



Arizona Office

738 N 5th Ave, Suite 206

Tucson, AZ 85705

tel: (520) 272-2454

fax: (208) 475-4702

email: cyndi@westernwatersheds.org

web site: www.westernwatersheds.org"



Working to protect and restore Western Watersheds and Wildlife

Neil Bosworth, Supervisor
Chandler Mundy, Range Program Manager
Tonto National Forest

Sent this date via email: neil.bosworth@usda.gov, chandler.mundy@usda.gov

August 6, 2024

The Forest Service must conduct NEPA analysis prior to restocking vacant allotments or reauthorizing closed allotments

Dear Supervisor Bosworth and Range Program Manager Mundy,

As you are aware, Western Watersheds Project, Sierra Club – Grand Canyon Chapter, and Jeff Burgess have significant and long-standing concerns about livestock grazing authorizations within the Tonto National Forest. We are writing you today regarding vacant and closed grazing allotments throughout the Forest. Specifically, we are requesting that the Forest Service engage in a National Environmental Policy Act (NEPA) process and provide notice to Western Watersheds Project, the Grand Canyon Chapter, and Mr. Burgess prior to any livestock grazing authorizations on any vacant or closed allotments.

As you are also aware, the Forest Service recently revised the management plan for the Forest and this newly revised land management plan (LMP) includes a provision pushed by local ranchers that addressed vacant allotments and could expand livestock grazing into federal wilderness areas.

The [draft decision](#) for the revised LMP was released in March 2022, and generated several objections. The Southwestern Regional Forester, Michiko Martin, responded by hosting online objection resolution meetings on February 21-22, 2023. The [notes from that meeting](#) show that when the issue of vacant allotments was raised, your response was that:

There would be a public process for analyzing them through the NEPA process. However, some already have NEPA completed. He'll need to get back to Jeff. Usually, NEPA is the

public process. So, if NEPA is already done, we may need to come up with something different.

The Southwestern Regional Forester subsequently produced an [Objection Response](#) report in May 2023, and on page 94 of the report it states:

In response to Jeffrey Burgess’s request to initiate the NEPA public planning process before making administrative decisions to permit grazing on a vacant allotment, where NEPA is needed because NEPA has not been completed or there have been significant changes since the previous NEPA was completed, the forest will complete NEPA and ensure compliance with other applicable laws prior to issuing a grazing permit.

Unfortunately, when the Tonto finalized their revised LMP in December 2023, the [final decision](#) didn’t specifically mention this issue. Instead, it included a universal commitment that the NEPA public planning process would be “conducted in order for prohibitions or activities to be implemented.”

The [livestock grazing section](#) of the revised LMP includes the following objective:

At least one vacant allotment will be evaluated for one of the following options every two years, until there are no vacant allotments. If additional allotments become vacant (waived without preference) they will be evaluated for one or a combination of the following options within two years:

- a. *Convert to forage reserves to improve resource management flexibility;*
- b. *Grant to current or new permitted livestock producer; or*
- c. *Close to permitted grazing, in whole or in part.*

While we appreciate that these vacant allotments will be considered for closure, we are concerned about the public’s ability to participate in the decision-making process for those allotments. The LMP does not provide any information as to how (or if) public notification for these decision-making processes will occur, what NEPA process (if any) will be used, and whether the public will be able to track and participate in these decisions.

According to the [livestock grazing portion](#) of the revised LMP’s environmental impact statement (EIS), there are 8 [grazing allotments](#) on the Tonto that have been vacant for many years.¹ Most of them include federal wilderness areas, including much of the Superstition Wilderness and Mazatzal Wilderness areas. All of the vacant allotments include hot desert biomes, and, as you know, the Tonto National Forest includes about 791,284 acres of Sonoran Desert.

The most recent NEPA analyses (environmental assessments (EAs)) for these 8 long-vacant grazing allotments were completed 39 years ago. Since then, there have been many changes – such as ongoing drought, climate change, listing and delisting of threatened and endangered species – which render the analysis completed obsolete. In other words, there have been significant changes since the last NEPA analysis and grazing decisions for these allotments. In addition, the Bull Springs allotment located in the Payson Ranger District has been vacant since a [2018 allotment inspection report](#) found the grazing

¹ Vacant allotments are those that haven’t been officially closed to livestock grazing.

permittee to be out of compliance. The allotment is located entirely within the [Mazatzal Wilderness](#), and its most recent [EA](#) was completed in 1989.

