



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Tucson Field Office
3201 E. Universal Way
Tucson, Arizona 85756
www.blm.gov/az/



In Reply Refer To:
4000 (G020)

Dr. Robin Silver- CERTIFIED MAIL- RETURN RECEIPT REQUESTED No: 7017 0530 0000 0469 6679
Center for Biological Diversity
PO Box 1178
Flagstaff, AZ 86002

Charles Babbit- CERTIFIED MAIL- RETURN RECEIPT REQUESTED No: 7017 0530 0000 0469 6709
Maricopa Audubon Society
PO Box 65401
Phoenix, AZ 85082

Dear Sirs:

Please find the following biannual report for the period of August 9, 2022 through January 31, 2023 as identified in the stipulated settlement agreement filed on August 9, 2022. Per the agreement, the Bureau of Land Management (BLM) will provide biannual reports listing activities under the terms of this settlement, including activities taken under Paragraphs 2-4 and 6-8 of the agreement. Attached to this letter is a spreadsheet which address items outlined in Paragraph 2 of the agreement.

The Tucson Field Office is currently inspecting the San Pedro Riparian National Conservation Area boundary fence utilizing American Conservation Experience (ACE) conservation crews per requirements of the settlement. The crews have inventoried 64 miles of fence and identified 180 points noting where repairs are needed. Fence maintenance noted addresses locations where: 1) wires have been cut, 2) wires are missing, or 3) flood flows at water gaps have removed the fencing entirely. It is anticipated that the ACE crews will complete the inventory of all 102 miles in May.

The Tucson Field Office has issued 20+ miles of fencing to adjacent landowners and have approximately 30 miles of fencing on hand. No funding is currently available to purchase additional fence materials. Inspection of the riparian areas for livestock is scheduled for March 2023. Additionally, the BLM is in the process of hiring a range technician to focus on implementation of livestock monitoring and fence repairs.

If you have any questions regarding this biannual report, please contact me a (520) 258-7200.

Sincerely,

**COLLEEN
DINGMAN**

Digitally signed by
COLLEEN DINGMAN
Date: 2023.02.09
06:50:09 -07'00'

Colleen J. Dingman
Field Manager

Enclosure

Cc: Matt Arnold
William S. Eubanks II
Eubanks & Associates, PLLC
1331 H Street NW, Suite 902
Washington, D.C. 20005

Rachel L. Kent
Office of the Solicitor
Department of the Interior
rachel.kent@sol.doi.gov

