



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Arizona Strip District

Grand Canyon-Parashant National Monument

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St. George, Utah 84790

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www.blm.gov/arizona



In Reply Refer To:
LLAZA03000: 4160
0201022

FedEx #
RETURN RECEIPT REQUESTED

Terry Esplin
Bridlebit Three Cattle Company
544 South 100 East
St. George, UT 84770

NOTICE OF PROPOSED DECISION

Salt House Pasture Fence DOI-BLM-AZ-A030-2024-0003-DNA

INTRODUCTION

The Bureau of Land Management (BLM) has conducted an environmental review (DOI-BLM-AZ-A030-2024-0003-DNA) to evaluate the proposal from Bridlebit Three Cattle Company, the Wildcat Allotment grazing permittee, to construct a pasture fence in the Salt House Pasture of the Wildcat Allotment (Attachment, Figure 1). The purpose of the proposed action is to facilitate approved vegetation treatments within the Salt House Pasture. These vegetation treatments consist of mastication of overstory woody vegetation including pinyon pine, Utah juniper, Wyoming sagebrush, and cliffrose. The treatment will reduce the trees as well as re-invigorate the shrubs and increase diversity of understory vegetation including native grasses and forbs. Another benefit of the treatment includes reduction of hazardous fuels. The need for vegetation treatments in the Salt House Pasture are identified in the Wildcat Allotment (Grazing) Management Plan (AMP) 1997 (see DNA Attachment B) to achieve Desired Plant Communities (DPC) in the Salt House Pasture. A Salt House pasture fence was also proposed at the time, but not constructed. The fence identified in the AMP is similar in location, the main difference is the current proposal takes advantage of existing stockponds in both proposed pastures which would result in better livestock distribution and enhance rangeland vegetation. This proposed decision is the result of my review and consideration of the Determination of NEPA Adequacy (DNA) and its associated Finding of No Significant Impact (FONSI).

The BLM requires a minimum of two seasons of rest following a vegetation treatment. This is to allow seed germination and plant growth to maximize success of the treatment. This is a

relatively large pasture consisting of 20,026 acres. The completion of woody vegetation mastication contracts may require five to six years to implement, this coupled with the required rest from livestock will potentially remove this pasture from the permittees normal livestock rotation use for a decade. To facilitate the ongoing vegetation treatments, it is proposed to allow the permittee to construct a 6.5-mile fenceline (see Attachment, Figure 1). The proposed Salt House fenceline will be a permanent fence that subdivides the Salt House Pasture and will encourage better livestock distribution. The two pastures created from this will be known as the Salt House North Pasture and the Salt House South Pasture. The fenceline will begin on the east side of the pasture at a fenced reservoir and continue to the southwest portion of the pasture. The proposed fenceline incorporates two additional fenced reservoirs to allow livestock water from either the Salt House North or South pastures. The fenceline will likely achieve better livestock distribution within the allotment; this proposal does not authorize increase permitted use or increase animal unit months (AUMs). The uniformity in livestock distribution will enhance rangeland vegetation and help continued achievement of land health standards in this pasture and the allotment. The current stockponds will remain available not only for livestock, but wildlife as well.

Location/Legal description

The proposed fence site is approximately 67 miles south of St. George, Utah.
Gila and Salt River Meridian, Mohave County, Arizona
T. 32 N., R. 13 W. and T. 33 N., R. 12 W., various sections.

FINDING OF NO SIGNIFICANT IMPACT

As described in the attached FONSI, after consideration of the environmental effects described in the EA and supporting documentation, I have determined that the action is not a major Federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the area.