Clearly, it would be a NEPA violation if the Forest authorized grazing to begin on any of these allotments without first conducting a new environmental analysis. It would also be contrary to the assurances Forest Service officials gave us during the LMP decision-making process. We would like your assurance that a public planning process would be initiated before grazing could be authorized on any vacant allotment.

Unfortunately, the Tonto National Forest has a long history of authorizing grazing on allotments that have been vacant for years without first completing a NEPA analysis. For example, in 2007 the Pleasant Valley Ranger District authorized grazing to begin on the Bar X allotment, located below the Mogollon Rim. It includes the old Bar X, Haigler Creek, Young & Colcord allotments, and hadn't been grazed since 1979, which was also the year of the most recent [EA](#). The Forest was subsequently sued for failing to complete a NEPA analysis before authorizing the grazing, and forced to complete an EA in [2019](#).²

In 2010, the Tonto Basin Ranger District [authorized grazing on the Dagger allotment](#), located along lower Cherry Creek. The EIS was completed in [1997](#), but grazing had not occurred on this allotment since [1999](#). Then, in [2015](#), several pastures were transferred to the Dagger allotment from neighboring allotments without any NEPA analysis.

Also in 2010, the Tonto Basin Ranger District [authorized grazing on the Poison Springs allotment](#), located along the lower Salt River just above Roosevelt Lake. The EIS for this allotment was completed in [1997](#), but the allotment hadn't been grazed since [2000](#). The current, and now much different, boundaries of the Poison Springs allotment were set in [2017](#). These changes created a new allotment, called the [Black Mesa allotment](#), and grazing was authorized on it without any NEPA analysis.

In November 2017, the Cave Creek Ranger District [authorized grazing on the Cartwright allotment](#), which surrounds the Seven Springs area. This allotment hadn't been grazed since 2008, and the most recent EA was completed in [2008](#).

In 2020, the enormous Bush Fire burned much of the Mesa Ranger District's Sunflower allotment. This mostly-desert allotment is located on the western slopes of Four Peaks all the way down to State Route 87. An [EA](#) was completed for the allotment in 2015, which facilitated the resumption of grazing in [2018](#) after several years of nonuse. The allotment's October 2015 [decision notice](#) stated that several of the allotment's desert pastures would be put into nonuse, "until such time as a new environmental analysis is conducted to show the need for these pastures and the effects of authorizing grazing within them." But the allotment's [2021 annual operating instructions \(AOI\)](#), the first AOI issued after the fire, authorized grazing on one of these pastures, the Otero pasture, and also on the East Bartlett pasture, which is located on the adjacent, and long-vacant, Bartlett allotment in the Cave Creek Ranger District. The Forest Service's justification for allowing grazing in these pastures was that it was a temporary

² This [2019 decision](#) was also litigated.

“emergency” measure due to the fire and drought, and was necessary to “maintain a viable ranching operation.”

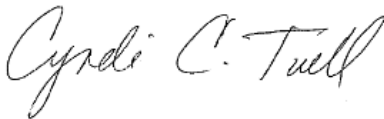
There were no public notifications that grazing was being initiated on these allotments and pastures. Notably, the Forest authorized grazing on these allotments during an almost uninterrupted period of drought that has lasted more than 20 years. The ongoing megadrought is the driest multi-decade period the Southwest has seen since at least 800 CE.³

The initiation of grazing on these allotments required the construction and repair of expensive ranching infrastructure, such as fences and livestock waters. Taxpayers had to help pay for this infrastructure through government assistance programs, such as the USDA’s Environmental Quality Incentives Program (EQIP). The taxpayers had to pay again when the permittees received USDA Livestock Forage Disaster Program (LFP) assistance due to the continuing drought. The amount of government assistance that has benefited Tonto grazing permittees in recent years has totaled millions of dollars, as [these examples](#) show.

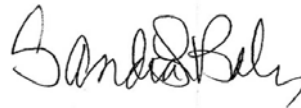
Regarding the eight vacant grazing allotments identified in the LMP and all of the allotments listed in the chart below, we are requesting the Forest Service commit to engaging in a NEPA process, at minimum the preparation of an Environmental Assessment, and that public notification and opportunity to comment be allowed prior to any draft EA or decision notice or decision memo. Our request includes the initiation of grazing on a temporary basis as part of a “grass bank” strategy.

