



WILDERNESS WATCH

Keeping Wilderness Wild

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November 4, 2024

BLM Director
Attention: Protest Coordinator (HQ210)
PO Box 151029
Lakewood, CO 80215

Submitted Via The Internet Portal

Re: Protest of Proposed Decision for the Sonoran Desert National Monument Livestock Grazing Resource Management Plan Amendment Environmental Assessment

Dear BLM Director and Protest Coordinator:

Wilderness Watch files this protest of the proposed decision to allow livestock grazing permits to be issued in the Sonoran Desert National Monument as contained on pages 1 through 8 of the Sonoran Desert National Monument Livestock Grazing Resource Management Plan Amendment Environmental Assessment Finding of No Significant Impact (FONSI). Our address and contact information are included on the signature block at the end of this letter and on the letterhead itself. The undersigned is filing this on behalf of Wilderness Watch.

Wilderness Watch is a national nonprofit wilderness conservation organization dedicated to the protection and proper stewardship and administration of the National Wilderness Preservation System. Our protest focuses on the North and South Maricopa Mountains Wildernesses. Wilderness Watch members and supporters enjoy and use the Sonoran Desert National Monument and the North and South Maricopa Mountains Wildernesses for a variety of pursuits including but not limited to observation of a wild desert environment, mental renewal, and nature study.

Since grazing has not occurred since 2015, nearly ten years (EA pages 15 and 16), the wilderness, natural and ecological values of the Sonoran Desert National Monument and the North and South Maricopa Mountains Wildernesses will be adversely affected. As our following protest points make clear, the Proposed Decision of the District Manager is in error. To provide greater detail, we have attached our previous comments and submissions.

1. The FONSI/Proposed Decision Conflicts with The Monument Proclamation and Would Degrade Wilderness.

Our June 2024 comments stated:

Suggesting that grazing would have long-term, adverse, but negligible impacts on Wilderness is flawed.

For example, the idea that grazing won't affect most of the Wilderness (or other places in the northern half of the Monument) because cattle will concentrate around specific areas with water, and will not wander, is a tacit admission that BLM is creating sacrifice zones around the water developments. The irony here is the EA states the areas used by cattle are those close to water, yet these are the very areas that fail to meet BLM's land health standards.

Put another way, BLM tries to justify grazing as compatible with the objectives of the Monument by highlighting the areas distant from a water source to support its suggestion that grazing is compatible with the objectives of the Monument designation. The National Monument Proclamation states “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.”

The proclamation designating this national monument included all plant communities in a functioning desert ecosystem, from the saguaro cactus forests to tinajas (natural water holes), to washes, heavily used by birds during migration seasons. The water sources, while small in area, are a concentrated and crucial part of this desert ecosystem.

Only areas that are not grazed because of their distance from water, however, meet either land health standards or the proclamation. Because areas far from water—where grazing does not occur—meet the land health standards, and because areas close to water—where grazing is concentrated—fail to meet land health standards, grazing is almost certainly the main culprit for the environmental damage. Grazing continues to damage areas close to water. The only reason that BLM finds grazing is compatible with the monument is because BLM focused on areas far from water, where grazing doesn't and won't occur, which is the majority of acreage under consideration. That is hardly a justification for compatibility. Rather, it highlights why grazing is incompatible with the establishment of this monument. Because grazed areas cannot meet the land health standards, and meeting the land-health standards fulfills the very reasons why the monument was created and is protected, grazing is incompatible with the monument. BLM has failed to acknowledge or discuss this.

BLM has not fixed this problem. The agency admits that areas that cattle use, near water, do not meet range health standards. The only option is to determine these areas are not available for grazing. Similarly, our comments also noted BLM refused to consider an alternative that would close areas not meeting BLM land health standards as impractical. This is a tacit admission that grazing is incompatible not only with the Monument Proclamation but also with basic standards under FLPMA.

Further, this action would cause more degradation to the North and South Maricopa Mountains Wildernesses since they have not been grazed for nearly ten years. Our comments, using BLM's own data, sum up by again showing that BLM itself admits that grazing is incompatible with the Monument Proclamation. We stated “The upshot is information in the EA and associated documents clearly show that [the] Monument should not be grazed by cattle (**e.g. Appendix 4 at pages 16-19**). The grazed areas, which are those close to water, fail to meet standards.” (Emphasis added).

Lastly, the FONSI itself makes the case that grazing is incompatible with the Monument Proclamation. “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.” FONSI at 2. In a planet undergoing human-caused climate change, it is folly to expect there to be ephemeral forage when there hasn't been any for nearly a decade. BLM has failed to discuss this.

2. The Proposed Decision Fails to Recognize Additional Damage From Potential New Infrastructure in Wilderness.

We asked BLM to address the, “likelihood of future water developments” and pointed out, “[t]he EA does not indicate if motorized use would be used to build or rebuild infrastructure in Wilderness” in an effort to urge BLM to address development in Wilderness from this proposal. It is important to address these issues as it appears that new developments would be needed. The reasons detailed below again suggest that grazing is not compatible:

Our comments addressed the concern about deferring site-specific analysis when a decision to allow grazing seems to be made now. Specifically, we noted, “The plan amendment will determine if grazing is compatible with the Monument. However, this creates a two-step process that may violate NEPA because an adequate cumulative-impacts analysis had not been done and connected actions were not discussed in the EA.” It is not clear when a decision to allow grazing will be made. This creates a catch-22 where BLM could claim in the site-specific analysis the allocation decision has already been made so it is compelled to issue new grazing permits.