Incident #	Date	Observer(s)	Communication Title	Observations	Number of Livestock	River Mile	Date notification acknowledged	BLM Staff Taking Action	Date and Action Taken	BLM Follow-up/ Final Result/Date of Follow up
1	9/1/2022	Center member via Robin Silver	TRESPASS COW COMPLAINT #1 POST SETTLEMENT	Hoof prints	2	St David Cienega	9/7/2022 by C. Dingman	Baker	No NCA fence between private and BLM managed lands. Boundary and cooperative agreements are in place with private landowner for nearby boundary fences and watergaps. Saint David Fence enclosure is currently in procurement.	Followup with Owen to check on status of larger fencing project along northern boundary. Ongoing project on private property anticipated completion spring 2023.
2	10/19/2022	Mike Foster	Voice Mail	Cattle	5	Walnut Gulch	Not required	Baker	10/24/22 Forwarded email with photo to Russel True of Three Brothers	10/25/22 Russel confirmed ownership and location for them to remove. Cattle were removed within 2 days out of the corral on the south side of hwy 82.
3	10/20/2022	San Pedro House	Voice Mail	Cattle	2	SPH	Not required	Baker	10/27/22 Baker talked with Missy Cox and all of their cattle and fences are accounted for. She still offered to ride the area horseback to help identify owner.	On 10/27/22 Baker called Mike Finch. Mike hired a helicopter for \$500/hr to gather his entire herd and 6 head off the SPRNCA on oct 20-21. They flew and gathered from Charelston to about halfway down to hereford bridge. Mike mentioned he has 6-7 still possibly missing that are not accounted for. Rene, who was working for Albert Thomas, gathered and returned 9 or 10 head 2 weeks ago. Missy Cox double checking in next 2 days but was unaware of anything they are missing and fencing is all up. 10/28/22 Missy Cox verified with SPH that no recent observations have happened in last week and people are only mentioning sign. She gave them, on her own, her contact information to expedite and signings to aid in their removal.
4	10/21/2022	Center member via Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #2	Cow and cow dung	1	Escapule	10/24/2022 by C. Dingman	Baker	10/27/22 -Tucson BLM staff contacted leasee possibly associated with the livestock.	On 10/27/22 Baker called Mike Finch. Mike hired a helicopter for \$500/hr to gather his entire herd and 6 head off the SPRNCA on oct 20-21. They flew and gathered from Charelston to about halfway down to hereford bridge. Mike mentioned he has 6-7 still possibly missing that are not accounted for. Rene, who was working for Albert Thomas, gathered and returned 9 or 10 head 2 weeks ago. Missy Cox double checking in next 2 days but was unaware of anything they are missing and fencing is all up. 10/28/22 Missy Cox verified with SPH that no recent observations have happened in last week and people are only mentioning sign. She gave them, on her own, her contact information to expedite and signings to aid in their removal.
5	10/25/2022	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #3 COWS STILL NORTH OF THE HEREFORD BRIDGE WHERE THEY HAVE BEEN DESTROYING ENDANGERED PLANTS	Cow Dung and hoof print.	0	Hereford Bridge	10/27/2022 C. Dingman	Baker	10/27/2022 E. Baker spoke with Jackie Watkins.	It is unknown who the cows belong to since no identifying cow photos were provided. Game cameras were removed and damaged from flooding so no photos to refer to. Neighboring leasee has all of her cattle accounted for. Baker had field tour with youth fence crew verified largest watergap along that boundary was in place and functional on 10/27/22
6	10/25/2022	Lizann Michaud	POST SETTLEMENT TRESPASS COW COMPLAINT #4-CITIZEN POST SETTLEMENT TRESPASS COW COMPLAINT: COWS WITHIN A MILE OF SAN PEDRO HOUSE	Hoof prints. No cows.	0	SPH	10/27/2022 C. Dingman	Baker	10/26/22 Baker talked with Johnathan Issacson from La Roca. They dont have cattle on that allotment currently. Ramirez also doesnt have cattle on their allotment currently. 10/26 Baker left voicemail with Albert Thomas	On 10/27/22 Baker called Mike Finch. Mike hired a helicopter for \$500/hr to gather his entire herd and 6 head off the SPRNCA on oct 20-21. They flew and gathered from Charelston to about halfway down to hereford bridge. Mike mentioned he has 6-7 still possibly missing that are not accounted for. Rene, who was working for Albert Thomas, gathered and returned 9 or 10 head 2 weeks ago. Missy Cox double checking in next 2 days but was unaware of anything they are missing and fencing is all up. 10/28/22 Missy Cox verified with SPH that no recent observations have happened in last week and people are only mentioning sign. She gave them, on her own, her contact information to expedite and signings to aid in their removal.