We look forward to your timely response to our letter, within 20 business days, and welcome an opportunity to meet with you in person or via a virtual format. Please contact Cyndi Tuell if you have any questions regarding the content of this letter.

Sincerely,



Cyndi Tuell
Arizona & New Mexico Director
Western Watersheds Project
arizona@westernwatersheds.org
520-272-2454



Sandy Bahr
Chapter Director
Sierra Club – Grand Canyon Chapter
sandy.bahr@sierraclub.org

Jim Vaaler
Vice Chair
Sierra Club – Grand Canyon Chapter

Jeff Burges
jeffreydavidburgess@gmail.com

See next page for distribution

³ www.drought.gov/drought/states/arizona

cc:

District Rangers: Micah Grondin (micah.grondin@usda.gov), Adam Bromley(adam.bromley@usda.gov), Matthew Lane (email unavailable, please forward), Matthew Paciorek (matthew.paciorek@usda.gov), Freddy Duncan (email unavailable, please forward), Jeremy Plain (jeremy.plain@usda.gov)

District Range staff

Cave Creek and Mesa: Matt Kilford (email unavailable, please forward), Kimberly Cole Snow (email unavailable, please forward)

Globe: Jamie Wages (andrea.wages@usda.gov), Ryan Summers

Payson and Pleasant Valley: Jeff Sturla (jeffrey.sturla@usda.gov), Keaton Davis (Keaton.davis@usda.gov), Austin Jacobson (austin.jacobson@usda.gov)

Tonto Basin: Eric Hoskins (eric.hoskins@usda.gov), Crystal Martinez (email unavailable, please forward)

R3 Regional Forester, Michiko Martin (michiko.martin@usda.gov)

LMP Planner: Kenna Belsky (kenna.belsky@usda.gov)

R3 Deputy Regional Forester, Steve Hattenbach (steven.hattenbach@usda.gov)

R3 Rangeland Management and Wildlife Director, Robert Trujillo (robert.trujillo@usda.gov)

R3 Rangeland Management Specialist, Kent Ellett (kent.ellett@usda.gov)

Glenn Miller, Senior Policy Advisory to Representative Raul Grijalva (glenn.miller@mail.house.gov)

Ranger District	List of vacant allotments (date and NEPA document from the 2022 Allotment Authorized Use Database	List of closed allotments (date and NEPA document from RIMS database)	Zero Authorized AUMs according to the 2022 Allotment Authorized Use Database
Cave Creek	Bartlett* Bronco 9/8/2008 DM Sears Club/Chalk Mountain* 8/1/2007 DM St. Clair* (per RIMS database)	Bartlett* St. Clair*	
Globe	Brushiest 6/17/1983 EA Dimario undated EA Jones	Jones (per RIMS database it is active 4/12/1984)	
Payson/ Pleasant Valley	Deadman Mesa 10/28/1987 EA Fossil Creek (per RIMS database it is active 5/17/2013 EA) Ike's backbone (per RIMS database closed 6/7/2017 EA)	Fossil Creek (per RIMS database it is active 5/17/2013 EA) Ike's backbone (per RIMS database closed 6/7/2017 EA) Wright Colcord Canyon 10/4/1979 EA Young 10/30/1985 EA Haigler Creek 10/30/1985 EA Christopher Mountain 9/29/2008 EA Cross V 2/23/2018 EA Ellinwood 9/29/2008 EA Green Valley 2/23/2018 EA Indian Gardens 2/23/2018 EA Payson 2/23/2018 EA Star Valley 2/23/2018 EA	
Mesa	Goldfield	Goldfield 10/1/1975 EA	

	Reavis*-Tortilla Superstition*	Superstition*	
Tonto Basin		Wright 7/K 1/1/2016 EA Dagger 8/28/1997 EA Deer Creek 9/17/2008 EA Dutchwoman 11/10/1991 EA H-4 9/8/2008 EA Schoolhouse 3/4/1992 EA Bar V Bar 8/30/1991 EA Sierra Ancha 5/1/1997	7/k Dagger Deer Creek Dutch Woman H-4 Schoolhouse