



***Bureau of Land Management
Director's Protest Resolution Report***

**Sonoran Desert National
Monument Livestock Grazing
Proposed Resource
Management Plan
Amendment and
Environmental Assessment**

December 12, 2024

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Acronyms

Term	Definition
APA	Administrative Procedure Act
AUM	animal unit month
BLM	Bureau of Land Management
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
EA	Environmental Assessment
EIS	environmental impact statement
ESA	Endangered Species Act
FLPMA	Federal Land Policy and Management Act
FONSI	Finding of No Significant Impact
GCA	Grazing Compatibility Analysis
LHE	land health evaluation
NEPA	National Environmental Policy Act
PRMPA	Proposed Resource Management Plan Amendment
RMP	resource management plan
RMPA	Resource Management Plan Amendment
SDNM	Sonoran Desert National Monument
U.S.C.	U.S. Code
USFWS	U.S. Fish and Wildlife Service
WWP	Western Watersheds Project

Introduction

The Bureau of Land Management (BLM) Sonoran Desert National Monument (SDNM) Office released the SDNM Livestock Grazing Proposed Resource Management Plan Amendment (PRMPA) and Environmental Assessment (EA) on October 4, 2024. The BLM received eight unique protest letter submissions during the subsequent 30-day protest period, which ended on November 4, 2024.

The planning regulations at 43 Code of Federal Regulations (CFR) 1610.5-2 outline the requirements for filing a valid protest. The BLM evaluated all protest letters to determine which protest letters were complete and timely, and which persons have standing to protest. All eight letters were complete and timely and were from parties who had standing to protest. Three of these protest letters contained valid protest issues. The BLM documents the responses to the valid protest issues in this protest resolution report. The protest decision is recorded in writing along with the reasons for the decision in this protest resolution report.

After careful review of the report by the BLM's Assistant Director for Resources and Planning, the Assistant Director concluded that the BLM Arizona State Director followed the applicable laws, regulations, and policies and considered all relevant resource information and public input. The Assistant Director addressed the protests and issued a Protest Resolution Report to protesting parties and posted the report on the BLM's website; no changes to the SDNM PRMPA/EA were necessary. The decision was sent to the protesting parties by certified mail, return receipt requested. Consistent with the BLM Delegation of Authority Manual (MS-1203 Delegation of Authority), resolution of protests is delegated to the BLM Assistant Director for Resources and Planning whose decision on the protest is the final decision of the U.S. Department of the Interior (43 CFR 1610.5-2(b)).

The report is divided into sections each with a topic heading, excerpts from individual protest letters, a summary statement of the issues or concerns raised by the protesting parties, and the BLM's response to the protests.

Protesting Party Index

Letter Number	Protestor	Organization	Determination
PP-AZ-SD-EA-24-01	Ionna Richmond	--	Dismissed: Comments Only
PP-AZ-SD-EA-24-02	Neville Bruce	--	Dismissed: Comments Only
PP-AZ-SD-EA-24-03	Pam Youngquist	--	Dismissed: Comments Only
PP-AZ-SD-EA-24-04	JS Anderson	--	Dismissed: Comments Only
PP-AZ-SD-EA-24-05	John Welch	Archaeology Southwest	Denied
PP-AZ-SD-EA-24-06	Cyndi Tuell	Western Watersheds Project	Denied
	Sandy Bahr	Sierra Club: Grand Canyon Chapter	
PP-AZ-SD-EA-24-07	Patrick McDermott	--	Dismissed: Comments Only
PP-AZ-SD-EA-24-08	Gary Macfarlane	Wilderness Watch	Denied

Endangered Species Act

Western Watersheds Project and Sierra Club: Grand Canyon Chapter

Cyndi Tuell and Sandy Bahr

Issue Excerpt Text: Cactus Ferruginous Pygmy Owl (*Glaucidium brasilianum cactorum*). Despite the fact the owl is listed as a threatened species, the BLM has not consulted with the U.S. Fish and Wildlife regarding the possible impacts of the grazing decision on the owl. The failure to accurately identify the owl as a listed species indicates the BLM has not actually updated its analysis of the impacts of ephemeral grazing underlying its 2024 decision, but rather has simply selected a different alternative than before. Based on the information available on the website for this project, the BLM has not consulted with the U.S. Fish and Wildlife Service on the owl. This is a violation of the Endangered Species Act. It is inherently unfair for the BLM to evade consultation with the U.S. Fish and Wildlife Service about the impacts of livestock grazing on listed species while nearby communities, including the Tohono O’odham Nation conducting projects on its sovereign lands, are required to do so.

Western Watersheds Project and Sierra Club: Grand Canyon Chapter

Cyndi Tuell and Sandy Bahr

Issue Excerpt Text: Section 3.6.1.3 of the 2024 Land Health Evaluation (at pages 19-20) identifies the cactus ferruginous pygmy owl (*Glaucidium brasilianum cactorum*) as a BLM sensitive species instead of an Endangered Species, and the 2024 EA identifies the owl as one of “several federally listed endangered, threatened, or candidate species that may occur within the Analysis Area or within 5-miles[,]” but does not indicate the owl is listed as a threatened species under the Endangered Species Act. 2024 EA at 32. The 2024 Resources and Issues Identification Checklist does not reflect the status of the owl as a species listed under the Endangered Species Act. The Grazing Compatibility Analysis does not accurately reflect the status of the owl. We raised this issue in our most recent comments at page 2, and throughout Section III of our most recent comments. Species that are not listed under the Endangered Species Act often are not studied or monitored and this appears to be the case for the owl. Without monitoring surveys, land managers do not have an accurate understanding of the impacts a project may have on a species. Monitoring surveys for the owl have not been conducted on the norther portion of the Monument since 2001 and the BLM claims the owl is absent from the project area based on modeling conducted by Arizona Game and Fish from 2018. That model, while outdated, indicates the owl could be present on the Monument.

Summary:

Protestors stated that the BLM violated the Endangered Species Act (ESA) by failing to consult with the U.S. Fish and Wildlife Service (USFWS) regarding the possible impacts from livestock grazing on cactus ferruginous pygmy owl. Protestors also stated that the BLM violated the ESA by listing cactus ferruginous pygmy owl as a BLM sensitive species instead of an endangered or threatened species in the Land Health Evaluation, the EA, and the Grazing Compatibility Analysis.

Response:

Section 7(a)(2) of the ESA requires Federal agencies to ensure that their proposed actions will not be “likely to jeopardize the continued existence of any [listed] species or result in the destruction or adverse modification of the critical habitat of such species” (16 U.S. Code [U.S.C.] 1336(a)(2)).