PROPOSED DECISION

Based on my review and consideration of the DNA and FONSI, it is my decision to approve the Salt House Pasture Fence (see attached Figure 1) as described in the DNA. This range improvement project will be designed, constructed, and maintained according to the description in the DNA, including the best management practices. The action is to construct a 6.5-mile fence that will subdivide the current Salt House Pasture into a Salt House North Pasture and Salt House South Pasture (see Attachment A – Figure 2). This will create approximately 16 acres of disturbance. As this fenceline will be in what is a pinyon-juniper woodland, where necessary, approximately an eight to ten foot swath will be mechanically cleared to permit fence construction and maintenance. From USDI-BLM Fences manual (1988):

Clearing is usually accomplished at the same time the fence line is layed (sic) out. Rights-of-way should be cleared at least wide enough to permit easy construction and maintenance. If the terrain permits vehicle access, clearing should all be on one side of the fence. Adjacent landowners may cooperate in constructing boundary fences and clearing on both side of the fence may be mutually beneficial. Wire should be strung on

the cleared side of the posts. All division or drift fences should be cleared at least 4 feet on each side of the fence line.

Clearing will include either lop and scatter with chainsaw or machinery mastication of the pinyon pine, juniper, and sagebrush. The proposed location has been inventoried for cultural resources. No cultural resources will be affected by the construction of this fence.

The proposed fence will be permanent four strand wire and will be maintained through a cooperative agreement with the permittee. To avoid impacts to wildlife movement, the fence will be designed to meet wildlife specifications. This includes spacing between the top two strands being at least 12 inches, the bottom strand being smooth (no barbed) wire, and the bottom strand being at least 16 inches above the ground. Fence stays will be used in between t-posts to reduce fence sagging and prevent wildlife entanglement.

Range improvements may be funded by a combination of in-kind labor and funding by the livestock grazing permittee, Grazing Advisory Board, Natural Resource Conservation Service (NRCS) grants, Arizona Game and Fish Department (AGFD) grants, Pheasants and Quail Forever organization, or BLM range improvement funds.

The proposed action includes future maintenance activities for the life of the project, which is expected to be up to 50 years. The exact maintenance requirements are not known but are expected to include annual inspections and maintenance of the fence. Maintenance may include replacement of t-posts, stays, removal of trees that fall on fence, and replacement or mending of wires, and brace maintenance. Total acres of disturbance from the proposed action will be approximately 16 acres. The Wildcat Allotment is approximately 91,490 acres. This represents 0.00017% of the allotment.

Rationale For Decision

This proposed decision has been made after considering impacts to resources, such as vegetation, wildlife, cultural resources, and soils, while also meeting the purpose and need for agency action as described below and in the DNA. The fence construction and clearing of fenceline approved by this proposed decision will support responsible livestock grazing on public land and will allow vegetation treatments within the allotment without disruption to the livestock grazing rotation. This will allow the allotment and pastures within to progress toward its natural potential by increasing plant diversity and vigor. This will also promote obtaining and maintaining Desired Plant Communities as described in the Standard and Guides for the Wildcat Allotment (BLM 2007). These DPCs are available on the BLM ePlanning site:

https://eplanning.blm.gov/public_projects/nepa/110643/156626/191697/Wildcat_GPR_and_Vegetation_Treatments_EA.pdf

The purpose of the action is to implement approved vegetation treatments while reducing disruption to current livestock pasture rotations in the Salt House Pasture and Wildcat Allotment.

This proposed decision also best addresses the goals and objectives of the GCPNM Resource

Management Plan (RMP) and all applicable statutes, regulations, and policies. The action is in conformance with the GCPNM RMP, approved on January 29, 2008.

The vegetation treatment project will provide a diversity of habitats for wildlife (including mule deer, small mammals, reptiles, and birds). The project is in accordance with the *Arizona Strip Interdisciplinary Mule Deer Management Plan 2015-2019* (2015), developed jointly by the BLM and Arizona Game and Fish Department. AGFD continues to be a cooperator in implementing projects like this and neighboring vegetation treatments to improve wildlife habitat.

