



Forest Service
U.S. Department of Agriculture

Southwestern Region
Regional Office
333 Broadway Blvd. SE
Albuquerque NM, 87102
505-842-3292
Fax: 505-842-3800

File Code(s): 6270
Date: May 29, 2025

Jeff Burgess
7650 S. McClintock Drive, #103-248
Tempe, AZ 85284
jeffreydavidburgess@gmail.com

RE: Freedom of Information Act Tracking Number 2025-FS-R3-06421-F

This is a final determination of your Freedom of Information Act (FOIA) request dated April 22, 2025, via email and re-routed to the Tonto National Forest for search on the same date. Your request was re-routed by email to Southwestern Region FOIA Service Center for final determination and processing on May 29, 2025. Your request was assigned FOIA Tracking Number 2025-FS-R3-06421-F. Please include this tracking number in all communications regarding this request.

You requested:

Sometime after August 2019, the Tonto National Forest authorized grazing to resume on the long-vacant Reavis-Tortilla allotment in its Mesa Ranger District. According to Tonto officials, no NEPA process was engaged to prior to this decision because a "Section 18" NEPA compliance review was completed that found it wasn't necessary. Please provide copy of that NEPA compliance review.

In response to your request, employees of the Tonto National Forest conducted a search for responsive electronic and hard copy records. Staff members searched in every place where a reasonably knowledgeable professional could expect to find records pertaining to your request. The Tonto National Forest located one document, totaling one page, determined to be responsive to your request. It has been determined that the document is appropriate for release in its entirety, without excision.

This constitutes a full grant of your request and closes your case file in this office. There are no assessable fees associated with this response.

The FOIA provides you the right to appeal this response. Any appeal must be made in writing, within 90 days from the date of this letter to the Chief, USDA Forest Service. Please submit your appeal electronically to SM.FS.WOFOIA@usda.gov. The term "FOIA APPEAL" should be placed in capital letters on the subject line of the email along with the FOIA case number assigned to your request. To facilitate the processing of your appeal, include a copy of this letter.

If you need any further assistance or would like to discuss any aspect of your request, please do not hesitate to contact the FOIA Public Liaison at (202) 205-6560. Additionally, you may contact the Office of Government Information Services to inquire about the FOIA mediation services. The contact information is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001; email ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

If you have any questions regarding this response, please contact Torrey Dixon via email r3_foia@usda.gov.

We feel this fully satisfies your request with the Southwestern Region FOIA Service Center.

Sincerely,

**JACOB
NUTTALL**

Digitally signed by JACOB
NUTTALL
Date: 2025.06.02
14:16:43 -06'00'

Michiko Martin
Regional Forester, Southwestern Region

Enclosure(s)

cc: NEIL BOSWORTH

Reavis and Tortilla Allotments

Allotment Management Plan and NEPA Sufficiency Review

TO: Matt Lane, Mesa District Ranger

We have reviewed the 1985 Environmental Assessment and Decision Notice. I have met with Kelly Kessler, Jason Scow, Terrin Lane, and Kimberly Cole, to review the existing AMP, EA and DN for Reavis and Tortilla allotments. The following concerns were identified:

- Arizona Game and Fish has an experimental of threatened Gila Topminnow stocking location in upper Tortilla Creek. The AMP and NEPA did not consider this.
- The AZ 88 road (currently closed) at Fish Creek Hill and Apache Marina following the Post-Woodbury Fire flood events.
- The FS 213 road (open road) to Tortilla Ranch has become extremely rough and nearly impassible by truck and trailer.
- ADOT has concerns about the amount of fencing that will be required along AZ 88 and public safety as it relates to livestock on the road.
- Woodbury Fire impacts (2019): We have completed the first round of monitoring with University of Arizona and have conducted several post fire vegetation inspections. Adequate growth has occurred since the Woodbury Fire and documented in inspection reports. The most notable outcomes were the improvements needing attention.

Findings: After reviewing the AMP, I recommend that we remove the portion of the pasture containing Tortilla Creek from the rotation schedule. We can do this utilizing natural boundaries. Horse Mesa Unit will continue to be excluded as stated in the 1985 EA. There are many fences and water developments on the ground and would need to be repaired before using and recommend a phased approach. ADOT concerns were explained, cattle would not be in the immediate area of the AZ 88 and fences will be fixed to keep cattle away from road. Access to the allotment can be facilitated.

Recommend issuing permit with existing terms and conditions and not schedule the portion of Tortilla Creek within Tortilla Pasture for use. All other conditions would remain the same.

Matt Kilford

Cave Creek and Mesa District Range Staff