In determining whether a proposed action “may affect” a listed species or, conversely, whether there will be “no effect,” a Federal agency must determine what activities are encompassed by its proposed

action, what the effects of those activities are likely to be on the environment, and whether those effects will “pose any effect” on a listed species or critical habitat. Only those proposed actions that “may affect” a listed species or critical habitat are subject to the ESA’s Section 7 consultation requirements (USFWS and National Marine Fisheries Service 1998).

Consistent with Section 7 of the ESA, when an action agency determines that a Federal action will have no effect on listed species or critical habitat, the agency will make a “no effect” determination. In that case, the ESA regulations do not require concurrence from the USFWS or the National Marine Fisheries Service, and the agency’s obligations under Section 7(a)(2) for that action are complete.

The SDNM PRMPA/EA includes a description of the BLM’s compliance with Section 7 of the ESA in Section 3.7, *General Wildlife, Special Status Species (Animals), Migratory Birds* (SDNM PRMPA/EA p. 32–33). In accordance with Section 7, the BLM analyzed whether adoption of the SDNM PRMPA/EA “may affect” listed species or critical habitat for cactus ferruginous pygmy owl and determined that, while there is appropriate habitat for the species within the planning area, it has not been observed within 50 miles of the planning area in the last 30 years. Based on that lack of presence within 50 miles of the planning area, the BLM determined that the SDNM PRMPA/EA would have “no effect” cognizable under the ESA, so the SDNM PRMPA/EA did not require consultation with the USFWS for cactus ferruginous pygmy owl (SDNM PRMPA/EA p. 32).

The BLM developed the SDNM PRMPA/EA in full compliance with the ESA. Accordingly, this protest issue is denied.

NEPA Violation: Sufficiency of Impacts Analysis

Western Watersheds Project and Sierra Club: Grand Canyon Chapter Cyndi Tuell and Sandy Bahr

Issue Excerpt Text: We protest this decision and FONSI on the grounds that it has failed to thoroughly analyze the proposed levels of livestock grazing within the SDNM and thereby fails to comply with the National Environmental Policy Act (NEPA), 42 U.S.C. § 4231 et seq., and failed to prevent the undue degradation of the resources of these public lands, and thereby failed to comply with the 2001 Proclamation for the SDNM, the Federal Lands Policy and Management Act (FLPMA), 43 U.S.C. § 1701 et seq., the Administrative Procedures Act (APA), 5 U.S.C. § 701-708, the Wilderness Act, 16 U.S.C. § 1131 as well as other federal laws and policies. We raised our concerns regarding these issues in comments submitted to BLM on June 10, 2024, during the comment period on the draft plan and Environmental Analysis (EA). We provided extensive evidence to support our comments. BLM has not adequately incorporated our comments nor the best available science related to the impacts of livestock grazing into the analysis and decision-making process for this project. Additionally, there is new information the BLM must consider before moving forward with this decision.

Western Watersheds Project and Sierra Club: Grand Canyon Chapter Cyndi Tuell and Sandy Bahr

Issue Excerpt Text: the FONSI for the SDNM is arbitrary and capricious in the standards it evaluates various land uses against, in its inclusion or exclusion of relevant data, and in its decision to ignore entirely certain relevant issues. BLM’s responsibilities under FLPMA to protect and preserve the natural resources cannot be fulfilled if BLM doesn’t even know the current state of the public lands in question. The BLM has failed to make a finding that livestock grazing is compatible with the purposes of the SDNM designation as required by the 2001 Proclamation. *Western Watersheds Project v. BLM*, 629 F.Supp.2d 951 at 968 (D. Ariz. 2009). There is insufficient evidence in the FONSI and EA to support the agency’s conclusions, the evidence in the FONSI/EA

could only lead a reasonable person to a decision contrary to that of the BLM, and for this reason, the decision violates the APA.

***Western Watersheds Project and Sierra Club: Grand Canyon Chapter
Cyndi Tuell and Sandy Bahr***

Issue Excerpt Text: The preponderance of evidence makes clear that livestock grazing is harming or has the potential to harm the Sonoran Desert National Monument, contrary to the statutory mandates identified above. BLM’s decision here is contrary to its own findings, violates several federal regulations, and is arbitrary and capricious under the Administrative Procedures Act (APA) because it is not supported by the data and other evidence in the record, and the rationale are not adequately explained. As such, the proposed decision should be withdrawn and a No Grazing alternative should be selected. For the reasons outlined above, Western Watersheds Project and the Grand Canyon Chapter of the Sierra Club protest the EA and FONSI for the Monument.

***Western Watersheds Project and Sierra Club: Grand Canyon Chapter
Cyndi Tuell and Sandy Bahr***

Issue Excerpt Text: The BLM’s decision to violate NEPA, FLPMA, the Wilderness Act, the APA, ignoring new, relevant and important information, and violating various other environmental regulations in order to justify livestock grazing that has not occurred in nearly a decade for a handful of livestock permittees who are not relying on these lands for their commercial interests is baffling and we are once again protesting the BLM’s decision to authorize livestock grazing within a National Monument where grazing has been repeatedly found to be incompatible with protecting Monument objects.

***Western Watersheds Project and Sierra Club: Grand Canyon Chapter
Cyndi Tuell and Sandy Bahr***

Issue Excerpt Text: Here, livestock grazing is wholly unnecessary, has not occurred on the SDNM for the most part since before 2015, and is highly likely to violate multiple environmental protection statutes because it will cause significant harm to natural resources. In the past, livestock grazing has wreaked havoc on Monument objects and only after an extended period of protection from livestock grazing has the Monument begun to recover. Livestock grazing, at any level, will harm Monument objects, impair the productivity of the land and the quality of the environment and ephemeral grazing will have the significant negative impacts on archaeological resources and the Sonoran desert tortoise. We have provided scientific research that demonstrates these concerns are valid, and the BLM has chosen to ignore them. Clearly, livestock grazing in the SDNM does not comport with the fundamental tenets of the FLPMA because the risk to the resources is both unnecessary and undue and has the potential to permanently impair the very values the SDNM was designated to protect. The BLM has violated FLPMA at § 302(a) because the FONSI and EA are not in compliance with the Proclamation that directs it to protect the resources of the SDNM. BLM fails to comply with FLPMA because it fails to protect the precious lands and resources of the SDNM, and fails to utilize the best available science in the decision-making process.