The Wildcat Allotment was assessed for rangeland health in 2013. The permittee at the time, RAC, Interdisciplinary Assessment Team (IAT), Rangeland Resources Team, and the interested public were invited to an issue/ scoping meeting for Wildcat Allotment on October 27, 2004 and a field visit on July 6, 2005. The rangeland health assessment for the Wildcat Allotment was completed in 2013. The IAT, during the rangeland health assessment process, determined that resource conditions on the Wildcat Allotment is meeting standards for upland sites and making progress in meeting standards for desired resource conditions. The desired resource conditions deviated from what is expected due to pinyon-juniper encroachment in to historic shrubland and grassland. The Rangeland Health Standard evaluation IDT recommended vegetation treatments to address increasing density of pinyon-juniper.

In 2018, the allotment was reassessed for rangeland health, the Interdisciplinary Team concluded the allotment was continuing to meet standards for upland sites and making progress in meeting standards for desired resource conditions. The desired resource conditions continued to deviate from what is expected due to pinyon-juniper encroachment in to historic shrubland and grassland. The proposed vegetation treatments were proposed and approved to address this deviation. The proposed fence will aid in implementing these approved vegetation projects.

AUTHORITY

The authority for this decision is found in a number of statutory and regulatory authorities contained in the Taylor Grazing Act, as amended; the Federal Land Policy and Management Act of 1976, as amended; and throughout Title 43 of the Code of Federal Regulations (CFR), Part 4100 (Grazing Administration-exclusive of Alaska). The following sections of Part 4100 are noted below, although other subparts of Part 4100 are used to authorize grazing activities, with this list not meant to be exhaustive.

- 43 CFR §4100.0-8: Land use plans
- 43 CFR §4120.3-1 – Conditions for range improvements.
- 43 CFR §4120.3-2 – Cooperative range improvement agreements.
- 43 CFR §4120.3-3 – Range improvement permits.
- 43 CFR §4120.3-4 – Standards, design, and stipulations.
- 43 CFR §4120.3-5 – Assignment of range improvements.
- 43 CFR §4160.1 – Proposed decisions.
- 43 CFR §4160.2: Protests.
- 43 CFR §4160.3: Final decisions.
- 43 CFR §4160.4: Appeals.

RIGHT OF PROTEST AND/OR APPEAL

Any applicant, permittee, lessee, or other interested public may protest the proposed decision in accordance with 43 CFR 4160.2 in person or in writing within 15 days after receipt of such decision to:

Brandon E. Boshell
Monument Manager
345 East Riverside Dr.
St. George, UT 84790

If protest is sent by facsimile or email, the date filed is not official until BLM receives the original by mail. Electronic dates of submissions are not acceptable. The protest should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In accordance with 43 CFR 4160.3(a), in the absence of a protest, the proposed decision will become my final decision without further notice, in accordance with 43 CFR 4160.3(a). Should a timely protest be filed, I will consider the points of the protest and other pertinent information and issue my final decision to all persons named in this decision in accordance with 43 CFR 4160.3(b).

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final decision may file a notice of appeal in writing for the purpose of a hearing before an administrative law judge in accordance with 43 CFR 4160.3(c), 4160.4, and 4.470. The notice of appeal must be filed within 30 days following receipt of the final decision or within 30 days after the date the proposed decision becomes final. The notice of appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 pending final determination on appeal. The notice of appeal and petition for a stay must be filed in the office of the authorized officer, as noted above.

The BLM cannot accept electronic filing of appeal documents by any other means, including compact disc, thumb drive, or similar media due to Federal Information Systems Security Awareness policies. As defined in 43 CFR 4.22(a), "A document is filed in the office where the filing is required only when the document is received in that office during its regular business hours and by a person authorized to receive it. A document received after the office's regular business hours is considered filed on the next business day."

Within 15 days of filing the appeal, the appellant must provide the BLM with proof of service to the other persons named in this decision (see attached List of all Persons or Groups Receiving this Notice of Proposed Decision (NOPD)) in accordance with 43 CFR 4.470(a). A copy of the appeal must also be served on the Office of the Solicitor located at the address below in accordance with 43 CFR 4.413(a).

