



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Arizona Strip District  
Grand Canyon-Parashant National Monument  
345 East Riverside Drive  
St. George, Utah 84790  
<http://www.blm.gov/az/>  
Phone (435) 688-3200 • Fax (435) 688-3258

In Reply Refer To:  
4110, 4130 (LLAZA03000)  
0201017 & 0200073

## NOTICE OF GRAZING DECISION

Eddie & Connie Bundy  
1985 East 2300 South  
St. George, Utah 84790

Dear Mr. and Mrs. Bundy:

This is in response to your application to transfer the Belnap West and Mule Canyon Allotment grazing permit from Eddie & Connie Bundy (transferor) to X O Ranch LLC.

The Belnap West Allotment (AZ04822) and Mule Canyon Allotment (AZ04821) are located in the northwestern corner of Arizona on the Grand Canyon-Parashant National Monument. The allotments are located approximately 55 miles south of St. George, Utah. The legal description is as follows:

Gila & Salt River Meridian, Mohave County, Arizona.

Portions of this allotment are within the following townships and ranges (see map):

Belnap West: T34N R10W.

Mule Canyon: T33N R9W; T33N R10, T32N R9W, T32N R10W

|                       | Belnap West: | Mule Canyon:  |
|-----------------------|--------------|---------------|
| BLM acres:            | 3,394        | 1,162         |
| Other Federal (NPS)   | 0            | 16,189        |
| State acres:          | 0            | 0             |
| Private acres:        | 129          |               |
| <b>Total acreage:</b> | <b>3,523</b> | <b>17,351</b> |

The transfer of the Belnap West and Mule Canyon Allotments is authorized with no changes in the season of use, kind of livestock, or number of AUMs, and with the current terms and conditions. Billing will continue to be based on actual use. The term of the new permit will be 4/1/2019 to 3/31/2029. The authorized grazing use and permit terms and conditions are as follows in Table 1 and Terms and Conditions section:

**Table 1.**

| Allotment Name | Livestock |        |               | Active AUMs | Total Active AUMs by Allotment | Suspended AUMs | Public Land (acres) | % Federal Range |
|----------------|-----------|--------|---------------|-------------|--------------------------------|----------------|---------------------|-----------------|
|                | No.       | Kind   | Season of Use |             |                                |                |                     |                 |
| Belnap West    | 30        | Cattle | 3/1 – 5/20    | 76          | 204                            | 135            | 3,394               | 95              |
| Belnap West    | 30        | Cattle | 10/16 – 2/28  | 127         |                                |                |                     |                 |
| Mule Canyon    | 90        | Cattle | 11/1 – 2/28   | 348         | 585                            | 887            | 1,162               | 98              |
| Mule Canyon    | 89        | Cattle | 3/1 – 5/15    | 218         |                                |                |                     |                 |
| Mule Canyon    | 2         | Cattle | 11/1 – 2/28   | 8           |                                |                |                     |                 |
| Mule Canyon    | 2         | Cattle | 3/1 – 5/15    | 5           |                                |                |                     |                 |
| Mule Canyon    | 1         | Cattle | 3/1 – 3/31    | 1           |                                |                |                     |                 |

AUMs = Animal Unit Months

### TERMS AND CONDITIONS

Permit issued will have no changes and includes the Standard Terms and Conditions under 43 CFR 4130.3. The current permit for Eddie and Connie Bundy was renewed in 2016 under the authority of Section 402(c)(2) of the FLPMA as amended by Public Law No. 113-291 and BLM Instruction Memorandum 2015-0122. This permit contains the same terms and conditions as the previous permit or lease.

### DECISION

The grazing permit is in accordance with the Grand Canyon-Parashant National Monument (GCPNM) Resource Management Plan (RMP), approved February 2008.

Your application and supporting documentation is in order and you meet all requirements under 43 CFR § 4110.2-3 for transfer of grazing preference.

Transfers of grazing preference are categorically excluded from further National Environmental Policy Act (NEPA) review (516 DM 11.9). Based on a review of the action described in the attached Categorical Exclusion (CX) documentation and resource staff recommendations, I have determined that this permit transfer is in conformance with the GCPNM RMP and is categorically excluded from further environmental analysis. An interdisciplinary team completed a review of extraordinary circumstances for applicability and found that none apply. Based on this review, the transfer does not require preparation of an environmental assessment or environmental impact statement.

Therefore, I have decided to approve the transfer of grazing preference described above.

### RATIONALE

The transfer of the grazing permit will help to provide for the sustainability of the western livestock industry and communities that are dependent upon productive, healthy public rangelands.

### AUTHORITY

Statutory and regulatory authorities for this decision are in the Taylor Grazing Act as amended, the Federal Land Policy and Management Act of 1976 and 43 CFR § 4100:

**43 CFR § 4100.0-8:** “The authorized officer shall manage cattle grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans.”

**43 CFR § 4130.2(b):** “The authorized officer shall consult, cooperate and coordinate with affected permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits and leases.”

**43 CFR § 4130.3-1(b):** “All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any term or condition of the permit or lease.”

Section 3023 of Public Law (PL) 113-291, National Defense Authorization Act (NDAA) 2015, amends Section 402 of the Federal Land Policy and Management Act of 1976 (FLPMA) and includes seven provisions related to livestock grazing as cited in BLM Instruction Memorandum (IM) No. 2015-122. This IM provides direction for the provisions that address continuing the terms and conditions for livestock grazing when a permit or lease has expired or was terminated due to a grazing preference transfer.