***Western Watersheds Project and Sierra Club: Grand Canyon Chapter
Cyndi Tuell and Sandy Bahr***

Issue Excerpt Text: The BLM did not provide a “hard look” in the LHE, the grazing compatibility analysis, nor the EA, improperly relied on the Arizona Standards for Rangeland Health, and, as discussed above, failed to make the required compatibility determination. The FONSI did not disclose complete and accurate information to allow for informed public-participation and informed decision-making.

***Western Watersheds Project and Sierra Club: Grand Canyon Chapter
Cyndi Tuell and Sandy Bahr***

Issue Excerpt Text: Rather than take a hard look at the impacts of livestock grazing inside Wilderness, the BLM evades any meaningful analysis by simply parroting what is stated for other resources in the EA: that the impacts would be long-term, adverse, and negligible given the large-scale (acres) of the wilderness areas and lack of water developments. These generalities are inadequate because they lack any comparable measures, including the information we requested the BLM include in the EA.

***Western Watersheds Project and Sierra Club: Grand Canyon Chapter
Cyndi Tuell and Sandy Bahr***

Issue Excerpt Text: BLM reaches a paradoxical conclusion regarding grazing in the Monument: since areas distant from livestock water- areas supposedly not used by livestock-are meeting Standards, grazing is therefore compatible with the Monument. This is a tacit (and shocking) admission that grazing, where it actually occurs, is not compatible with the Monument because Standards are generally not being met in those areas. What BLM has done and is proposing to do is to maintain and/or possibly create sacrifice zones within the Monument and the North and South Maricopa Mountains Wildernesses. This is because livestock distribution is poor, due to the desert environment and relative lack of watering sites. However, maintaining and/or creating more sacrifice zones in ecological systems like those in the Sonoran Desert through fencing, water developments, or other structures is not compatible anywhere on public lands due to unnecessary and undue degradation mandate in FLPMA, let alone the Monument or Wilderness.

***Wilderness Watch
Gary Macfarlane***

Issue Excerpt Text: The agency admits that areas that cattle use, near water, do not meet range health standards. The only option is to determine these areas are not available for grazing. Similarly, our comments also noted BLM refused to consider an alternative that would close areas not meeting BLM land health standards as impractical. This is a tacit admission that grazing is incompatible not only with the Monument Proclamation but also with basic standards under FLPMA.

***Wilderness Watch
Gary Macfarlane***

Issue Excerpt Text: Our comments addressed the concern about deferring site-specific analysis when a decision to allow grazing seems to be made now. Specifically, we noted, “The plan amendment will determine if grazing is compatible with the Monument. However, this creates a two-step process that may violate NEPA because an adequate cumulative-impacts analysis had not been done and connected actions were not discussed in the EA.” It is not clear when a decision to allow grazing will be made. This creates a catch-22 where BLM could claim in the site-specific analysis the allocation decision has already been made so it is compelled to issue new grazing permits.

***Wilderness Watch
Gary Macfarlane***

Issue Excerpt Text: This expansion of allowed grazing and infrastructure appears to conflict with the Congressional Grazing Guidelines which clearly note, “This is not to imply, however, that wilderness lends itself to AUM or livestock increases and construction of substantial new facilities that might be appropriate for intensive grazing management in non-wilderness areas.” The expansion of grazing that would occur under the proposed decision not only violates the Monument Proclamation, but appears to also violate the Congressional Grazing Guidelines.

Wilderness Watch

Gary Macfarlane

Issue Excerpt Text: The EA Fails to Provide Information about Current and Proposed Grazing in Wilderness Which Violates NEPA. We clearly pointed out: Among other omissions, the EA's existing condition for Wilderness (page 50) does not reveal how much grazing takes place in Wilderness, whether livestock grazing patterns (numbers and geography) in Wilderness vary from year to year due to ephemeral water or forage, whether BLM has long-term range trend and use-data specific to the Wilderness, or whether motorized use takes place in Wilderness for grazing purposes. None of this information is available in the draft final EA of October 2024, as it is almost identical to the May 2024 EA provided for public input. For example, compare pages 50 of the EAs.

Western Watersheds Project and Sierra Club: Grand Canyon Chapter

Cyndi Tuell and Sandy Bahr

Issue Excerpt Text: Clearly, livestock grazing in the SDNM does not comport with the fundamental tenets of the FLPMA because the risk to the resources is both unnecessary and undue and has the potential to permanently impair the very values the SDNM was designated to protect. The BLM has violated FLPMA at § 302(a) because the FONSI and EA are not in compliance with the Proclamation that directs it to protect the resources of the SDNM. BLM fails to comply with FLPMA because it fails to protect the precious lands and resources of the SDNM, and fails to utilize the best available science in the decision-making process.

Western Watersheds Project and Sierra Club: Grand Canyon Chapter

Cyndi Tuell and Sandy Bahr

Issue Excerpt Text: It appears there are high use probability grazing areas in both the North Maricopa Mountains and South Maricopa Mountains Wilderness areas, including two apparent livestock watering areas located at or near the end of cherry stemmed routes that go deep in the two Wildernesses. The high use areas are almost entirely within those Wildernesses. There are also two apparent livestock watering areas near the northern boundary of the South Maricopa Mountains. Rather than take a hard look at the impacts of livestock grazing inside Wilderness, the BLM evades any meaningful analysis by simply parroting what is stated for other resources in the EA: that the impacts would be long-term, adverse, and negligible given the large-scale (acres) of the wilderness areas and lack of water developments. These generalities are inadequate because they lack any comparable measures, including the information we requested the BLM include in the EA.

Summary:

Protestors stated the BLM violated NEPA, the Federal Land Policy and Management Act (FLPMA), and the Wilderness Act by not adequately analyzing the impacts from livestock grazing on Monument resources. In particular, protestors stated that the BLM failed to prevent unnecessary or undue degradation to other resources by failing to use the best available science to analyze impacts on Monument objects, archaeological resources, water resources, and Sonoran Desert tortoise from the proposed level of livestock grazing. Additionally, protestors stated that by excluding relevant issues in the analysis, not properly analyzing the cumulative effects, and not adequately explaining their rationale for livestock grazing decisions, the BLM acted in an arbitrary and capricious manner and violated the Administrative Procedure Act (APA). Protestors also stated the BLM violated the Congressional Grazing Guidelines and the Monument Proclamation by expanding the area open to livestock grazing and prioritizing grazing over other resources.