7	10/30/2022	SPH	Phone call	Cattle	2	between 7 and 8	Not required	Baker	10/31/22 Baker notified Missy Cox and she said she didn't believe they were thiers and that Garden Wash was too far south usually. Baker called Rene Bernal who normally gathers for Ramirez and Thomas. He will have a discussion with Ramirez because nobody was running any cattle in those allotments but someone turned out 5 head and they all disappeared. Waiting for confirmation of that individual or for Rene to get paid for that gather.	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.
8	11/5/2022	Robin Silver	CORRECTED: POST SETTLEMENT TRESPASS COW COMPLAINT #5 COWS STILL NORTH OF THE HEREFORD BRIDGE WHERE THEY HAVE BEEN DESTROYING ENDANGERED PLANTS	Cattle	9	Hereford Bridge	11/7/2022 Baker	Baker	11/7/2022 Baker forwarded the email to Jackie Watkins, Ben Garcia and Jonathan Isaacson	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.
9	11/8/2022	Catlow Shippek	Cow seen in SPRNCA on beaver survey	Sign and photo of 1 cow	1	Hereford Bridge	Not required	Baker	Email from 11/5 Baker received 11/7. Assumption same group as 9 and waiting on communication back from neighbors.	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.
10	11/23/2022	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #6 TWO COWS AT GRAVEYARD GULCH CROSSING DOWNED WATER GAP	Reported cattle	0	Graveyard Gulch against Fort	11/28/2022 by C. Dingman	Baker	Baker spoke with Finch in person on 11/15 and he was trapping cattle on state off Moson	Finch trapped the majority of this group on state lands the following week approximatly 11/21
11	12/16/2022	Darrel Thompson	Cattle not where they should be	Reported cattle	1	SPH	Not required	Baker	Baker spoke with Finch in person on 11/15 and he was trapping cattle on state land off Moson	Finch actively trapped through December to get remaining few.
12	12/20/2022	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #7 AT LEAST 8 COWS NORTH OF FAIRBANK IN SPRNCA	Reported cattle	8	North of Fairbank	22-Dec	Baker	Delay in action due to lack of staff over holidays. 1/25/23 Baker called Bernal and he will be putting together a larger gather into the Summers Well facilities sometime in the month of Feburary. He has admin key assess.	2/1/23 group was successfully identified by another neighboring leasee while they were in the Fairbank townsite. Kathy Moreno was called 2/1/23 and notified of location near Fairbank. She is hiring a crew for removal and is trying to get them scheduled next week 2/6/23 for removals. Baker will issue Moreno fencing materials for the boundary that is not functional the second week of February 2023. She plans on using the same crew for fence repairs.
13	12/22/2022 9:28P	Robin Silver	CORRECTED POST SETTLEMENT TRESPASS COW COMPLAINT #8 AT LEAST 12 COWS NORTH OF HEREFORD BRIDGE IN SPRNCA	Reported cattle	12	Hereford Bridge	12/28/2022 C. Dingman	Baker	Delay in action due to lack of staff over holidays. 1/23/23 Baker forwarded email to Jackie Watkins and asked if she had any unaccounted for livestock. 1/25/23 Jack responded and will be gathering in the next few weeks to be able to brand. She also mentions they are in the process of setting up motion cameras to better track her cattles movements if they get into the NCA. 1/25/23 Baker called Rene Bernal about any recent gather between 90 and Hereford Rd and he never did get down there from last month. He knew of 5-6 that came off Ramirez and a sublease that went wrong, a couple from Cox but they have been responsive and Al Thomas had a few get in from his allotment through Ramirez. He is planning on a gather in the next month with a crew and will followup on whats removed. Baker caller Garcia 1/25/23 and he is aware of 21 head in that area and has confirmed none of them are his. He is planning on a larger effort with neighbors to gather this group and push them south of Hereford Bridge to private property and figure it out with the inspector. This group is the same for all past Hereford observations and more than likely they have no owner. I offered materials for our shared boundary to maintain and he will followup when they finish. 1/30/2023 Baker talked with Bernal and passed on Garcias contact info.	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.
14	12/23/2022 10:14	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #9 A HERD OF COWS AT ST. DAVID CIENEGA IN SPRNCA	Hoof prints. No cows.		ST. DAVID CIENEGA	12/28/2022 C. Dingman	Baker	Delay in action due to lack of staff over holidays. 1/5/23 Baker talked with Owen about current status of the river bank fencing on his private property and water gap funding sources. Majority of work is completed with equipment and fencing should be done in a couple months. The water gap still needs a federal engineeered design that SO did not help solidity in FY22. Funding dropped because of this shared boundary with federal and that design.	Followup with Owen to check on status of larger fencing project along northern boundary. Ongoing project on private property anticipated completion spring 2023.