Sandra Day O'Connor
US Courthouse, Suite 404
401 West Washington Street, SPC-44
Phoenix, Arizona 85003-2151

In accordance with 43 CFR 4.413(b), failure to serve a notice of appeal will subject the appeal to summary dismissal as provided in 43 CFR 4.402. Appellants are responsible for determining whether the Office of the Solicitor or other persons named in the decision will accept service of a notice of appeal and/or petition for stay electronically via email.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise complies with the provisions of 43 CFR 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and served in accordance with 43 CFR 4.471.

Any person named in the decision that receives a copy of a petition for a stay and/or an appeal, is directed to 43 CFR 4.472(b) for procedures to follow if you wish to respond.

**BRANDON
BOSHELL**

Digitally signed by BRANDON
BOSHELL
Date: 2024.06.17 10:00:13 -06'00'

Brandon E. Boshell
Monument Manager
Grand Canyon-Parashant National Monument

Enclosure:

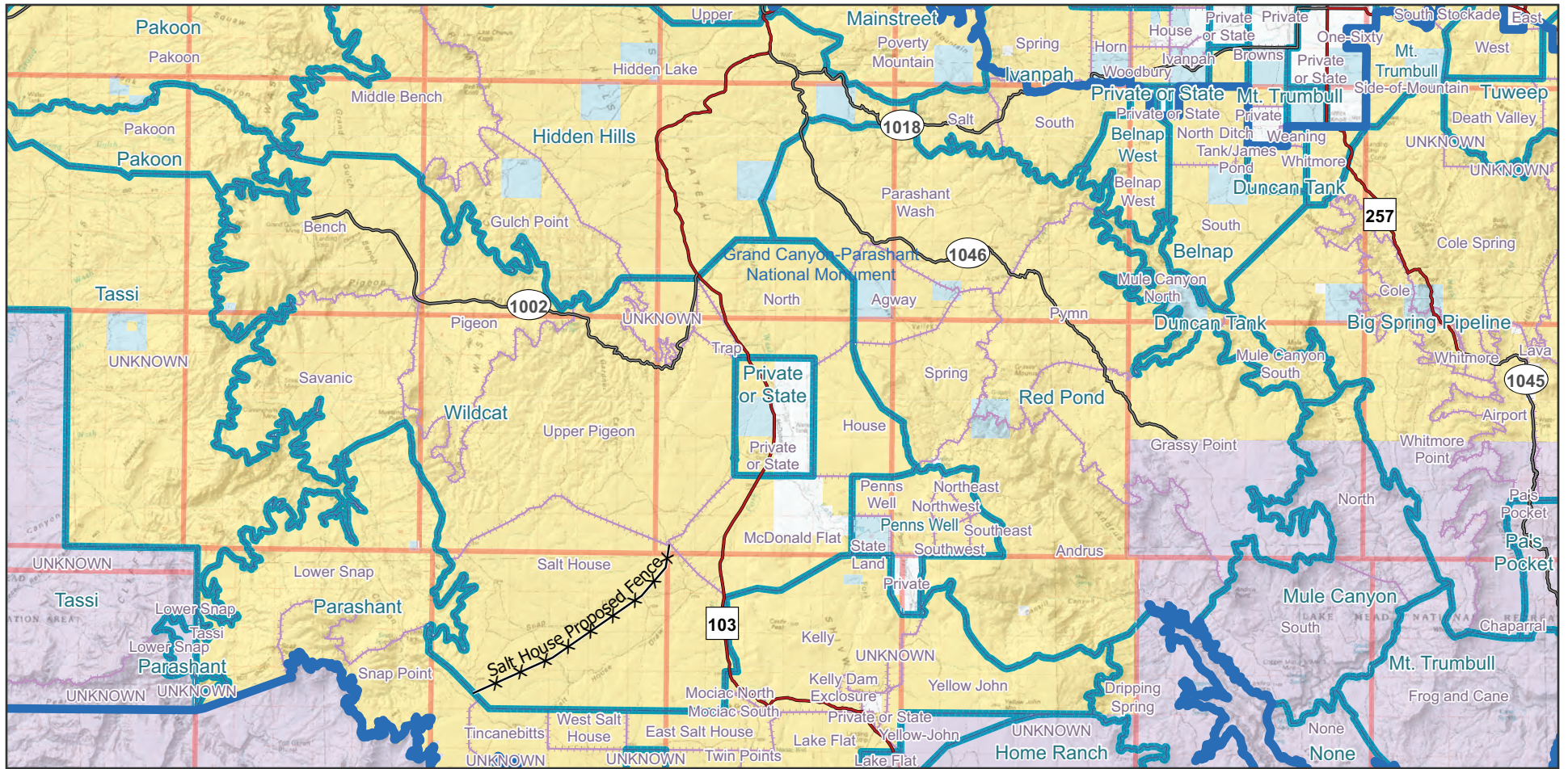
Project Maps (Figure 1 and Figure 2)
Persons or Groups Receiving this NOPD