Response:

The effects analysis must demonstrate that the BLM took a “hard look” at the impacts of the action (BLM NEPA Handbook, H-1790-1, 6.8.1.2, *Analyzing Effects*). The environmental information made available to public officials and citizens before decisions are made must be of “high quality” (40 CFR 1500.1(b)).¹ A “hard look” is a reasoned analysis containing quantitative or detailed qualitative information (BLM NEPA Handbook, H-1790-1, 6.8.1.2, *Analyzing Effects*). The BLM must use information of high quality and scientific integrity in its NEPA analysis, including information provided as part of public involvement (40 CFR 1500.1(b)). The NEPA documents are to be analytic, rather than encyclopedic (40 CFR 1500.4(b)).

The level of detail of the NEPA analysis must be sufficient to support reasoned conclusions by comparing the amount and the degree of change (impact) caused by the proposed action and alternatives (BLM Handbook H-1790-1, Section 6.8.1.2). The BLM need not speculate about all conceivable impacts, but it must evaluate the reasonably foreseeable effects of the proposed action. A land use planning–level decision is broad in scope. For this reason, analysis of land use plan alternatives is typically broad and qualitative rather than quantitative or focused on site-specific actions. The baseline data provide the necessary basis to make informed land use plan–level decisions.

As the land use planning decisions under consideration by the BLM are programmatic in nature, the scope of the analysis was conducted at a regional, programmatic level. The analysis focuses on the direct, indirect, and cumulative impacts that could potentially result from planning-level changes. This analysis identifies impacts that may result in some level of change to the resources, regardless of whether that change is beneficial or adverse. Impacts, for example, on Sonoran Desert tortoise, from livestock grazing will be studied on a more detailed scale on an allotment-by-allotment basis during subsequent implementation-level NEPA analyses, and implementation-level adjustments may be required to meet all regulations and guidelines for resources, like Sonoran Desert tortoise (SDNM PRMPA/EA p. 16).

Additionally, Section 302(b) of FLPMA requires that “in managing the public lands the Secretary [of the Interior] shall, by regulation or otherwise, take any action necessary to prevent unnecessary or undue degradation of the lands.” The SDNM PRMPA/EA provides for the balanced management of the public lands in the planning area. In developing the SDNM PRMPA/EA, the BLM fully complied with its planning regulations (43 CFR 1610), the requirements of NEPA, and other statutes, regulations, and Executive Orders related to environmental quality. The SDNM PRMPA/EA identifies appropriate allowable uses, management actions, and other mitigation measures that prevent the unnecessary or undue degradation of public lands. Resource management plans (RMP) do not authorize any use of the public lands, much less any that would result in unnecessary or undue degradation. Authorization for a use of public lands would occur during implementation of the RMP and would be subject to future, site-specific analysis, including under NEPA.

NEPA requires the BLM to “ensure the professional integrity, including scientific integrity, of the discussions and analyses in an environmental document” (42 U.S.C. 4332(d)). The Council on Environmental Quality’s (CEQ) regulations implementing NEPA further require that agencies use information that is of “high quality” (40 CFR 1500.1(b)). The BLM NEPA Handbook also directs the BLM to “use the best available science to support NEPA analyses and give greater consideration to

¹ The BLM is aware of the November 12, 2024, decision in *Marin Audubon Society v. Federal Aviation Administration*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality regulations implementing NEPA are not judicially enforceable or binding on this agency action, the BLM has nonetheless elected to follow those regulations at 40 C.F.R. 1500–1508, in addition to the Department of the Interior’s procedures/regulations implementing NEPA at 43 CFR 46, to meet the agency’s obligations under NEPA, 42 U.S.C. 4321 et seq.

peer-reviewed science and methodology over that which is not peer-reviewed” (BLM Handbook H-1790-1, p. 55). Under the BLM’s guidelines for implementing the Information Quality Act, the BLM applies the principle of using the “best available” data in making its decisions (BLM Information Quality Act Guidelines, February 9, 2012).

To complete this analysis, the BLM analyzed relevant issues and cumulative effects (SDNM PRMPA/EA Chapter 4, pp. 53–76) and used the best available science by incorporating peer-reviewed scientific literature (SDNM PRMPA/EA Chapter 6, pp. 80–88), including by consulting with agencies and the public (SDNM PRMPA/EA Chapter 5, pp. 77–79). The Land Health Evaluation describes in detail the methods for establishing the Desired Plant Community objectives, providing transparency and a full description of how the BLM analyzed the best available science (SDNM PRMPA/EA Appendix 3). The science on which the BLM relied for both the Grazing Compatibility Analysis (SDNM PRMPA/EA Appendix 4) and the Land Health Evaluation (SDNM PRMPA/EA Appendix 3) was revised and updated for the SDNM PRMPA/EA planning effort in order to utilize the best available information at the time of the planning effort.

Conformance with the Wilderness Act and the impact on wilderness are discussed in Section 3.12 (SDNM PRMPA/EA pp. 50–52) and a discussion of the cumulative impacts on wilderness is included in Section 4.14 (SDNM PRMPA/EA pp. 75–76). As described in Section 1.8 (SDNM PRMPA/EA pp. 6), actions considered under the SDNM PRMPA/EA are consistent with all Federal, State, and local laws, regulations, and policies deemed relevant to the PRMPA/EA. These laws include the Wilderness Act, NEPA, FLPMA, the Monument Proclamation, Congressional Grazing Guidelines, and the APA.

The BLM discusses the potential impact on Monument objects from proposed livestock grazing management under each alternative throughout the SDNM PRMPA/EA and in the Grazing Compatibility Analysis (SDNM PRMPA/EA Appendix 4). A list of monument objects that were analyzed under this effort can be found in Table 1 (SDNM PRMPA/EA p. 2) and references to the relevant analysis sections for these objects can be found in Table 6 (SDNM PRMPA/EA p. 15). The analysis within the SDNM PRMPA/EA is sufficient and adequate to meet the purpose and need for the PRMPA (SDNM PRMPA/EA pp. 1-2), which includes determining the compatibility of grazing with the Monument objects. To support that determination, the SDNM PRMPA/EA analyzed the potential impacts of livestock grazing from five alternatives on a number of resources including vegetation communities, wildlife, threatened and endangered species, and cultural objects, all of which are Monument objects as defined in Proclamation 7397.

