Sonoran Desert National Monument
Livestock Grazing
Draft Resource Management Plan Amendment/Environmental Assessment

Draft Finding of No Significant Impact

DOI-BLM-AZ-P040-2020-0001-EA

May 2020
Background
The Sonoran Desert National Monument (SDNM) was designated by Presidential Proclamation 7397 on January 17, 2001 (Proclamation), and stated that “[l]aws, regulations, and polices followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument; provided, however, that grazing permits on Federal lands within the monument south of Interstate 8 shall not be renewed at the end of their current term; and provided further, that grazing on Federal lands north of Interstate 8 shall be allowed to continue only to the extent that the Bureau of Land Management determines that grazing is compatible with the paramount purpose of protecting the objects identified in this proclamation.”

In 2016, the U.S. District Court – District of Arizona issued a ruling concluding that the Bureau of Land Management (BLM) did not provide adequate explanations for determining livestock grazing compatibility on the SDNM for the 2012 SDNM, Resource Management Plan/Record of Decision (RMP/ROD) (BLM 2012a). The court found the administrative record did not support the analysis that led to the decisions in the ROD to make grazing available on five allotments north of Interstate-8 (I-8) and ordered the BLM to complete a new Land Health Evaluation and grazing compatibility analysis to be incorporated into the SDNM RMP by September 30, 2020.

The BLM determined that an RMP Amendment/Environmental Assessment (RMPA/EA) is warranted to address the Court remand and evaluate whether any allotments on the SDNM north of I-8 would be “available” or “unavailable” for livestock grazing, and whether any changes are needed to the available Animal Unit Months (AUMs).

Determination
On the basis of the information contained in the Sonoran Desert National Monument Livestock Grazing Draft Resource Management Plan Amendment/Environmental Assessment (RMPA/EA) (DOI-BLM-AZ-P040-2020-0001-EA), I have preliminarily determined that the Proposed Action does not constitute a major federal action having a significant effect on the human environment. Therefore an environmental impact statement (EIS) would not be required.

This finding is based on my consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and intensity of the impacts described in the final EA, which is hereby incorporated by reference.

Context
The Planning Area is the Analysis Area, encompassing the entire SDNM north of I-8 which includes portions of six grazing allotments (Arnold, Beloat, Big Horn, Conley, Hazen, and Lower Vekol allotments) and is south of the City of Goodyear, northeast of Gila Bend, and north of Mobile, Arizona (Figure 1). The Analysis Area is approximately 252,460 acres of public land. Both the North Maricopa Mountain and South Maricopa Mountain wilderness areas are within the Analysis Area. The vegetation communities of the Analysis Area include creosote-bursage scrub, palo verde mixed cactus, and ephemeral washes. The SDNM north of State Route 238 in the Conley and Big Horn allotments includes the Anza NHT Corridor and Management Area and the Mormon Battalion Trail and the Butterfield Overland Stage Route.
In 2012 under the SDNM RMP/ROD, five livestock grazing allotments were allocated as available for livestock grazing. One allotment, Conley, was allocated unavailable. Portions of the Big Horn and Lower Vekol allotments were also allocated unavailable. The authorized Animal Month Units were 3,318. As of 2015, four of the six grazing allotment permits (Big Horn, Conley, Hazen, and Lower Vekol) within the Analysis Area are expired and have not been renewed due to pending litigation of the livestock grazing decisions in the 2012 SDNM ROD. Livestock last grazed the Conley Allotment portion of the SDNM up until the permit expired in 2015. The Arnold and Beloat allotments have current permits which both expire in February 2025. However, livestock grazing has not occurred on the SDNM portions of these allotments since 2015, ephemeral use of the Arnold, due to lack of available ephemeral forage in recent years and/or permittees voluntarily choosing to use other non-SDNM portions of the grazing allotments.

Under the Proposed Action, six allotments covering approximately 252,460 acres of BLM-administered land would be available for livestock grazing. Areas changed from unavailable to available under the Proposed Action would include portions of the Big Horn and Lower Vekol allotments, and the entire Conley Allotment.

**Intensity**

1) Impacts that may be both beneficial and adverse.

The Draft RMPA/EA (Chapters 3 and 4) considered both beneficial and adverse impacts associated with the Proposed Action, which would allocate all allotments within the SDNM north of I-8 as available for livestock grazing.

Livestock grazing at historic levels was determined to be incompatible with monument objects tied to wildlife, vegetation, soils, and cultural resources. The presence and movement of livestock between areas can result in the disturbance or displacement of individual wildlife species, consumption and/or removal of vegetation, disturbance of soils, and the disturbance of cultural areas. Impacts to wildlife, vegetation, soils, and cultural resources would be adverse and long-term. Impacts to these resources primarily occur around watering facilities where livestock congregate. The degree of impacts to these resources would depend on grazing management and would be adverse and long-term.

At the implementation-level, adjustments to livestock grazing management and range improvements could be implemented in order to maintain or achieve Standards and be compatible with objects. These adjustments could include the following:

- Exclusion of sensitive areas and/or areas failing to achieve Standards in proximity to livestock waters by restricting livestock access to waters (fencing) and/or redistributing livestock around additional (new) livestock water sources in less sensitive areas;
- Adjustments in number of authorized AUMs; and/or
- Adjustments in season of use.

Adjustments, reduction, in the number of authorized AUMs and adjustments in season of use, ephemeral or seasonal use, would benefit all monument objects and resources by reducing grazing intensity in terms of number and duration of livestock grazing. The exclusion of sensitive areas and/or areas failing to achieve Standards can be achieved through the fencing of
water developments and/or addition of water infrastructure to redistribute livestock to less sensitive areas. These actions together would result in the overall compatibility of grazing with monument objects and prevent future livestock impacts in areas not achieving Standards.