15	12/28/2022	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #10 FRESH TRACKS SOUTH OF HEREFORD BRIDGE IN SPRNCA	Hoof prints. No cows.		Hereford Bridge	12/30/2022 C. Dingman	Baker	Delay in action due to lack of staff over holidays. 1/23/23 Baker forwarded email to Jackie Watkins and asked if she had any unaccounted for livestock. 1/25/23 Jack responded and will be gathering in the next few weeks to be able to brand. She also mentions they are in the process of setting up motion cameras to better track her cattles movements if they get into the NCA. 1/25/23 Baker called Rene Bernal about any recent gather between 90 and Hereford Rd and he never did get down there from last month. He knew of 5-6 that came off Ramirez and a sublease that went wrong, a couple from Cox but they have been responsive and Al Thomas had a few get in from his allotment through Ramirez. He is planning on a gather in the next month with a crew and will followup on whats removed. Baker caller Garcia 1/25/23 and he is aware of 21 head in that area and has confirmed none of them are his. He is planning on a larger effort with neighbors to gather this group and push them south of Hereford Bridge to private property and figure it out with the inspector. This group is the same for all past Hereford observations and more than likely they have no owner. I offered materials for our shared boundary to maintain and he will followup when they finish. 1/30/2023 Baker talked with Bernal and passed on Garcias contact info.	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.
16	12/28/2022	Darrel Thompson	Cattle not where they should be	Reported cattle	1 or 2	San Pedro House	12/30/2022 C. Dingman	Baker	Delay in action due to lack of staff over holidays. 1/12/23 Baker Called Missy Cox and discussed broken water gaps further north than High knoll community. Also the purpose and the need of the AZCC crew inventory and repair because they attracted a lot of attention from this area.	
17	12/29/2022	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #11 FRESH AND WIDESPREAD TRACKS AND DAMAGE FROM HWY 92 BRIDGE SOUTH FOR AT LEAST 2 MILES IN SPRNCA	Hoof prints. No cows.		Hwy 92 Bridge	12/30/2022 C. Dingman	Baker	Delay in action due to lack of staff over holidays. 1/23/23 Baker forwarded email to Jackie Watkins and asked if she had any unaccounted for livestock. 1/25/23 Jack responded and will be gathering in the next few weeks to be able to brand. She also mentions they are in the process of setting up motion cameras to better track her cattles movements if they get into the NCA. 1/25/23 Baker called Rene Bernal about any recent gather between 90 and Hereford Rd and he never did get down there from last month. He knew of 5-6 that came off Ramirez and a sublease that went wrong, a couple from Cox but they have been responsive and Al Thomas had a few get in from his allotment through Ramirez. He is planning on a gather in the next month with a crew and will followup on whats removed. Baker caller Garcia 1/25/23 and he is aware of 21 head in that area and has confirmed none of them are his. He is planning on a larger effort with neighbors to gather this group and push them south of Hereford Bridge to private property and figure it out with the inspector. This group is the same for all past Hereford observations and more than likely they have no owner. I offered materials for our shared boundary to maintain and he will followup when they finish. 1/30/2023 Baker talked with Bernal and passed on Garcias contact info.	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.
18	1/11/2002	Ethan Bonnin	Phone call	On 1/11/23, the TFO front desk forwarded a call to wildlife biologist Keith Hughes from Ethan Bonnin (714-308-6134) who reported that he recently observed 13 black angus/hereford cross cattle immediately north of the Hereford Bridge. Mr. Bonnin indicated that he feels that livestock have been in the general area North of Hereford Bridge a lot recently, and that they have heavily impacted (trampling, livestock trailing, livestock excrement, etc.) the area. He asked if Keith knew who the cattle might belong to, and he mentioned a couple rancher names. Keith told him he is not familiar with the names provided, and that he does	13	Hereford Bridge	1/11/2023	Baker	1/12/23 Baker and Weldon walked the west bankline of the river about 0.5 mile north of Hereford bridge and didn't see fresh sign or cattle. No ID on this group	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.
19	1/11/2023	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #12 COWS DOCUMENTED AND PHOTOGRAPHED AGAIN NORTH OF THE HEREFORD BRIDGE WHERE THEY'VE WIPED OUT THE ENDANGERED HUACHUCA WATER UMBEL	Reported cattle	Estimate 7 from photos	0.5 mile north of Hereford Bridge	1/20/2023 C. Dingman	Baker	1/12/23 Baker and Weldon walked the west bankline of the river about 0.5 mile north of Hereford bridge and didn't see fresh sign or cattle. No ID on this group	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.
20	1/13/2023	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #13 COWS DOCUMENTED AND PHOTOGRAPHED STARTING 1.5 MILES NORTHWEST OF THE HEREFORD BRIDGE IN THE AREA WHERE THEY'VE WIPED OUT THE ENDANGERED HUACHUCA WATER UMBEL	Reported cattle	3	1.5 miles northwest of Hereford Bridge	1/20/2023 C. Dingman	Baker	1/23/23 Baker forwarded email to Jackie Watkins and asked if she had any unaccounted for livestock. 1/25/23 Jack responded and will be gathering in the next few weeks to be able to brand. She also mentions they are in the process of setting up motion cameras to better track her cattles movements if they get into the NCA. 1/25/23 Baker called Rene Bernal about any recent gather between 90 and Hereford Rd and he never did get down there from last month. He knew of 5-6 that came off Ramirez and a sublease that went wrong, a couple from Cox but they have been responsive and Al Thomas had a few get in from his allotment through Ramirez. He is planning on a gather in the next month with a crew and will followup on whats removed. Baker caller Garcia 1/25/23 and he is aware of 21 head in that area and has confirmed none of them are his. He is planning on a larger effort with neighbors to gather this group and push them south of Hereford Bridge to private property and figure it out with the inspector. This group is the same for all past Hereford observations and more than likely they have no owner. I offered materials for our shared boundary to maintain and he will followup when they finish. 1/30/2023 Baker talked with Bernal and passed on Garcias contact info.	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.