Additionally, the SDNM PRMPA/EA resolves the inadequate justification for the assumption in the 2020 Resource Management Plan Amendment (RMPA) that cattle do not have a significant impact on vegetation beyond 2 miles from water sources (*Western Watersheds Project, et al., v. United States Bureau of Land Management*, Case No. 2:21-CV-01126-PHX-SRB (Dist. Ct. Ariz) Order date October 19, 2023). Although there is no perennial source of water (lake, pond, river, or stream) within the Monument, the impact of cattle congregation around water sources is discussed in the analysis on vegetation (SDNM PRMPA/EA Section 3.6, pp. 24–30 and Section 4.8, pp. 62–65) and soils (SDNM PRMPA/EA Section 3.8, pp. 37–41 and Section 4.10, pp. 66–68). The BLM utilized peer-reviewed scientific literature for analysis related to both water resources and livestock grazing, sources for which are cited throughout the section and full references for which are provided in Section 6 (SDNM PRMPA/EA pp. 80–88).

Detailed analysis on potential impacts on archaeological resources from the management proposed under each alternative can be found in Section 3.9 (SDNM PRMPA/EA pp. 41–45) with cumulative impacts discussed in Section 4.11 (SDNM PRMPA/EA pp. 69–71). Section 3.7 provides additional details on how ephemeral grazing may affect Sonoran Desert tortoise (SDNM PRMPA/EA pp. 30–37). In response to the controversial nature of livestock grazing within the SDNM and public

comments, the BLM added discussion in the Final EA of the “Social Cost of Greenhouse Gases” in Section 4.7 (SDNM PRMPA/EA pp. 61–62). That new discussion includes an analysis of sources provided by the public during the public comment period.

The BLM complied with NEPA’s requirement to analyze the potential environmental consequences from proposed livestock grazing under each alternative and its impacts on Monument objects in the SDNM PRMPA/EA. Additionally, because the SDNM PRMPA/EA would not authorize any uses of the public lands and the alternatives evaluated in the Final EA comply with all applicable statutes, regulations, and policy, the SDNM PRMPA/EA will not result in “unnecessary or undue degradation of the lands” under Section 302(b) of FLPMA. Accordingly, this protest issue is denied.

NEPA Violation: Best Available Science

Western Watersheds Project and Sierra Club: Grand Canyon Chapter Cyndi Tuell and Sandy Bahr

Issue Excerpt Text: The Grazing Compatibility Analysis is, again, largely unchanged from previous versions. It fails to take into consideration the latest available science, citing only one study from after 2012, despite WWP and others providing much more recent scientific information and research relevant to this specific part of the Sonoran Desert from after 2009. The analysis indicates the BLM relied on a study from 1982 for their position that “[c]attle can cause breakage and displace artifacts, but the displacement is over small distances and unlikely to leave spatial patterns intact.” GCA 2024 at 2, citing Wildesen 1982, and later in the same paragraph relying on two other studies from the 1980s. Not only does this statement ignore much more recent information provided by Archaeology Southwest, the statement itself does not make sense - is the BLM saying that livestock grazing impacts disturb spatial patterns, or that it does not disturb them? Regardless, the Wildesen 1982 study seems to contradict BLM’s position: Several studies have been conducted to examine the impacts of specific kinds of ground-disturbing projects on archaeological materials, with particular attention to artifact movements on ground surfaces. Roney, in an unpublished study of grazing impacts, concluded that horizontal displacement of artifacts by cows “was less severe than had been anticipated,” and would “probably leave intact spatial patterns relating to activity areas and isolation of individual campsites, but could obscure very fine patterning, as might be of interest in a study of motor habits” (1977:15). Roney suggests that moister soil might cause greater potential artifact displacement due to increased vertical mixing, and that artifacts might actually stick to the hooves of milling cattle, and be transported out of the area.

Archaeology Southwest John Welch

Issue Excerpt Text: The EA ignores or discounts the findings from BLM and scientific studies, all of which indicate the adverse and significant impacts of grazing on cultural resources. Instead of making use of readily available information, including the results of recent studies prepared by Archaeology Southwest in collaboration with BLM, the EA relies on claims that are needlessly vague and unquantified as well as irrelevant to the purpose of the EA, like: P. 42- “intensive archaeological survey information is limited, so an unknown number of sites have not been identified.” Why not use the information that is known to assess compatibility? P. 43- “concentrated livestock use at watering facilities and trailing along fencing can be incompatible with cultural monument objects.” Why not base further analysis on the clear and available scientific information indicating grazing impacts to cultural resources? P. 45- “Allowing any livestock grazing in areas where sensitive cultural resources are present, would likely result in negative, negligible to minor, and long-term impacts to cultural and heritage resources.” Why use this assertion, which is plainly hypothetical and unsupported by any fact or evidence, instead of available scientific information indicating grazing impacts to cultural resources are often severe and almost always irrevocable? P. 46- “the preferred “alternative would reduce the impacts to cultural and heritage resources within

the Analysis Area due to the more stringent guidelines.” Why use this assertion, which is plainly hypothetical and unsupported by any fact or evidence, instead of available scientific information indicating grazing impacts to cultural resources are often severe and almost always irrevocable? It is at least equally possible that the periods of time between episodes of ephemeral grazing will allow cultural resources to emerge onto ground surfaces where they would be subject to significant and adverse effects.

***Western Watersheds Project and Sierra Club: Grand Canyon Chapter
Cyndi Tuell and Sandy Bahr***

Issue Excerpt Text: BLM’s compatibility analysis continues to only cite peer-reviewed journal articles published in 2012 or prior in the reference section. We noted that this clearly indicates the agency is not, in fact, sufficiently updating its understanding of the effects of livestock grazing. WWP et al. 2020 at 4, raised again in our 2024 comments. We provided much more recent scientific research that the agency continues to ignore in this decision-making process, in violation of the requirement to use the best available science. The more recent research we provided, both during scoping and with our EA comments, includes: Abella and Berry, 2016. Abella et al., 2019. Ault et al., 2016. Averill-Murray et al., 2018. Beschta et al., 2012. Berry et al., 2020. Bracamonte et al. 2017. Bradley and Colodner, 2019. Conver et al., 2017. Flesch et al, 2017. Hall et al., 2005. Williamson et al., 2019. Yang et al., 2020. We provided many of these references in full, and all of them either in full or as part of an annotated bibliography. None of the above cited references are found in the reference section for the PRMPA-EA, with the exception of Hall et al., 2005. Unfortunately, our input has apparently been ignored, despite its relevance and the fact that it is the best available science specific to grazing in the Sonoran Desert. The BLM has failed to address these concerns and therefore the compatibility determination and analysis remain deeply flawed and mirrors these flaws in the EA and FONSI.

