



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Safford Field Office  
711 S. 14<sup>th</sup> Avenue Suite 100  
Safford, AZ 85546  
[www.blm.gov/arizona](http://www.blm.gov/arizona)

March 16, 2023

In Reply Refer To:  
4160 (G010)

## PROPOSED DECISION

Andrus Ranch Holding, LLC  
HC-30 Box 36501  
36 County Road 3000  
Concho, AZ 85924

CERTIFIED MAIL - RETURN RECEIPT REQUESTED NO. 7017 0530 0000 3046 6727

JMP Ranches Inc.  
PO Box 810  
St Johns, AZ 85936

CERTIFIED MAIL - RETURN RECEIPT REQUESTED NO. 7017 0530 0000 3046 6734

### **Zuni Ranch Allotment No. 00125 and Concho Ranch Allotment No. 00126 Allotment Division and Lease Implementation**

This notice is to inform you, and all appropriate interested publics, of a proposed decision regarding the division of the Zuni Concho Allotment No. 06170 into two allotments and issuing fully processed grazing leases for the two new allotments. This was analyzed in Environmental Assessment (EA) No. DOI-BLM-AZ-G010-2023-0007-EA titled Zuni Concho Allotment Division and Lease Issuance. The EA and subsequent Finding of No Significant Impact (FONSI) is available online through the online National Environmental Policy Act (NEPA) Register (ePlanning).

#### **INTRODUCTION**

The Zuni Concho Allotment No. 06170 is located in Apache County, Arizona. The allotment is leased to JMP Ranches, Inc. and has been managed as two separate ranches. The ranch to the west of the City of St. Johns, Arizona is called Concho Ranch, and the ranch to the north is called Zuni Ranch.

The allotment, including both ranches, was recently evaluated (2021) and the grazing lease was renewed through Categorical Exclusion (CX) No. DOI-BLM-AZ-G010-2021-0038-CX. The CX is available online through the online NEPA Register. Management of Concho Ranch has been

sold to Andrus Ranch Holding, LLC, the grazing application for that portion of the allotment has been approved.

Location descriptions of each ranch portion of the Zuni Concho Allotment were included in the introduction section of the EA.

### **BACKGROUND**

On June 30, 2021, a Land Health Evaluation (LHE) report for the Zuni Concho Allotment No. 06170 was signed. The data presented in the LHE demonstrated that the Arizona Standards for Rangeland Health for the allotment (including both the Concho Ranch and the Zuni Ranch) were being achieved. The recommended management action was to continue current grazing management on the allotment. Later, on July 7, 2021, the Zuni Concho Allotment No. 06170 Grazing Lease Renewal CX No. DOI-BLM-AZ-G010-2021-0038-CX was signed. The CX and Final LHE were made available electronically through the online NEPA Register. Following the completion of the CX, on July 8, 2021, a notice of proposed decision was mailed for the Zuni Concho Allotment Grazing Lease Renewal. No protests were received, and the proposed decision became the final decision and was not appealed. The fully processed grazing lease was signed and approved on September 14, 2021, renewing the Zuni Concho grazing lease until Feb 28, 2031.

Later that year on October 18, 2021 a portion of the base property was sold to Andrus Ranch Holding, LLC for the Concho Ranch portion of the allotment. Applications for the two separate ranches were completed and submitted to the BLM during February of 2022 to authorize grazing for the two ranches. The applications kept Zuni Ranch in the name of JMP Ranches Inc., and Andrus Ranch Holding, LLC applied for the Concho Ranch. The BLM reviewed the submitted documents and approved the grazing applications on May 20, 2022. The request to divide the allotment and issue two separate grazing leases resulted in NEPA being completed through the EA.

### **PROPOSED DECISION**

Based upon the results of the NEPA analysis, consultation and coordination with the interested publics, and recommendation from the BLM interdisciplinary team, it is my proposed decision to implement the proposed action of the EA. The Zuni Concho Allotment No. 06170 will be divided as follows (see enclosed map):

#### ***Concho Ranch***

The Concho Ranch will be called the Concho Ranch Allotment No. 00126. The BLM-administered land associated with this allotment includes 331 acres of BLM-administered land and 15 AUMs (1 cattle).

#### ***Zuni Ranch***

The Zuni Ranch will be called the Zuni Ranch Allotment No. 00125. The BLM-administered land associated with this allotment includes 1,207 acres of BLM-administered land and 57 AUMS (6 cattle).

Livestock number and AUMs will be divided proportionally between the two allotments as listed below. The Other Terms and Conditions on the grazing leases will remain the same and are listed below.