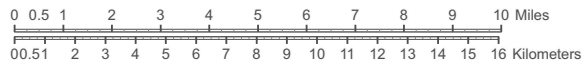
Figure 1. Salt House Proposed Fence Vicinity Map

DOI-BLM-AZ-A030-2024-0003-DNA

Bureau of Land Management - Arizona Strip District - Grand Canyon-Parashant National Monument



- Salt House Proposed Fence
- BLM
- Other
- BLM
- NPS
- Township
- State
- County
- Monuments
- Private



Map Produced by BLM Arizona Strip District
 File: DOI_BLM_AZ_A030_2024_00XX_DNA_SaltHousePastu
 Coordinate System:
 Reference System: U.S. PLSS GSRB&M
 Scale: 1: at 8.5x11 page output
 Date: 1/25/2024



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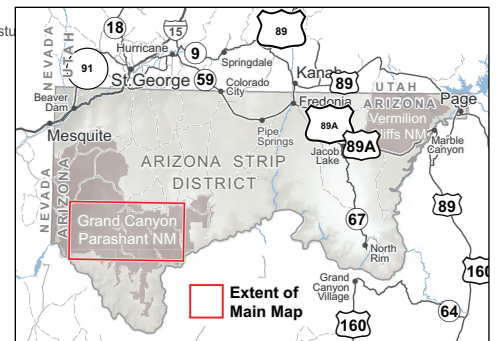