The current plan does not permit grazing as broadly as does this plan amendment. Tables 4 and Table 5 on page 9 clearly show that the current direction would allow grazing on less acreage than the proposed decision. Indeed, nearly 50,000 fewer acres would be permitted for grazing, including land in the Big Horn and Conley Allotments in both the North and South Maricopa Mountains Wildernesses (see EA Figures 1 and 2).

This expansion of allowed grazing and infrastructure appears to conflict with the Congressional Grazing Guidelines which clearly note, “This is not to imply, however, that wilderness lends itself to AUM or livestock increases and construction of substantial new facilities that might be appropriate for intensive grazing management in non-wilderness areas.” The expansion of grazing that would occur under the proposed decision not only violates the Monument Proclamation, but appears to also violate the Congressional Grazing Guidelines.

3. The EA Fails to Provide Information about Current and Proposed Grazing in Wilderness Which Violates NEPA.

We clearly pointed out:

Among other omissions, the EA's existing condition for Wilderness (page 50) does not reveal how much grazing takes place in Wilderness, whether livestock grazing patterns (numbers and geography) in Wilderness vary from year to year due to ephemeral water or forage, whether BLM has long-term range trend and use-data specific to the Wilderness, or whether motorized use takes place in Wilderness for grazing purposes.

None of this information is available in the draft final EA of October 2024, as it is almost identical to the May 2024 EA provided for public input. For example, compare pages 50 of the EAs.

Further, as noted in above protest points, the proposed decision would actually increase the areas where grazing is allowed (see Figure 6 and Table 5).

4. Problems with So-Called Ephemeral Grazing

The EA states regarding the proposed decision, “Livestock grazing use would range from zero AUMs annually to ephemeral use only.” Further:

The Ephemeral Use Only Alternative would be a reduction in the potential maximum perennial AUMs, from historically authorized 8,703 AUMs under the 1985 Lower Gila South RMP to zero perennially authorized AUMs.

The results of the new LHE (Appendix 3) and new GCA (Appendix 4) suggest that livestock grazing, within this range of potential use, could remain available on the SDNM north of I-8. However, implementation-level adjustments in livestock grazing management, including site specific criteria for approving ephemeral use, would be required to maintain and achieve Standards for Rangeland Health (Standards) and be compatible with monument objects.

EA at 11 and 12. This leads a reader to conclude there is something substantially different than what BLM normally does. However, BLM supposedly determines what grazing, if any, can take place at the beginning of the grazing season or year for perennial term permits too, based upon current conditions. The only substantive difference is that the term permits have a specific number(s) for AUMs written on them.

Furthermore, BLM has not provided information such as whether ephemeral grazing would allow for annual use above the currently authorized 3,318 AUMs (EA page 7). Thus, the analysis of this alternative is imprecise.

As stated in our comments:

BLM’s preferred alternative is administratively impractical and will lead to more damage than the alternative recognizes. The ephemeral nature of the forage varies widely from year to year in this desert environment. The EA provided no baseline data or range of this variation. This makes administration of the allotments difficult, if not impossible, because a decision on the level of stocking would have to be made or adjusted very quickly to prevent overgrazing. Additionally, the livestock would need to be removed quickly when use exceeds thresholds, and BLM has not discussed its personnel capacity to execute this properly. BLM's preferred alternative is unworkable. Because it is unworkable, in practice, this alternative would likely resemble the maximum grazing alternative.

It makes little difference whether permits are considered by BLM to be perennial or ephemeral. What matters is what happens on-the-ground. The simple fact is areas most likely to be grazed by cattle according to BLM—places within a few miles of water—do not meet range health standards. This is emphasized by the fact that the FONSI admits there has not been enough forage for any grazing since 2015.

5. Need for an EIS

Our comments state, “[g]iven the controversy over this proposal, including scientific controversy where BLM has suggested that moderate grazing can improve range conditions, the BLM should consider an EIS if BLM intends to allow grazing to occur in the Monument.” The scientific controversy is recognized in the EA itself, though presented in a way that overstates the possibility that cattle grazing can help prevent non-native plant infestations while understating the opportunity for damage to ecosystems and native plant communities from grazing. Page 26 of the EA recognizes “cattle can contribute to plant species invasions in some systems ...” The discussion then continues about studies, most of which are not applicable to an area as dry as the Sonoran Desert or in areas that have cold-season grasses like the Great Basin. Studies that suggest cattle grazing as a way to reduce non-native species are usually conducted under controlled conditions with significant range infrastructure, such as fenced pastures and water developments. As we have shown in protest point 2, the EA is not site-specific in terms of needed grazing infrastructure, especially in Wilderness.

Not only does the EA lack baseline conditions and include controversial science (as stated above), the current plan does not permit grazing as broadly as does this amendment. While some amendments might not have significant impacts, revisions to the land management plans do require an EIS. The scope of this amendment is so broad it is constructively like a revision to the land management plan, and the potential impact should be treated as such by analyzing the proposal as an EIS. The scope, the scientific controversy involved, and the impact to Wilderness all create a situation for the potential for significant impact. That is the only acceptable conclusion of this EA should the BLM continue to examine an alternative other than the no-action one.

6. Conclusion

For the reasons stated above, Wilderness Watch hereby requests that BLM modify the EA, FONSI, to adopt the no cattle grazing alternative, Alternative C. In the alternative, BLM should do an EIS.

Sincerely,



Gary Macfarlane
--for--
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