When a field office is unable to complete the requirements of the National Environmental Policy Act of 1969 (NEPA) and other applicable laws prior to the expiration of a grazing permit, it must continue the terms and conditions of the expired permit by issuing a new permit with the same terms and conditions. These nondiscretionary permits issued in accordance with Section 402(c)(2) of the FLPMA as amended by Public Law No. 113-291 are not protestable or appealable under the processes described in 43 Code of Federal Regulations (CFR) § 4160 and 43 CFR § 4.470 *et seq* [1]. A permit that is issued under Section 402(c)(2) of the FLPMA is to be issued for 10 years in accordance with Section 402(a) of the FLPMA unless one of the provisions of 43 CFR § 4130.2(d) applies.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Wimmer', written in a cursive style.

Mark Wimmer  
Monument Manager

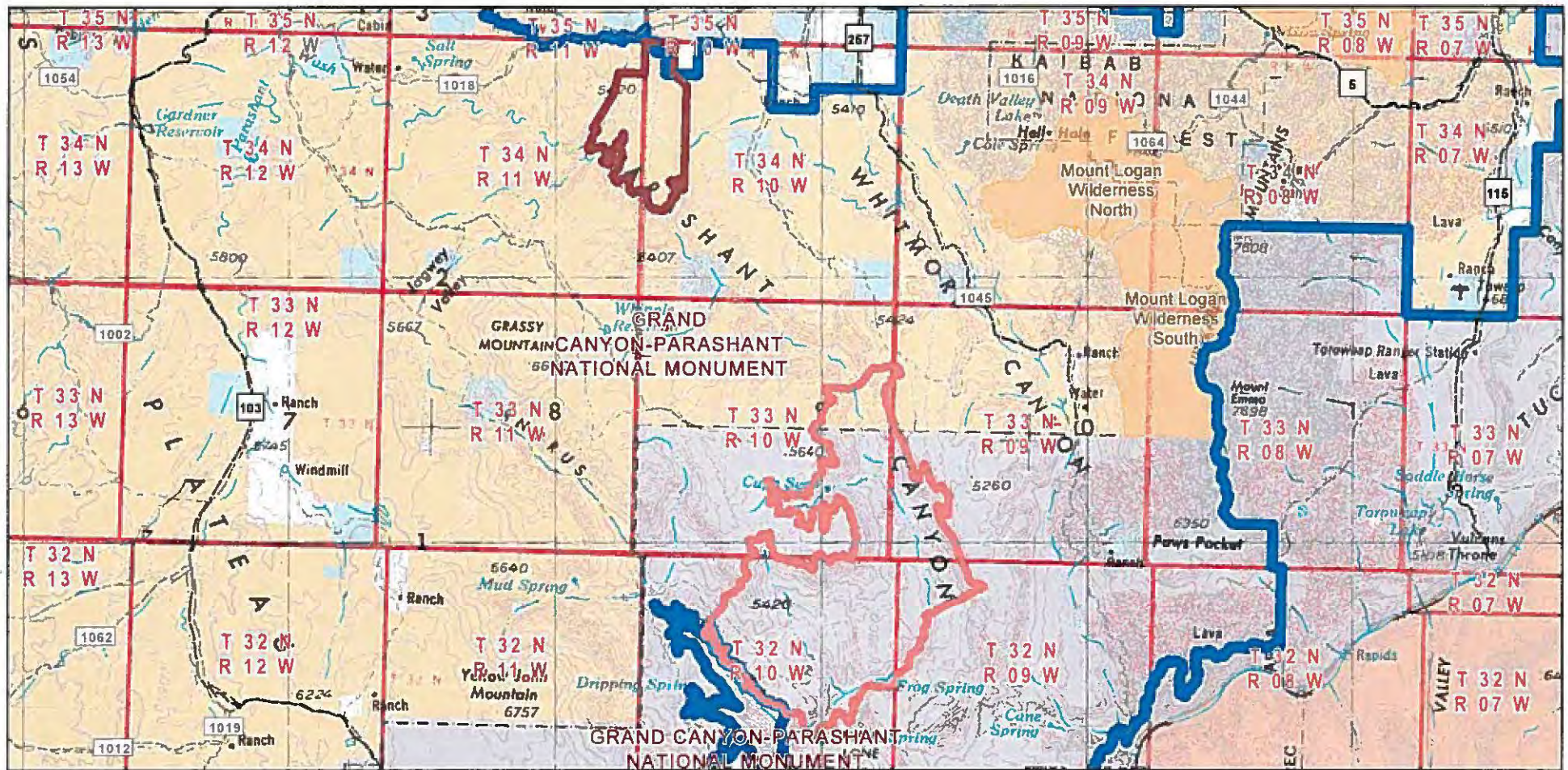
cc: Eddie & Connie Bundy Case File.



# Belnap West and Mule Canyon Allotment Location Map.

DOI-BLM-AZ-A030-2019-0002-CX

Bureau of Land Management - Grand Canyon-Parashant National Monument - (Administrative Unit)



## Arizona Strip Routes

- Primary Road Unpaved
- Secondary Road Unpaved
- Tertiary Road Unpaved
- Single Track

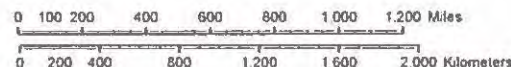
- Mule Canyon Allotment
- Belnap West Allotment

## Arizona Strip District

- BLM Designated Wilderness
- Grand Canyon-Parashant National Monument

## Surface Management Agency

- Bureau of Land Management
- National Park Service
- Indian Reservation
- State
- Private



Map Produced by BLM Arizona Strip District  
File: belnap mule cyn transfer 2016.mxd  
Coordinate System NAD 1983 UTM Zone 12N  
Reference System U.S. PLSS GSRB&B  
Scale 1:230,826 at 8.5x11 page output  
User mcutler  
Date 2/12/2019



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