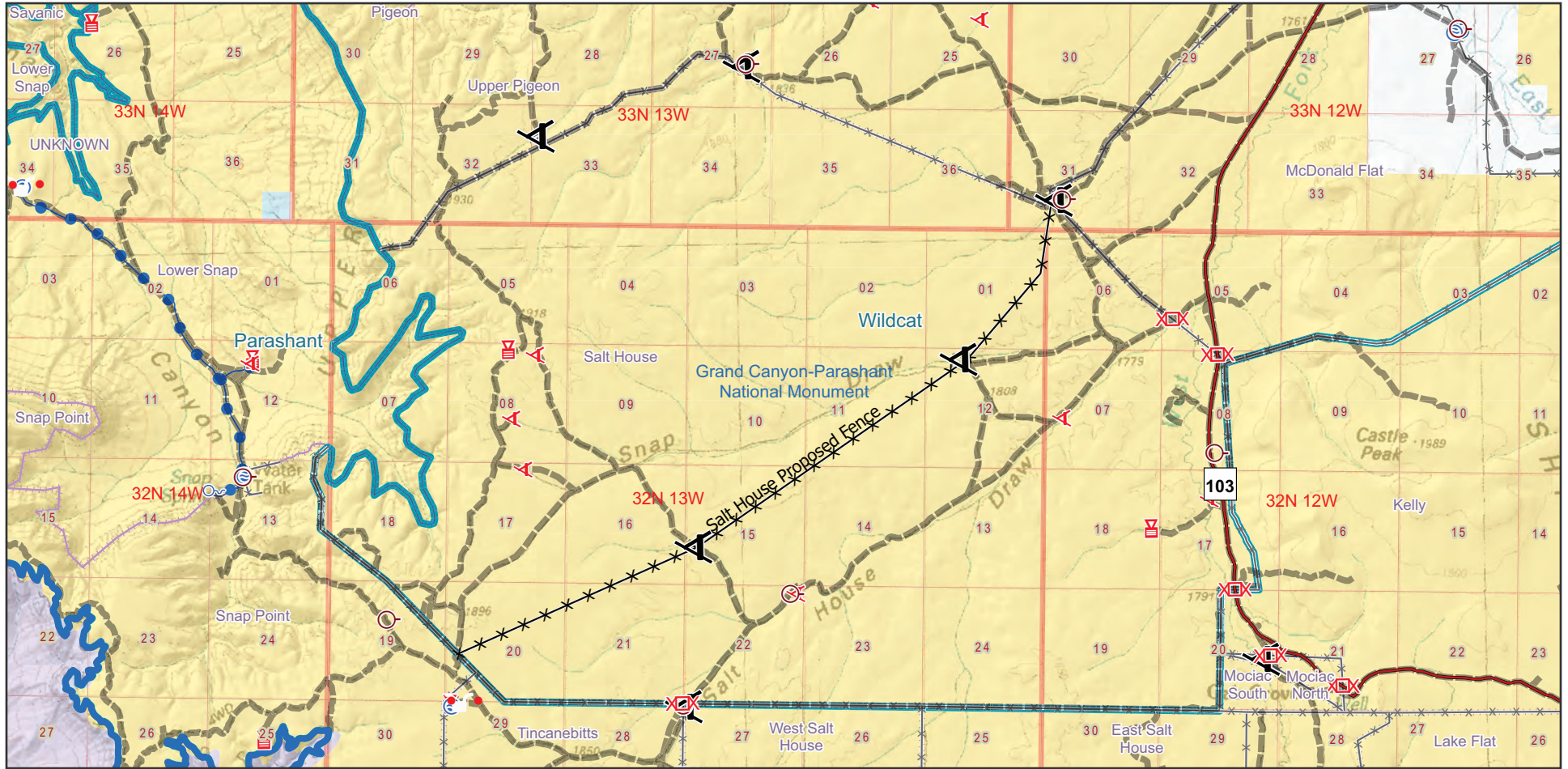




Figure 2. Salt House Proposed Fence Project View

DOI-BLM-AZ-A030-2024-00XX-DNA

Bureau of Land Management - Arizona Strip District - Grand Canyon-Parashant National Monument



✕ Salt House Proposed Fence

✕ Fence
● Pipeline

▭ Township
▭ Monuments

Main Routes

▭ Grazing Pasture

▭ BLM

— County

▭ Grazing Allotment

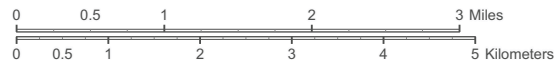
▭ NPS

— Arizona Strip Routes

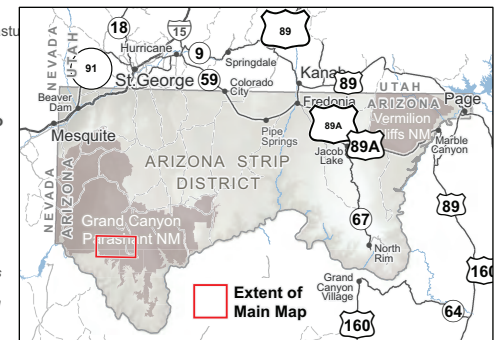
▭ Section

▭ State

▭ Private



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List of all Persons or Groups Receiving this NOPD

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