



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
Safford Field Office  
711 14th Avenue  
Safford, AZ 85546  
928-348-4400  
[www.blm.gov/arizona](http://www.blm.gov/arizona)



August 1, 2022

In Reply Refer To:  
4160 (G010)

CERTIFIED MAIL – RETURN RECEIPT REQUESTED NO. 7021 2720 0000 0524 8448

Walter and Jeanette, Wiltbank  
P.O. Box 2904  
St. Johns, AZ 85936

**NOTICE OF PROPOSED DECISION**  
**Wiregrass Lake Allotment No. 06230 Grazing Lease Renewal**

Dear Walter and Jeanette Wiltbank,

**Introduction**

The Bureau of Land Management (BLM) is charged with evaluating public lands on an allotment basis, in accordance with the current regulations, to determine if the rangelands are meeting the Arizona Standards for Rangeland Health. The information collected in the Land Health Evaluation (LHE) was used as a basis to evaluate the renewal of the livestock grazing lease associated with the Wiregrass Lake Allotment.

This proposed decision is to renew the grazing lease for the Wiregrass Lake Allotment for a period of 10 years and to change the mandatory terms and conditions to authorize grazing year-long on the BLM-administered lands within the allotment.

**Background**

On September 11, 2020, the draft LHE for the Wiregrass Lake Allotment was sent to interested publics. The LHE was finalized on May 25, 2021. No comments were received from interested publics from the LHE process. The draft EA for the Sheepskin Wash and Wiregrass Lake Allotment Grazing Lease Renewal was made available electronically through the online National Environmental Policy Act (NEPA) Register (ePlanning) for public participation via a 15-day comment period, beginning July 15th through July 29th, 2022. Additionally, all interested parties were notified via certified mail of the comment period for the EA. Substantive comments received from the draft EA were incorporated in the final EA.

On August 1, 2022, the Sheepskin Wash and Wiregrass Lake Allotment Grazing Lease Renewal EA (DOI-BLM-AZ-G010-2022-0021-EA) was completed with the associated Finding of No Significant Impact (FONSI). The EA and associated documents are available electronically through the online NEPA Register or by visiting at: <https://go.usa.gov/xS3KQ> (case sensitive).

### **Finding of No Significant Impact (FONSI)**

Based upon a review of DOI-BLM-AZ-G010-2022-0021-EA, I have determined the proposed project is not a major federal action and will not significantly affect the quality of the human environment. I considered the impacts of this action both individually and cumulatively with other actions in the general area. None of the environmental impacts meet the definition of significance in context or intensity as defined at 40 CFR 1508.27. The environmental impacts of this project, individually and cumulatively, do not exceed those impacts described in the Phoenix Resource Management Plan (RMP) (USDI BLM 1989), as amended by the decision record for the Arizona Standards and Guidelines. The Phoenix RMP incorporates by reference the decisions from the Eastern Arizona Grazing Final Environmental Impact Statement (FEIS) Record of Decision (ROD; 1987). The EA No., DOI-BLM-AZ-G010-2022-0021-EA is incorporated by reference into the FONSI.

### **Proposed Decision**

Therefore, it is my proposed decision, based upon the LHE, results of the NEPA analysis, in consultation and coordination with the interested publics, and recommendations from the BLM interdisciplinary team, to offer you a new grazing lease for a period of 10 years with the following terms and conditions:

#### **Mandatory Terms and Conditions:**

<b>Allotment Name/Number</b>	<b>Livestock Number/Kind</b>	<b>Grazing period Begin - End</b>	<b>% Public Land</b>	<b>Active Use (AUM)</b>
Wiregrass Lake No. 06230	14 Cattle	3/1 – 2/28	100	177

#### **Other Terms and Conditions:**

- In order to improve livestock distribution on the public lands, all salt blocks and/or mineral supplements shall not be placed within a ¼ mile of any riparian area, wet meadow or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision in accordance with 43 CFR 4130.3-2(c).
- The lessee shall submit, upon request, a report of the actual grazing use made on this allotment for the previous grazing period, March 1 to February 28. Failure to submit such a report upon request by March 15 of the current year may result in suspension or cancellation of the grazing lease.
- Lessee shall provide reasonable administrative access across private and leased lands to the BLM for the orderly management and protection of the public lands.

**Rationale**

The BLM-administered lands within the allotments are guided by the Phoenix Resource Management Plan (RMP), incorporating by reference the Eastern Arizona Grazing Final Environmental Impact Statement (FEIS) Record of Decision (1987).

The Secretary of the Interior approved Arizona Standards for Rangeland Health and Guidelines for Grazing Administration (Standards and Guidelines) in April 1997. The Standards and Guidelines Environmental Assessment Decision Record, signed by the BLM State Director in April 1997, provides for full implementation of the Standards and Guidelines in all Arizona BLM land use plans.

