

# **Sonoran Desert National Monument Livestock Grazing**

## **Resource Management Plan Amendment**

### **Decision Record**

**DOI-BLM-AZ-P040-2024-0001-RMP-EA**

**Department of the Interior  
Bureau of Land Management  
Phoenix District Office  
Lower Sonoran Field Office  
2020 E Bell Road  
Phoenix, Arizona 85022  
602-867-5400**

**December 2024**



## Introduction

The Sonoran Desert National Monument (SDNM) was designated by Presidential Proclamation 7397 on January 17, 2001 (Proclamation). The Proclamation provided, “Laws, regulations, and polices followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the Monument; provided, however, that grazing permits on Federal lands within the monument south of Interstate Highway 8 shall not be renewed at the end of their current term; and provided further, that grazing on Federal lands north of Interstate 8 shall be allowed to continue only to the extent that the Bureau of Land Management determines that grazing is compatible with the paramount purpose of protecting the objects identified in this proclamation.”The Proclamation provided, “Laws, regulations, and polices followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the Monument; provided, however, that grazing permits on Federal lands within the monument south of Interstate Highway 8 (I-8) shall not be renewed at the end of their current term; and provided further, that grazing on Federal lands north of Interstate 8 shall be allowed to continue only to the extent that the Bureau of Land Management determines that grazing is compatible with the paramount purpose of protecting the objects identified in this proclamation.”

In 2016, the U.S. District Court for the District of Arizona concluded that the Bureau of Land Management’s (BLM’s) 2012 SDNM Approved Resource Management Plan/Record of Decision (RMP/ROD) (BLM 2012a) did not provide adequate explanation to support its conclusion that livestock grazing was compatible with the protection of SDNM objects. The court found the administrative record did not support the analysis that led to the decisions in the ROD to make grazing available on five allotments north of Interstate 8 (I-8) and ordered the BLM to complete a new Land Health Evaluation (LHE) and grazing compatibility analysis (GCA), to be incorporated into the SDNM RMP by September 30, 2020.

In 2020, a revised GCA, LHE, and an RMP Amendment/Environmental Assessment (RMPA/EA) were completed to address the court’s 2016 order. The 2020 RMPA/EA determined that livestock grazing would be available on six allotments within the SDNM north of I-8, up to a maximum of 4,232 animal unit months (AUMs) across those six allotments (BLM 2020).

The 2020 planning decision was challenged, and in 2023, the U.S. District Court for the District of Arizona concluded that the BLM had not complied with the National Environmental Policy Act (NEPA) in the course of preparing the LHE and RMPA/EA. At the court’s direction, the parties negotiated a stipulated remedy, under which the BLM agreed to conduct additional NEPA analysis to address the deficiencies identified by the court and informed in part by that additional analysis, either affirm or revise the 2020 LHE, GCA, and RMPA. The stipulated remedy was approved by the Court in October 2023.

In compliance with the stipulated remedy described above, the BLM has prepared an Environmental Assessment (EA) and, in this decision, is approving a new Resource Management Plan Amendment (RMPA) for grazing in the SDNM. In May 2024, the BLM invited public comment on the EA.

## Decision

Based on review of the *Sonoran Desert National Monument Livestock Grazing Proposed Resource Management Plan Amendment and Final Environmental Assessment* (DOI-BLM-AZ-P040-2024-0001-RMP-EA), I hereby approve the Selected Alternative described below.

## Selected Alternative

The Ephemeral Use Only Alternative (Alternative E) is the Selected Alternative. Under the Selected Alternative, the BLM amends the 2012 Approved RMP/ROD for the SDNM and changes the existing allocation of portions of six grazing allotments. Under the Selected Alternative, all allotments, including formerly unavailable portions of the Big Horn, Conley, and Lower Vekol allotments, are available for ephemeral use. The current management actions, best management practices, and mitigation requirements approved in the 2012 ROD would continue to apply. Allotment-specific management (such as criteria for approval of ephemeral grazing and exclusion areas) would be set at the implementation-level subject to separate environmental review.

The Selected Alternative conforms to the planning decisions in the 2012 Approved RMP/ROD, with the exception of GR-2.1.3 (allocating unavailable acres) and GR-2.1.4 (allocating 3,318 AUMs).

The Selected Alternative makes the following two changes to the SDNM RMP, as it is reflected in the 2012 SDNM ROD:

**GR-A-1.** The six livestock grazing allotments north of I-8 within the SDNM are available for livestock grazing (see Selected Alternative map).

**GR-A-2.** Only ephemeral livestock grazing may be permitted on the SDNM portion of the six livestock grazing allotments north of I-8. No AUMs are allocated for Permitted Active use.

