10-years. Applications would be denied and no grazing permits would be offered. Upon expiration of the 10-year period, livestock grazing would be re-evaluated for approval of applications for grazing preferences attached to the current base properties.

RATIONALE:

Based on the data compiled and analyzed in the Land Health Assessment and Evaluation Report, both the Planet and Primrose Allotments are failing to achieve Standard 2 and 3 of Arizona Standards for Rangeland Health. Perennial grass composition, vegetation cover, and/or desirable palatable species objectives were not achieved on one or more sites. Riparian areas along the Bill Williams River within both allotments are found to be functioning-at-risk. Of the four stream reaches found within Planet and Primrose, one was determined to be at a downward trend and three were unapparent. Where Standard 1 is achieved, soil conditions and processes are stable including hydrological process as it interacts with other resources.

Both allotments contain biological and cultural Areas of Critical Environmental Concern that may be more impacted by ephemeral grazing in comparison to the other grazing allotments. It is prudent to protect these sensitive resources from additional pressures and provide the opportunity for the allotments to make progress towards achieving landhealth standards. Building and obtaining

monitoring data is needed to track biological conditions for future assessments and evaluations. In the future, conditions will be assessed to re-evaluate if livestock grazing is an appropriate use of public lands within the Planet and Primrose Allotments, and if not, consider whether grazing should be made unavailable under a Resource Management Plan amendment or revision.

AUTHORITY:

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

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

APPEAL PROVISIONS:

In accordance with 43 C.F.R. § 4.470 and § 4160.4, any applicant, permittee, lessee or other person whose interest is adversely affected by the Final Decision may file an appeal of the Decision. An appellant may also file a petition for stay of the Decision pending final determination on appeal. The appeal and petition for stay must be filed in the office of the authorized officer within 30 days following receipt of the Final Decision to Bureau of Land Management, Lake Havasu Field Office ATTN: William Mack Jr., District Manager, 1785 Kiowa Ave, Lake Havasu City, AZ 86403.

Within 15 days of filing the appeal and any petition for stay, the appellant also must serve a copy of the appeal and any petition for stay on any person named in the Decision and listed at the end of the Decision, and on the Office of the Solicitor, Intermountain Region, 401 West Washington St. Suite 404 Spc44, Phoenix, AZ 85003 (CFR§ 4.471(b)).

The appeal must be in writing and state the reasons, clearly and concisely, why the appellant thinks the Final Decision is in error. Other provisions of 43 C.F.R. § 4.470 also apply. The BLM does not accept appeals sent by electronic mail. Appeals transmitted by facsimile will be accepted so long as the BLM receives the original document with original signature within 7 days of the receipt of the facsimile transmittal.

A petition for stay, if filed, shall show sufficient justification based on the following standards (43 C.F.R. § 4.471(c)):

- The relative harm to the parties if the stay is granted or denied;
- The likelihood of the appellant's success on the merits;
- The likelihood of immediate and irreparable harm if the stay is granted; and,
- 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.

Any person named in the Decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Departmental Cases Hearings Division Office of Hearings and Appeals U.S. Department of the Interior 351 South West Temple, Suite 6300 Salt Lake City, Utah 84101, a motion to intervene in the appeal, together with the response, within 10 days of receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the Office of the Solicitor and any other person named in the Decision (43 CFR§4.471(b)).

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR§4.422(c)(2)).

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

Sincerely,

A handwritten signature in blue ink, appearing to read "William Mack", written over a horizontal line.

William Mack
District Field Manager
Colorado River District

Enclosures:
Mailing Copies