21	1/15/2023	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #14 COWS DOCUMENTED AND PHOTOGRAPHED JUST NORTH OF THE HEREFORD BRIDGE	Reported cattle	Estimate from photo 6	North of Hereford Bridge	1/20/2023 C. Dingman	Baker	1/23/23 Baker forwarded email to Jackie Watkins and asked if she had any unaccounted for livestock. 1/25/23 Jack responded and will be gathering in the next few weeks to be able to brand. She also mentions they are in the process of setting up motion cameras to better track her cattles movements if they get into the NCA. 1/25/23 Baker called Rene Bernal about any recent gather between 90 and Hereford Rd and he never did get down there from last month. He knew of 5-6 that came off Ramirez and a sublease that went wrong, a couple from Cox but they have been responsive and Al Thomas had a few get in from his allotment through Ramirez. He is planning on a gather in the next month with a crew and will followup on whats removed. Baker caller Garcia 1/25/23 and he is aware of 21 head in that area and has confirmed none of them are his. He is planning on a larger effort with neighbors to gather this group and push them south of Hereford Bridge to private property and figure it out with the inspector. This group is the same for all past Hereford observations and more than likely they have no owner. I offered materials for our shared boundary to maintain and he will followup when they finish. 1/30/2023 Baker talked with Bernal and passed on Garcias contact info.	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.
22	1/22/2023	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #15 COWS DOCUMENTED AND PHOTOGRAPHED in SPRNCA 1.5 MILES NORTH OF THE HEREFORD BRIDGE	Reported cattle	Estimate from photo 6	North of Hereford Bridge	1/23/2022 C. Dingman	Baker	1/23/23 Baker forwarded email to Jackie Watkins and asked if she had any unaccounted for livestock. 1/25/23 Jack responded and will be gathering in the next few weeks to be able to brand. She also mentions they are in the process of setting up motion cameras to better track her cattles movements if they get into the NCA. 1/25/23 Baker called Rene Bernal about any recent gather between 90 and Hereford Rd and he never did get down there from last month. He knew of 5-6 that came off Ramirez and a sublease that went wrong, a couple from Cox but they have been responsive and Al Thomas had a few get in from his allotment through Ramirez. He is planning on a gather in the next month with a crew and will followup on whats removed. Baker caller Garcia 1/25/23 and he is aware of 21 head in that area and has confirmed none of them are his. He is planning on a larger effort with neighbors to gather this group and push them south of Hereford Bridge to private property and figure it out with the inspector. This group is the same for all past Hereford observations and more than likely they have no owner. I offered materials for our shared boundary to maintain and he will followup when they finish. 1/30/2023 Baker talked with Bernal and passed on Garcias contact info.	These cattle are part of the larger unaccounted for group between Hereford and hwy90. Private neighboring ranches are planning a gather and working with the livestock inspector mid February 2023.
23	1/27/2023	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #16 WITH COWS DOCUMENTED AND PHOTOGRAPHED in SPRNCA NEAR, IN AND SOUTH OF THE ST. DAVID CIENEGA	Reported cattle	Estimate 4 from photo	In and near St David Cienega	1/27/2023 C. Dingman	Baker	Baker talked with Owen on 1/26/2023 about status of projects and timing. River Bank fence install this spring after equipment delays for clearing. Materials for install on NCA boundary and interior river bank fencing scheduled for pickup 2/8/23	Followup with Owen to check on status of larger fencing project along northern boundary. Ongoing project on private property anticipated completion spring 2023.
24	1/30/2023	Robin Silver	POST SETTLEMENT TRESPASS COW COMPLAINT #17 WITH FRESH COW GRAZING DAMAGE AND COWS DOCUMENTED AND PHOTOGRAPHED in SPRNCA NEAR FAIRBANK	Reported cattle	1 from photo	Fairbank	1/31/2023 C. Dingman	Baker	1/30 Baker talked with Rene Bernal who is planning a gather in this area in the next 2 weeks.	2/1/23 group was successfully identified by another neighboring leasee while they were in the Fairbank townsite. Kathy Moreno was called 2/1/23 and notified of location near Fairbank. She is hiring a crew for removal and is trying to get them scheduled next week 2/6/23 for removals. Baker will issue Moreno fencing materials for the boundary that is not functional the second week of February 2023. She plans on using the same crew for fence repairs.