## Finding of No Significant Impact

Based on the analysis of the Selected Alternative, the BLM determined that the Proposed RMPA would not have significant effects and so preparation of an environmental impact statement (EIS)

is not required by NEPA. The signed Finding of No Significant Impacts (FONSI) is hereby incorporated by reference.

## **Public Involvement**

Public scoping for this RMPA/EA was initiated with the publication of a Notice of Intent in the *Federal Register* on March 26, 2020 (Vol. 89, No. 59, 17095). The BLM notified approximately 57 individuals, organizations and agencies by email and postcard of the scoping period on March 25, 2020. In connection with the public scoping period, the BLM published an updated draft LHE and draft GCA for public input on March 28, 2020. The public scoping period ended on April 27, 2020. The BLM received approximately 62 comment letters and emails (BLM 2020). Approximately 55 of those comment submittals opposed livestock grazing within the SDNM. There were also requests that the BLM complete an EIS and suggestions that the review period for the Draft RMPA/EA should be 90 days.

The Draft RMPA/EA was made available to the public for review and comment for 30 days on May 10, 2024. The BLM notified approximately 124 individuals, organizations and agencies by email and postcard of the comment period on May 10, 2024. The comment period closed on June 10, 2024. Comments received were reviewed and categorized by issue or topic (Appendix 8 of the Proposed RMPA/Final EA). The BLM received approximately 53 unique comment emails and letters from individuals, 6 comment letters from organizations, and approximately 3,903 form letters with substantially similar content from individuals.

## **Revisions and Additional Information**

In response to public comments, the BLM clarified and provided additional information in the Final LHE and Proposed RMPA/Final EA. A discussion of changes that were made in the Proposed RMPA/Final EA was included in Appendix 8 of the Proposed RMPA/Final EA. In summary, those changes included the following:

1. The discussion of the benefits of grazing and potential cost of not grazing was expanded on in the vegetation (3.6, 4.8), soils (3.8, 4.10), and air (3.10, 4.12) resource sections.
2. Additional information on climate change was included in the vegetation (3.6, 4.8), wildlife, including Sonoran desert tortoise (3.7, 4.9), soils (3.8, 4.10), and air (3.10, 4.12) resource sections. A discussion of the social costs of greenhouse gases, including the Kauffman 2022 paper identified by public comments, was added to the cumulative impact analysis for Socioeconomics (4.7).
3. Additional scientific literature was reviewed and relied on to support the analysis in the livestock grazing (3.3, 4.5), vegetation (3.6, 4.8), soils (3.8, 4.10), wildlife (3.7, 4.9), recreation (3.4, 4.6), socioeconomic (3.5, 4.7) and air (3.10, 4.12) resource sections.
4. Additional information on how adaptive management could be used in connection with ephemeral grazing to ensure grazing's compatibility with wildlife was added to the general wildlife, special status species (Animals), migratory birds section (3.7).

5. The description of the No Grazing Alternative (Alternative C) was modified to clarify that “livestock grazing would be unavailable on all portions of the six allotments within the SDNM boundary north of I-8.”
6. The Permanent Instruction Memorandum (AZ-PIM-2023-008) *Processing Ephemeral Applications and Estimating Ephemeral Production* was included in the Proposed RMPA/Final EA (Appendix 7) to clarify how ephemeral production is measured and estimated and to identify the criteria for approving ephemeral grazing.
7. Language regarding the benefits of the Maximum Acreage Alternative to livestock grazing was added to section 3.3.2.
8. Clarification that livestock grazing would continue to remain available on portions of allotments outside of the SDNM north of I-8 was added to the description of Alternative C (2.1.4).
9. Additional detail regarding ephemeral grazing authorizations was added to section 1.10.
10. Additional information, including potential livestock grazing impacts to saguaro forests and broader plant communities identified as objects in the Proclamation was added to the vegetation resource sections (3.6, 4.8).
11. Additional information regarding potential livestock grazing impacts to Sonoran desert tortoise forage and habitat was added to the analysis of each alternative in sections 3.7 and 4.8.
12. Additional information and analysis regarding potential livestock grazing impacts to bighorn sheep, including potential disease transmission, was added to the wildlife resource section (3.7).
13. A discussion of wildfire potential and resulting impacts was added to the vegetation (3.6, 4.8), soils (4.10), and air (3.10, 4.12) resource sections.
14. The cumulative impacts analysis for all species in the wildlife section (4.8) was revised to incorporate consideration of the eight principles of cumulative effects analysis identified by the Council on Environmental Quality (CEQ).