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Issue Excerpt Text: We are concerned the BLM has relied on scientific research that is almost a decade old for the modeling and analysis. Equally disturbing is the use of ten year-old livestock water development use for this same modeling, especially because livestock have not been permitted in the vast majority of the SDNM since 2015. Certainly, there are studies that are more recent that could provide a more accurate assessment of livestock impacts using modern technology and more accurate information. The BLM’s reliance on outdated science and data violates the BLM’s obligation to use the best available science, and information, when engaging in informed decision-making.

Summary:

Protestors stated that the BLM violated NEPA by failing to use the most current and best available science in the SDNM PRMPA/EA, specifically by:

- Not including the results of recent studies prepared by Archaeology Southwest in collaboration with the BLM. Protestors stated that the BLM used vague or generic statements to describe livestock grazing impacts on cultural resources and does not acknowledge that available scientific information indicates that grazing impacts on cultural resources are often severe and almost always irrevocable.
- Relying on peer-reviewed journal articles published earlier than 2012 and including the use of decades-old modeling data to inform the analysis in the EA. Protestors stated that more recent scientific research exists and that they have previously provided examples of such scientific research to the BLM.

Response:

NEPA requires the BLM to “ensure the professional integrity, including scientific integrity, of the discussions and analyses in an environmental document” (42 U.S.C. 4332(d)). The CEQ regulations implementing NEPA further require that agencies use information that is of “high quality” (40 CFR 1500.1(b)).

The BLM NEPA Handbook also directs the BLM to “use the best available science to support NEPA analyses and give greater consideration to peer-reviewed science and methodology over that which is not peer-reviewed” (BLM Handbook H-1790-1, p. 55). Under the BLM’s guidelines for implementing the Information Quality Act, the BLM applied the principle of using the “best available” data in making its decisions (BLM Information Quality Act Guidelines, February 9, 2012).

The BLM incorporated the best available science in its analysis of potential grazing impacts, including impacts on cultural resources, under each alternative in the EA, the Land Health Evaluation (SDNM PRMPA/EA Appendix 3), and the Grazing Compatibility Analysis (SDNM PRMPA/EA Appendix 4). The SDNM PRMPA/EA includes *References* sections (SDNM EA Section 6, p. 80; Appendix 3, Section 10, p. 68; Appendix 4, Section 6, p. 27), which list information considered by the BLM in preparation of the SDNM PRMPA/EA. Scientific literature published in 2021, 2022, and 2024 were utilized in the development of the Land Health Evaluation (Appendix 3), Grazing Compatibility Analysis (Appendix 4), and the SDNM PRMPA/EA. Twenty peer-reviewed articles from 2020 through 2024 were incorporated into the SDNM PRMPA/EA and another 10 government reports were included from 2020 or later.

Regarding available archaeological survey information and impacts on cultural resources, the BLM identified cultural resource sites and Tribal interests within the analysis area in Section 3.9.1 (SDNM PRMPA/EA pp. 41–43) and analyzes potential impacts on these resources from implementation of each alternative in Section 3.9.2 1 (SDNM PRMPA/EA pp. 43–45). The BLM acknowledges that any livestock grazing would lead to negative impacts on cultural and heritage resources and states that any decisions approving range improvements resulting from the PRMPA/EA would be subject to Section 106 of the National Historic Preservation Act and the 2020 Arizona Vegetation and Range Management Programmatic Agreement.

Following the public comment period, the BLM reviewed suggested literature commenters provided to determine if the information was substantially different than the information considered and cited in the SDNM PRMPA/EA. Specific sources were considered and added to the analysis; for example the discussion in Conver et al. 2017 regarding the relationship between livestock grazing and saguaro populations was added to Section 3.6.2 (SDNM PRMPA/EA p. 26), and its discussion of cumulative impacts was added to Section 4.8 (SDNM PRMPA/EA p. 62). As noted in the protester’s comments, discussion in Hall et al. 2005 regarding ephemeral grazing as an appropriate form of livestock management is included in Section 3.6.2 (SDNM PRMPA/EA p. 26). Additionally, Hall et al. 2005 is cited in Section 3.8.2 to describe soil compaction in high-density cattle areas (SDNM PRMPA/EA p. 38).

The BLM reviewed sources and data provided by protesters to determine if the analysis or conclusions in the SDNM Draft RMPA/EA needed to be changed or updated, including Appendices 3 and 4, and either added analysis from this literature in the SDNM PRMPA/EA or determined that the suggested literature does not provide additional information that would result in effects outside the range of effects already discussed in the SDNM Draft RMPA/EA (SDNM PRMPA/EA Appendix 8, PDF p. 5-23).

The BLM relied on high-quality information and the best available data in preparation of the SDNM PRMPA/EA, as required by NEPA. Accordingly, this protest issue is denied.

NEPA Violation: EIS versus EA

Wilderness Watch

Gary Macfarlane

Issue Excerpt Text: Our comments state, “[g]iven the controversy over this proposal, including scientific controversy where BLM has suggested that moderate grazing can improve range conditions, the BLM should consider an EIS if BLM intends to allow grazing to occur in the Monument.” The scientific controversy is recognized in the EA itself, though presented in a way that overstates the possibility that cattle grazing can help prevent non-native plant infestations while understating the opportunity for damage to ecosystems and native plant communities from grazing. Page 26 of the EA recognizes “cattle can contribute to plant species invasions in some systems ...” The discussion then continues about studies, most of which are not applicable to an area as dry as the Sonoran Desert or in areas that have cold-season grasses like the Great Basin. Studies that suggest cattle grazing as a way to reduce non-native species are usually conducted under controlled conditions with significant range infrastructure, such as fenced pastures and water developments. As we have shown in protest point 2, the EA is not site-specific in terms of needed grazing infrastructure, especially in Wilderness. Not only does the EA lack baseline conditions and include controversial science (as stated above), the current plan does not permit grazing as broadly as does this amendment. While some amendments might not have significant impacts, revisions to the land management plans do require an EIS. The scope of this amendment is so broad it is constructively like a revision to the land management plan, and the potential impact should be treated as such by analyzing the proposal as an EIS. The scope, the scientific controversy involved, and the impact to Wilderness all create a situation for the potential for significant impact. That is the only acceptable conclusion of this EA should the BLM continue to examine an alternative other than the no- action one.