The Wiregrass Lake LHE was completed in May 2021. In accordance with BLM policy and regulations, all applicable monitoring data were examined and evaluated in order to determine progress in meeting the Arizona Standards for Rangeland Health and other land use plan objectives. The LHE concluded that the Arizona Standards for Rangeland Health are being achieved on the Wiregrass Lake Allotment. Recommended management actions outlined in the LHE included consideration to change the Mandatory Terms and Conditions from seasonal use (March 1 – June 30 and February 1 – February 28) to yearlong season of use in order to allow flexible management and coincide with the State and private lands within the allotment.

The Sheepskin Wash and Wiregrass Lake Allotment Grazing Lease Renewal EA was completed on August 1, 2022. The EA further analyzed the potential impacts of renewing the Wiregrass Lake Allotment lease and changing the authorized season of use to year-long on the BLM-administered lands within the allotment. The total number of Animal Unit Months (AUMs) are the same as the preexisting lease. Additionally, the terms and conditions proposed in the EA will ensure that the allotment will continue to meet the Arizona Standards for Rangeland Health addressed in the LHE.

**Authority**

The authority for this final decision is found in statutory and regulatory authorities contained in the Taylor Grazing Act as amended, the Federal Land Policy and Management Act of 1976, as amended, and Title 43 of the Code of Federal Regulations (CFR), Part 4100 (Grazing Administration-exclusive of Alaska), including but not limited to the following pertinent Subparts:

4100 – Land Use Plans,

4110 – Qualifications and Preference,

4130 – Authorizing Grazing Use,

4160 – Administrative Remedies,

4180 – Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration.

**Right of Protest and/or Appeal**

Any applicant, permittee, lessee, or other interested public may protest this proposed decision within 15 days following its receipt in accordance with 43 CFR 4160.1 and 4160.2. The protest may be submitted in person or in writing to:

Scott C. Cooke  
Bureau of Land Management  
Safford Field Office  
711 S. 14th Avenue  
Safford, Arizona 85546

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

In the absence of a protest, this proposed decision shall constitute 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). Electronic protests and appeals are not acceptable methods for filing.

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final BLM grazing decision may file an appeal for the purpose of a hearing before an administrative law judge in accordance with 43 CFR 4160.3(c), 4160.4, 4.21, and 4.470. The appeal must be filed within 30 days following receipt of the final decision or 30 days after the date the proposed decision becomes final. The appeal should state the reasons, clearly and concisely, why the appellant thinks the final BLM grazing decision is in error. A petition for a stay of the decision pending final determination of the appeal by the administrative law judge may also be submitted during this same 30-day time period. The appeal, or the appeal and petition for stay, must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the SFO as noted above.

Should you wish to file a petition for a stay in accordance with 43 CFR Section 4.471(c), the appellant shall 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.

Within 15 days of filing the appeal, or the appeal and petition for stay, with the BLM officer named above, the appellant must serve copies to any other person named in this decision and on the Office of the Regional Solicitor located at: US Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Courthouse, 401 W. Washington St. SPC 44, Suite 404, Phoenix, AZ 85003-2151 in accordance with 43 CFR 4.470(a) and 4.471(b).

If you have any questions, please contact Amelia Taylor, Assistant Field Manager, or myself at (928) 348-4400.

Sincerely,

A handwritten signature in blue ink that reads "Scott C. Cooke". The signature is written in a cursive style with a large, sweeping initial "S".

Scott C. Cooke  
Field Manager

cc:

Arizona Cattle Growers  
1811 S Alma School Rd #255  
Mesa, AZ 85210  
Certified Mail No. 70212720000005248820

Arizona Game and Fish Department  
Region I - Pinetop  
c/o James Eddy  
2878 East White Mountain Boulevard  
Pinetop, AZ 85935  
Certified Mail No. 70212720000005248844

Arizona Game and Fish Department  
WMHB - Project Evaluation Program  
5000 W. Carefree Highway  
Phoenix, AZ 85086  
Certified Mail No. 70212720000005248868

Arizona State Land Department  
c/o Chris Lowman  
1616 West Adams  
Phoenix, AZ 85007  
Certified Mail No. 70212720000005248882

Larry Humphrey  
P.O. Box 894  
Pima, AZ 85543  
Certified Mail No. 70212720000005248905

Western Watersheds Project  
Cyndi Tuell and/or Greta Anderson  
Arizona and New Mexico Director  
738 North 5<sup>th</sup> Avenue, Suite 206  
Tucson, AZ 85705  
Certified Mail No. 70212720000005248929

William K. Brandau  
P.O. Box 127  
Solomon, AZ 85551  
Certified Mail No. 70212720000005248943