



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Phoenix District

Agua Fria National Monument

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Phoenix, Arizona 85027

[www.blm.gov/az/](http://www.blm.gov/az/)

In Reply Refer To:

2100 (AZP030)

DOI-BLM-AZ-P030-2014-0001-EA

### **DECISION**

#### **Cross Y Acquisition**

**DOI-BLM-AZ-P030-2014-0001-EA**

#### **INTRODUCTION**

The Bureau of Land Management, Agua Fria National Monument (Monument) has prepared the Cross Y Acquisition Environmental Assessment (EA) (DOI-BLM-AZ-P030-2014-0001-EA) to evaluate the potential impacts related to the acquisition of 1,984 acres of private land located within and adjacent to the Monument boundary.

The parcels include substantial water rights; nearly one mile of the Agua Fria River; more than two miles of Squaw Creek; wildlife habitat; a spring and associated riparian habitat; many cultural resources including several large pueblo ruins, rock art sites, and artifact scatters; and opportunities for public access to Monument lands. The parcels are highly scenic and include one of the densest stands of saguaro cacti in Arizona. The majority of the properties are undeveloped except for portions of one 40 acre parcel which has livestock developments such as corrals, a well, troughs, and fencing. The properties have been used for livestock grazing however the majority of the land is inaccessible to livestock.

#### **BACKGROUND**

The Monument was established by Presidential proclamation on January 11, 2000, to preserve and protect its significant archaeological and biological resources. These “objects of scientific and historic interests” for which the Monument was created are defined in the proclamation as the area’s prehistoric and historical archaeological sites; its expansive semi-desert grassland and riparian forests; its vegetative diversity and availability of water; and the productive habitats for diverse and abundant wildlife species.

The BLM has been pursuing acquisition of the Cross Y Ranch for several years. The decision by the ranch owner to exclude the 92 acres containing its significant facilities and improvements has made the remaining 1,984-acre acquisition a priority for acquisition. The 1,984-acre Cross Y

Ranch consists of a 626-acre inholding (not including 92 acres, the ranch headquarters), two 40-acre inholding parcels on Black Mesa, and a 1,278-acre (two sections) parcel bounded by the Monument on the north, Tonto National Forest on the east, and BLM and State Land on the south (Map 1 of the Cross Y Acquisition EA DOI-BLM-AZ-P030-2014-0001-EA. The BLM has been working with the property owner and The Conservation Fund, which is serving as the third-party facilitator, since September 17, 2009, regarding the potential acquisition of the ranch.

## **PUBLIC INVOLVEMENT**

The public was provided the opportunity to participate in this EA in compliance with 40 Code of Federal Regulations (CFR) 1506.6. Both internal and external scoping was conducted for the proposed action. An interdisciplinary team of BLM specialists identified preliminary issues to be analyzed in this EA. Scoping letters were mailed to approximately 400 individuals, special interest groups, and interagency partners.

Generally, most comments were in favor of the proposed land acquisition. Many comments were in favor of the proposed action because the proposal would benefit the scenic values as well as the biological, water, riparian, and cultural resources found within the private property encompassed by and next to the Monument. See Appendix 1 of the EA for the full list of scoping comments.

## **DECISION**

After reviewing the analysis presented in the Cross Y Acquisition EA DOI-BLM-AZ-P030-2014-0001-EA, making a Finding of No Significant Impact (FONSI), and carefully considering the comments and input received from the public, it is my decision to approve the acquisition of two 40 acre parcels located within the AFNM boundary on Black Mesa as analyzed in the proposed action in the EA.

## **RATIONALE**

In accordance with the purpose and need for this action, the acquisition of the subject parcels will extend consistent land management over 80 acres of formally private land located within and along the boundaries of the Monument in order to preserve cultural and biological resources and facilitate compatible public access.

## **AUTHORITY**

This Decision is in conformance with the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190) as amended (72 USC 4321 et. seq.); Land and Water Conservation Fund Act of 1965 (P.L. 88-578) as amended; and the General and Title V of the Federal Land Management Policy Act of 1976 (FLPMA).

**APPEAL OF THE DECISION**

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office at the above address within 30 days from receipt of this decision. The appellant has the burden of showing that the Decision appealed from is in error.

If you wish to file a petition pursuant to regulation at 43 CFR 3256.11 or 43 CFR 3200.5 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed in this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal must show sufficient justification based on the following standards:

1. The relative harm to 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.
4. Whether the public interest favors granting the stay.

/s/ Amanda James (acting for)  
David R. Hawes  
Field Manager  
Hassayampa Field Office

6/27/2014  
Date