**Mandatory Terms and Conditions:**

Allotment Number and Name	Livestock Number/Kind	Period		% Public		AUMs
		Begin	End	Land	Type Use	
AZ00126 Concho Ranch	1 Cattle	3/1	2/28	100	Custodial	15
AZ00125 Zuni Ranch	5 Cattle	3/1	2/28	100	Custodial	57

**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.

A grazing lease for the Zuni Ranch Allotment will be offered to JMP Ranches Inc., and a grazing lease for the Concho Ranch Allotment will be offered to Andrus Ranch Holding, LLC. Grazing leases will be offered for the remainder of the ten-year period for which the original Zuni Concho lease was recently renewed. Leases will end on February 28, 2031.

**RATIONALE**

In accordance with Title 43 Code of Federal Regulations (CFR) Subpart (§) 4110.2-4, “after consultation, cooperation, and coordination with the affected grazing permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may designate and adjust grazing allotment boundaries. The authorized officer may combine or divide allotments, through an agreement or by decision, when necessary for the proper and efficient management of public rangelands.” Due to the allotment being managed as two separate ranches, the division of the allotment will provide for proper and efficient management of public rangelands. Management of each ranch would not be altered by the division of the allotment into two separate allotments.

The lease renewal for the Zuni Concho Allotment No. 06170 was fully processed and the renewed lease was signed in September of 2021. The renewal included an allotment analysis for the Concho Ranch and the Zuni Ranch in a Land Health Evaluation (LHE). The grazing lease issuance was completed through Categorical Exclusion (CX) No. DOI-BLM-AZ-G010-2021-0038-CX, pursuant to the National Environmental Policy Act (NEPA) and Section 402(h)(1) of the Federal Land Policy and Management Act (FLPMA; 43 U.S.C. 1701 et seq.). Additional analysis was completed in the Zuni Concho Allotment Division and Lease Issuance EA (No.

DOI-BLM-AZ-G010-2023-0007-EA) completed March 7, 2023 and included a 15 day comment period of the draft EA for public input. Comments were considered and responses were provided in the final EA. The division of the allotment creates two separate grazing leases. Terms and conditions of the leases result in no changes to the allotment management in both areas. The terms and conditions established for the two leases ensure that the allotments continue to meet the standards for rangeland health addressed in the LHE.

The Code of Federal Regulations (43 CFR 4130.2(a)) requires that, "Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans." I have determined that dividing the Zuni Concho Allotment and issuing fully processed leases for the remainder of the 10-year period is in conformance with the Phoenix Resource Management Plan (RMP), incorporating by reference the Eastern Arizona Grazing FEIS Record of Decision (1987).

#### **AUTHORITY**

My 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 4160.2. The protest may be submitted in person or in writing to:

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

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.

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 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 Safford Field Office 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.