The installation of new fencing around livestock waters to restrict livestock use can cause short-term localized adverse impacts to soils and vegetation. New fencing would be constructed in a wildlife friendly manner and is unlikely to cause adverse impacts to wildlife. The addition of new livestock water infrastructure may be needed to redistribute livestock to less sensitive areas which can cause adverse impacts to vegetation, wildlife, and soils. The degree of impacts from these implementation-level actions would depend on the extent of the developments and would be evaluated under separate environmental review.

Under the Proposed Action, livestock grazing would be available on all allotments within the SDNM north of I-8 and economic contributions from livestock grazing would be the highest. This would result in beneficial and long-term impacts to livestock grazing and socioeconomics.

2) The degree to which the proposed action affects public health or safety.

The Proposed Action would allocate BLM-administered lands in the SDNM north of I-8 as available for livestock grazing. The Proposed Action would have no effect on public health or safety.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The SDNM was designated by Proclamation and stated that “that grazing on Federal lands north of Interstate 8 shall be allowed to continue only to the extent that the Bureau of Land Management determines that grazing is compatible with the paramount purpose of protecting the objects identified in this proclamation.” ‘Objects’ identified in the Proclamation were the following:

- Functioning desert ecosystems;
- Diversity of plant and animal species;
- Saguaro cactus forest;
- Scientific analysis of plant species and climates in past eras;
- Vegetation communities;
- Wildlife; and
- Archeological and historic sites.

The Analysis Area does not include park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas (such as Areas of Critical Environmental Concern). The Analysis Area is within the Sonoran Desert National Monument, a unit of the National Conservation Lands and includes two wilderness areas. Within the Analysis Area is the Juan Bautista de Anza National Historic Trail Corridor and Management Area. The Sonoran Desert Trails Special Cultural Resource Management Area is also within the Analysis Area. Cultural sites, both pre-historic and historic, occur within the Analysis Area.
4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.
The Proposed Action is not highly controversial. The Draft RMPA/EA analyzed the size, nature, and types of effects from the allocation of BLM-administered lands in the SDNM north of I-8 as available for livestock grazing. The BLM received 62 public comment emails and letters to consider. None of the comments indicated any substantial dispute in the scientific community over the nature of the effects from the Proposed Action.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
There are no highly uncertain or unknown risks associated with the Proposed Action, which would allocate livestock grazing allotments in the SDNM north of I-8 as available. Known risks to the human environment would be minimized or reduced through implementation-level decisions.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
The Proposed Action would not establish a precedent for any reasonably foreseeable future actions with significant effects, or represent a decision in principle about a future consideration. Implementation-level livestock grazing authorizations will comply with the National Environmental Policy Act.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.
The Cumulative Effects Study Area (CESA) is approximately 733,973 acres of BLM-administered, Arizona State Land Department and privately-owned lands. BLM-administered lands make up approximately 56 percent of this CESA. The CESA consists of the six livestock grazing allotments (Arnold, Beloat, Big Horn, Conley, Hazen, and Lower Vekol) within and outside the SDNM, plus the Kirian, Palo Verde Mountains, and Powers Butte allotments.

On non-BLM administered lands within the CESA, population growth, housing and commercial development, agricultural use, additional energy and transportation infrastructure especially along the urban fringe adjacent to BLM-administered lands is anticipated to continue into the foreseeable future. Areas of growth within the CESA include Rainbow Valley in the northeast, and Gila Bend in the southwest. Livestock grazing and maintenance of range improvements would be on-going.

On BLM-administered lands outside the SDNM and north of I-8, renewal of existing authorizations for utility rights-of-ways, livestock grazing (including maintenance of range improvements), exploration on unpatented mining claims, dispersed recreational activities, and construction of the Sonoran Valley Parkway.

The Proposed Action is not related to other actions which have individually insignificantly but cumulatively significant impacts.

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1 The term “highly controversial” refers to a “substantial dispute as to the size, nature or effect of a major federal action rather than to the existence of opposition to a use.” see BLM NEPA Handbook H-1790-1, Section 7.3.
8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss of destruction of significant scientific, cultural, or historical resources.

As stated in the Proclamation, the SDNM “contains many significant archaeological and historic sites, including rock art sites, lithic quarries, and scattered artifacts.” Cultural sites, both pre-historic and historic, occur within the Analysis Area. Sites include artifact scatters, petroglyphs, and lithic quarries. North of State Route 238 within the Conley and Big Horn allotments is the Anza NHT Corridor, the Mormon Battalion Trail and the Butterfield Overland Stage Route.

On March 17, 2020 the BLM initiated consultation with the State Historic Preservation Office under Section 106 of the National Historic Preservation Office. The outcome of this consultation is pending. On March 21, 2020 the BLM initiated government-to-government consultation with the following tribes: Ak-Chin Indian Community, Tohono O’odham Nation, Pascua Yaqui Tribe, Salt River Pima-Maricopa Indian Community, and the Gila River Indian Community. Consultation with tribes is on-going.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA or 1973.

There is no proposed or designated critical habitat for proposed or listed endangered or threatened species in the Analysis Area.

10) Whether the action threatens a violation of federal, State, or local law or requirements imposed for the protection of the environment.

The Proposed Action would not threaten to violate any federal, State, or local law or requirements imposed for the protection of the environment.

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Edward J. Kender
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2 The Sonoran desert tortoise (*Gopherus morafkai*) is not listed on the Endangered Species Act in Arizona, but it is on the BLM sensitive species list. The Sonoran pronghorn (*Antilocapra americana sonoriensis*), not known to occur in the Analysis Area, is designated as “10j” (a non-essential, experimental population).