
File Code: 2210
Date: September 18, 2024

Cyndi Tuell
738 N 5th Ave, Suite 206
Tucson, AZ 85705

Dear Cyndi,

I received your letter dated August 6, 2024. Thank you for allowing me the opportunity to explain our grazing program to you. The status of each Forest Service grazing allotment is either Open or Closed. The Tonto National Forest has one closed allotment, Goldfield, which has been closed since 1985. All other grazing allotments on the forest are open. Most allotments on the Tonto have an Allotment Management Plan (AMP) prepared following a public *National Environmental Policy Act* (NEPA) process and comply with that NEPA decision. AMPs describe how many and under what conditions any livestock can graze on that particular allotment. That number of livestock may be achieved by a single permittee under a single permit or multiple permittees' using multiple permits as long as the total number of livestock and threshold conditions described in the AMP are not exceeded. Currently, most allotments on this forest have a single grazing permit issued for each allotment. Some permittees have multiple permits allowing use on multiple allotments, following each individual allotment's AMP.

Preference for a term grazing permit can be transferred from one rancher to another by waiving the permit back to the Forest Service in favor of the purchaser of either the livestock or the base property, or both. This transfer can be in whole or in part. If the purchaser is qualified to hold a term grazing permit (is a U.S. Citizen or entity) and meets the requirements to be issued a permit (owns livestock and minimum base property), then the permit may be transferred to the purchaser. A new permit is validated when the new permittee is billed and places livestock on the allotment. Sometimes a permit is waived back to the Forest Service without preference. In this instance, the allotment is considered to be vacant but still open. When the responsible official determines a vacant allotment should be permitted, the Grant Process is followed to grant a new term permit and the same terms as the previous permit to a new qualified individual. The existing AMP is not cancelled or changed when an allotment becomes vacant or when a permit is waived or granted to a new permit holder. Any permit issued must comply with the AMP.

Some time may pass before a new term grazing permit is issued. In the meantime, these open vacant allotments may be authorized for use by other permittees as long as this use does not exceed what is authorized in the vacant allotment's existing AMP. Following the Bush Fire in 2020, the district ranger decided to allow a permittee affected by the fire to use a portion of the vacant Bartlett Allotment for a time while the Sunflower Allotment recovered.

Changing allotment boundaries or dividing allotments is an administrative decision, so long as the result is still within the bounds of the analysis that supported the existing NEPA decision. For example, pastures or portions from one open allotment may be granted to a



different open allotment, or an allotment may be divided in half as occurred with Poison Springs and Black Mesa. Alternatively, two individuals could have been issued permits for the full area and used the allotment together. Both are examples of administrative change but must still comply with existing NEPA decisions.

Some allotments are granted non-use for resource protection and may have a memorandum of understanding (MOU) issued allowing for recovery from drought or fire while still providing the permittee the option to transfer the permit to someone else. This occurred on the Cartwright Allotment following a fire and long period of drought. The permit was transferred with an MOU while in non-use. Once the allotment had recovered and the permittee had repaired range improvements according to the MOU, the new permittee validated the permit by stocking it again, within the thresholds of the existing AMP.

The Bull Springs allotment is also not vacant but is in the middle of a permit transfer. The previous permittee sold the base property and waived the permit in favor of the purchaser of the land. We consider that individual to be the preferred applicant and once a couple of issues are resolved we plan to allow them to validate their new permit by stocking it within the thresholds of the existing AMP.

The 2023 Tonto National Forest Land Management Plan does contain an Objective to resolve some long-vacant allotments. Some vacant allotments are ready to be stocked under the thresholds in the existing AMP by granting a permit to a qualified applicant without further NEPA analysis. Others might be better resolved with a new NEPA-based decision. If conditions of the allotments have substantially changed from those considered in the existing NEPA decisions, a new NEPA analysis, including a public comment process, would be required.

The Forest is currently in the initial stages of developing a proposed action affecting the vacant allotments Bartlett, Sears Club-Chalk Mountain, and Bronco on the Cave Creek Ranger District as well as several others. We will include your groups as interested parties for these projects so you will be notified of the public comment and engagement opportunities as we begin the NEPA process.

Sincerely,

NEIL X BOSWORTH	Digitally signed by NEIL BOSWORTH Date: 2024.09.18 14:50:49 -07'00'
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NEIL BOSWORTH
Forest Supervisor