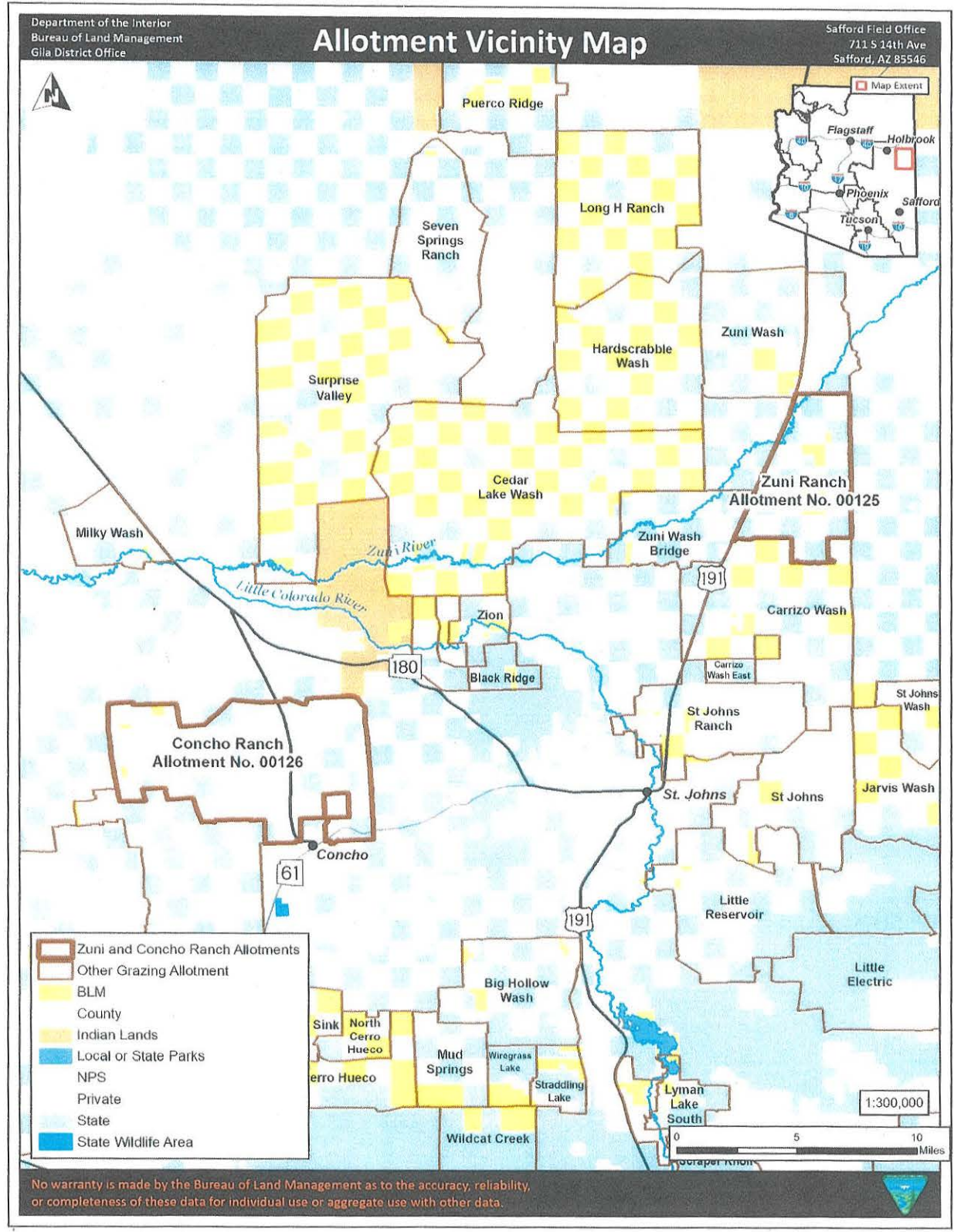
Within 15 days of filing the appeal, or the appeal and petition for stay, with the BLM officer named above, the appellant must serve copies to any other person named in this decision and on the Office of the Regional Solicitor located at: US Department of the Interior, Office of the Field Solicitor, 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).



Scott C. Cooke  
Field Manager

**Enclosures**

Map of Zuni Ranch Allotment No. 00125 and Concho Ranch Allotment No. 00126 Vicinity



**Service**

cc:

AgWest Farm Credit  
 c/o Christine Larsen  
 102 N. State St.  
 Preston, ID 83263  
 Certified No. 7019 2970 0000 8153 2118

Andrus Ranch Holding, LLC  
 HC-30 Box 36501  
 36 County Road 3000  
 Concho, AZ 85924  
 Certified No. 7019 2970 0000 8152 2118

Arizona Cattle Growers  
 1811 S Alma School Rd #255  
 Mesa, AZ 85210  
 Certified No. 7019 2970 0000 8152 0580

Arizona Game and Fish Department  
 Region I – Pinetop  
 c/o James Eddy  
 2878 East White Mountain Boulevard  
 Pinetop, AZ 85935  
 Certified No. 7019 2970 0000 8152 0597

Arizona Game and Fish Department  
 WMHB – Project Evaluation Program  
 5000 W. Carefree Highway  
 Phoenix, Arizona 85086-5000  
 Certified No. 7008 1140 0002 4434 9830

Arizona State Land Department  
 c/o Cory Runyon  
 1616 West Adams  
 Phoenix, Arizona 85007  
 Certified No. 7017 0530 0000 3046 6826

JMP Ranches Inc.  
 PO Box 810  
 St Johns, AZ 85936  
 Certified No. 7017 0530 0000 3046 6833

Natural Resource Conservation Service  
 c/o Thomas Vanzant  
 P.O. Box 329  
 Springerville, AZ 85938-0329  
 Certified No. 7017 0530 0000 3046

Traegen Knight  
 P.O. Box 1980  
 Saint Johns, AZ 85936  
 Certified No. 7017 0530 0000 3046 8936

Interested Public  
 Western Watersheds Project  
 c/o Cyndi Tuell and/or Greta Anderson  
 738 N. 5th Avenue, Suite 206  
 Tucson, Arizona 85705  
 Certified No. 7017 0530 0000 3046 8943

Interested Public  
 William K. Brandau  
 P.O. Box 21  
 Solomon, AZ 85551  
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