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Cyndi Tuell and Sandy Bahr

Issue Excerpt Text: There is significant new information relevant to the environmental effects that have bearing on the proposed action or its impacts. This new information requires a supplemental analysis by the BLM and supports our position that an EIS is required. Specifically, the BLM should have, and could have, considered as part of the analysis for this project, the impacts of proposed solar development on the Sonoran desert tortoise. The BLM released the final Programmatic Environmental Impact Statement for solar development on BLM managed lands on August 29, 2024.2 This information does not appear to have been considered as part of the cumulative effects analysis for the SDNM grazing EA.

Summary:

Protestors stated the BLM violated NEPA by not preparing an environmental impact statement (EIS) to analyze the impacts of this PRMPA, stating the EA lacks baseline data, includes controversial science on whether livestock grazing improves range conditions, and is overly broad, lacking specific cumulative impact analysis such as the impact of solar development on Sonoran Desert tortoise.

Response:

When determining whether to prepare an EIS or an EA, the BLM must determine the significance of the effects of the proposed action or plan. To determine whether the effects are significant enough to warrant preparation of an EIS, the BLM must consider both the context and intensity of the action and the effects (BLM Handbook H-1790-1, p. 70). One of the CEQ’s considerations for evaluating intensity of effects is the degree to which the effects are likely to be highly controversial (40 CFR 1408.27(b)(4)). In this context, “controversy” means that there is disagreement about the nature of the effects, not merely public opposition to a project or preference for a different alternative. In

particular, substantial disagreement among the scientific community regarding the nature of effects indicates controversy. The BLM decision-maker uses his or her discretion to determine the degree of controversy (BLM Handbook H-1790-1, p. 71).

In the SDNM Draft PRMPA/EA, the BLM received public comments on the controversial nature of livestock grazing within the SDNM. In response to these comments, the BLM investigated sources provided by the public (SDNM PRMPA/EA Appendix 8, p. 93) and found that some of these sources were not appropriate to inform the analysis of impacts from grazing on BLM-managed lands in the analysis area. The BLM acknowledges both the potential drawbacks and potential benefits of grazing, and analyzed the potential impacts of grazing on Monument objects under each alternative in the Grazing Compatibility Analysis (SDNM PRMPA/EA Appendix 4) and in the EA sections on vegetation (SDNM PRMPA/EA Section 3.6, pp. 24–30 and Section 4.8, pp. 62–65), wildlife (SDNM PRMPA/EA Section 3.7, pp. 30–37 and Section 4.9, pp. 65–66), soils and soil biotic crust (SDNM PRMPA/EA Section 3.8, pp. 37–41, and Section 4.10, pp. 66–68), and cultural resources (SDNM PRMPA/EA Section 3.9, pp. 41–45, and Section 4.11, pp. 69–70), among others. Although overgrazing is detrimental, ephemeral grazing reduces grazing levels well below historical levels. Additional detail on ephemeral grazing is provided in Section 1.10 (SDNM PRMPA/EA pp. 6–7) and in Appendix 7, which was added to the PRMPA/EA in response to public comments. Although there is discussion and even some level of disagreement within the scientific community about the impacts of grazing, that alone does not require the development of an EIS.

Regarding protestors' statements that the SDNM PRMPA/EA does not adequately address cumulative impacts or impacts on Sonoran Desert tortoise, cumulative impacts from implementation of the alternatives on all resources are analyzed in Chapter 4 (SDNM PRMPA/EA pp. 53–76) and those specific to special status species are provided in Section 4.9 (SDNM PRMPA/EA pp. 65–66). Additionally, Section 3.7 in the PRMPA/EA was updated following the public comment period to include supplementary details on how ephemeral grazing may affect Sonoran Desert tortoise (SDNM PRMPA/EA pp. 30–37). Although it is appropriate to discuss solar energy development in the discussion of cumulative impacts, an analysis of how solar development affects Sonoran Desert tortoise is outside the scope of this PRMPA/EA (SDNM PRMPA/EA pp. 53–76). The objective of this planning effort, discussed in Section 1.3 (SDNM PRMPA/EA pp. 1–3), is to determine whether grazing is compatible with protecting objects and should be made available, and at what levels, within the SDNM. Impacts from grazing on individual allotments or resources will be considered through the process to issue individual ephemeral grazing permits, including associated NEPA review, and will include additional analysis of impacts on Sonoran Desert tortoise on a more detailed scale.

While there is some disagreement about the nature of the effects of livestock grazing within the scientific community, this disagreement does not constitute a high level of controversy and the BLM appropriately prepared an EA, rather than an EIS. Moreover, the BLM's cumulative effects analysis and analysis of impacts on specific resources illustrate that an EA, rather than an EIS, was appropriate. Accordingly, this protest issue is denied.

Protection of Monument Objects and Values

Western Watersheds Project and Sierra Club: Grand Canyon Chapter Cyndi Tuell and Sandy Bahr

Issue Excerpt Text: For the SDNM, the BLM has a higher standard of duty to protect Monument objects under the Antiquities Act of 1906, 54 U.S.C. § 320301. But here the BLM has even violated its obligation to balance the multiple uses of public lands because the proposed land use plan amendment uniformly benefits one particular land use, while uniformly harming all others. The failure to adopt a plan amendment that moves the management of the SDNM toward true

conservation not only violates BLM’s obligations to protect the Monument, but it also does not follow BLM’s internal policies that mandate species protection. BLM Manual 6840 “provide[s] policy and guidance for the conservation of BLM special status species and the ecosystems upon which they depend on BLM-administered lands.” The objective for species that are not currently listed under the ESA is to “initiate proactive conservation measures that reduce or eliminate threats to Bureau sensitive species to minimize the likelihood of and need for listing of these species under the ESA.” BLM Manual 6840. The BLM’s State Director has the additional responsibility of “[e]nsuring that when BLM engages in the planning process, land use plans and subsequent implementation-level plans identify appropriate outcomes, strategies, restoration opportunities, use restrictions, and management actions necessary to conserve and/or recover listed species, as well as provisions for the conservation of Bureau sensitive species,” and “[e]nsuring that land use and implementation plans fully address appropriate conservation of BLM special status species.”