## **Authority**

This decision to approve the Selected Alternative is made under the authority of the Taylor Grazing Act of 1934, the Federal Land Policy and Management Act of 1976, the Public Rangelands Improvement Act of 1978, and Presidential Proclamation 7397.

## **Rationale**

### *Alternative E: Ephemeral Grazing Only (Selected Alternative)*

Analysis in the Final LHE, GCA, and PRMPA/Final EA reassessed the potential for livestock impacts on SDNM objects, including in areas more than 2 miles from livestock waters. The BLM concludes based on this updated analysis that livestock grazing, as described in the Selected Alternative, is compatible with the protection of monument objects. The No Grazing

Alternative would similarly protect monument objects, but it would not allow for grazing use. The No Action and Reduced Grazing alternatives would allow for grazing but would provide less management flexibility to ensure protection of monument objects than the Selected Alternative. The Selected Alternative, when compared to the other alternatives, allows for a conservative and flexible approach to grazing management in response to precipitation, forage availability, and other resource conditions.

The availability of grazing for ephemeral use only over large areas allows for adaptive management given spatial and temporal variations of resources across the monument. Ephemeral grazing allows for allotment and pasture specific management and the ability to adapt to changing conditions to meet SDNM resource objectives. Although this planning decision makes ephemeral grazing available, at the implementation-level, a decision will need to be made to authorize ephemeral grazing, under the 1968 Special Ephemeral Rule, on a case-by-case and allotment-by-allotment basis. If authorized at the implementation level, ephemeral grazing would be managed under the requirements of the Special Ephemeral Rule, applicable Best Management Practices, AZ-PIM-2023-008, and standard operating procedures included in the 2012 SDNM ROD. These ephemeral management requirements provide additional resource protections by limiting the timing and amount of use that may occur and will help ensure compliance with the Sonoran Desert Tortoise Candidate Conservation Agreement. Ephemeral grazing, therefore, allows for use while protecting important resources.

## **Governor's Consistency Review**

The Arizona Governor's office was afforded a 60-day consistency review period in accordance with 43 CFR § 1610.3-2(e) beginning October 8, 2024. The BLM did not receive a reply during the review period which ended on December 7, 2024.

## **Protest Resolution**

Publication of the Proposed RMPA on October 4, 2024, initiated the 30-day protest period. The protest period ended on November 4, 2024. Pursuant to the BLM's planning regulations at 43 CFR § 1610.5-2, any person who participated in the RMPA/EA planning process and has an interest that may be adversely affected by the BLM's planning decisions was allowed to protest the proposed planning decisions within 30 days of when the Proposed RMPA was published on ePlanning.

The BLM received eight protest submissions during the 30-day protest period. In accordance with 43 CFR § 1610.5-2, five of these emails and letters were dismissed because they were determined to be comments only and did not contain valid protests. The remaining three protest letters from Archaeology Southwest, Western Watersheds Project/Sierra Club: Grand Canyon Chapter, and Wilderness Watch were valid and contained protest issues that required a response from the BLM. The BLM Director's decisions on the protests are summarized in the Director's Summary Protest Resolution Report which is available on the BLM website:

<https://www.blm.gov/arizona/directors-protest-resolutions/protest-resolution-report/sonoran-desert-national-monument>

The Director concluded that the BLM Arizona State Director followed the applicable laws, regulations, and policies and considered all relevant resource information and public input in developing the Proposed RMPA. Each protesting party was notified in writing of the Director's findings and the disposition of their protests. The BLM Director resolved the protests without making changes to the Proposed RMPA. The decision of the BLM Director is the final agency action of the Department of the Interior for issues raised in the protest letters.

## Decision

It is my decision to approve Alternative E: Ephemeral Grazing Only as the Selected Alternative and as described in the Proposed RMPA/Final EA. The Selected Alternative makes two changes to the 2012 Approved RMP/ROD. I have considered the issues, public comments, and potential impacts to the human environment in making this Decision.

Recommended by:

**FRITZ MUELLER** Digitally signed by FRITZ  
MUELLER  
Date: 2024.12.19 08:17:32 -07'00'

---

Fritz Mueller  
Field Manager  
Lower Sonoran Field Office

District Manager Concurrence:

**PHILIP COOLEY** Digitally signed by PHILIP  
COOLEY  
Date: 2024.12.19 13:47:21 -07'00'

---

Philip Cooley  
District Manager (Acting)  
Phoenix District Office

Approved by:

**RAYMOND SUAZO** Digitally signed by RAYMOND  
SUAZO  
Date: 2024.12.19 15:25:57 -07'00'

---

Raymond Suazo  
State Director  
Arizona State Office