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Issue Excerpt Text: We previously noted that FLPMA mandates that the Secretary of Interior “shall” take any action necessary to prevent “unnecessary or undue degradation” of public lands. Id. § 1732(b). WWP et al. 2024 at 34-35. FLPMA further provides that BLM public lands “shall” be managed “for multiple use and sustained yield.” Id. § 1732(a). The definition of “multiple use” calls for “harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.” Id. § 1702(c) (emphasis added). Both the “non-impairment” and “unnecessary and undue degradation” provisions constrain BLM’s discretion in adopting or revising its land use plans. We again alert BLM that its proposed amendment violates these mandates by allowing unnecessary/undue degradation and permanent impairment of habitat and populations of protected species and protected Monument objects. For the SDNM, the BLM has a higher standard of duty to protect Monument objects under the Antiquities Act of 1906, 54 U.S.C. § 320301. But here the BLM has even violated its obligation to balance the multiple uses of public lands because the proposed land use plan amendment uniformly benefits one particular land use, while uniformly harming all others. The failure to adopt a plan amendment that moves the management of the SDNM toward true conservation not only violates BLM’s obligations to protect the Monument, but it also does not follow BLM’s internal policies that mandate species protection.

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Cyndi Tuell and Sandy Bahr***

Issue Excerpt Text: For all of the reasons outlined above in the sections above pertaining to failures under FLPMA, we protest under NEPA as well. Where BLM has failed to provide management to protect the land and resources of the SDNM, it also failed NEPA. 40 C.F.R. § 1502.24 (and 43 U.S.C. 4371 et seq.).

Summary:

Protestors stated that approval of the SDNM PRMPA/EA would violate FLPMA, NEPA, the Antiquities Act of 1906, BLM Manual 6840, and Proclamation 7397 by:

- Failing to adequately protect Monument objects and values from harmful livestock grazing impacts by prioritizing livestock grazing over all other resources within the Monument.
- Failing to address appropriate conservation of BLM special status species.
- Failing to propose management actions that protect the lands and resources of the SDNM.

Response:

The Antiquities Act of 1906 grants the President authority to designate National Monuments to protect “historic landmarks, historic and prehistoric structures, or other objects of historic or scientific interest” (16 U.S.C. 431-433). The SDNM was established under Presidential Proclamation 7397 in 2001. This proclamation established approximately 486,400 acres of BLM-administered lands for the protection of scientific, biological, archaeological, geological, cultural, and historic objects outlined in the Proclamation (*Federal Register* 66(14):7354–7358). Land use plans for a National Monument must generally analyze and consider measures to ensure that objects are conserved, protected, and restored (BLM Manual Section 6220.1.6.G.4). Through the land use planning process, the BLM identifies specific and measurable goals and objectives for each object (BLM Manual Section 6220.1.6.G.4.a).

Proclamation 7397 does not require the BLM’s management decisions to be those that are the most protective of Monument objects. Instead, it requires that, on balance, the BLM’s management decisions be consistent with the overall protection of the identified objects. The SDNM PRMPA/EA must comply with the purposes and objectives outlined in Proclamation 7397, but grazing, among other uses, may be allowed to the extent it is not inconsistent with Proclamation 7397.

The BLM developed the management under each action alternative with the purpose of protecting Monument objects and values as described in the Purpose and Need statement for the SDNM PRMPA/EA (see Section 1.3, pp. 1–3). Specifically, Table 1, *Objects and Elements of the Proclamation*, presents the Monument objects protected under Proclamation 7397 (SDNM PRMPA/EA p. 2). The BLM discusses the potential impacts on Monument objects from proposed livestock grazing management under each alternative throughout the SDNM PRMPA/EA and in the Grazing Compatibility Analysis (SDNM PRMPA/EA Appendix 4). Based on the impact analysis conducted throughout the planning process, the BLM included measures in the SDNM PRMPA/EA that protect Monument objects from potential livestock grazing impacts and contribute to meeting the goals and objectives for objects as set forth in the SDNM PRMPA/EA.

While the content of the SDNM PRMPA/EA is focused on decisions related to livestock grazing management, this does not inherently prioritize livestock grazing over all other uses within the SDNM. The purpose of the SDNM PRMPA/EA is to identify livestock grazing management actions that are compatible with Proclamation 7397 and the protection of Monument objects and values (see Section 1.3, pp. 1-3). Within the SDNM PRMPA/EA, the BLM identified that historic levels of grazing (8,703 animal unit months [AUM]) were not compatible with Proclamation 7397, and as such, presented five alternatives that each result in a reduction from historic AUMs (SDNM PRMPA/EA p. 13). Additionally, the BLM determined that the Preferred Alternative (Alternative E) is consistent with the protection of Monument objects through an analysis of the anticipated impacts from proposed livestock grazing levels on Monument objects including vegetation (Sections 3.6 and 4.8), wildlife and special status species (Sections 3.7 and 4.9), and cultural and archaeological resources (Sections 3.9 and 4.11). Additionally, due to the fluctuating seasonal and annual impacts from livestock grazing, the BLM identified in the SDNM PRMPA/EA that “implementation-level adjustments in livestock grazing management, including site specific criteria for approving ephemeral use, would be required to maintain and achieve Standards for Rangeland Health and be compatible with monument objects” (SDNM PRMPA/EA p. 12), further emphasizing the importance of maintaining a balanced grazing system within the Monument.

Additionally, the management actions proposed under the SDNM PRMPA/EA are consistent with BLM Manual 6840, which “provide[s] policy and guidance for the conservation of BLM special status species and the ecosystems upon which they depend on BLM-administered lands.” BLM Manual 6840 requires that the BLM protect species not presently listed under the ESA by “initiat[ing] proactive conservation measures that reduce or eliminate threats to Bureau sensitive species to

minimize the likelihood of and need for listing of these species under the ESA.” As such, the BLM selected a Preferred Alternative (Alternative E) that results in minor to moderate beneficial impacts on wildlife, special status species, and migratory birds over the long term (SDNM PRMPA/EA p. 37). A comprehensive analysis of potential impacts on wildlife species from each alternative is included in Section 3.7.2 (SDNM PRMPA/EA pp. 33–37).

The SDNM PRMPA/EA adequately protects SDNM objects and values and is, in this regard, consistent with the Antiquities Act, FLPMA, NEPA, BLM Manual 6840, and Proclamation 7397. Accordingly, this protest issue is denied.

References

- Conver, J. L., T. Foley, D. Winkler, and D. E. Swann. 2017. Demographic changes over >70 yr in a population of saguaro cacti (*Carnegiea gigantea*) in the northern Sonoran Desert. *Journal of Arid Environments* 139:41–48.
- Hall, J. A., S. Weinstein, and C. L. McIntyre. 2005. *The Impacts of Livestock Grazing in the Sonoran Desert: A Literature Review and Synthesis*. The Nature Conservancy in Arizona, Tucson.
- U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service. 1998. *Endangered Species Consultation Handbook*. Procedures for Conducting Consultation and Conference Activities Under Section 7 of the Endangered Species Act. March.
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