



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)

NOTICE OF GRAZING DECISION

Arizona Cottonwood Ventures, LLC
2216 E. 3670 S.
Saint George, Utah 84790

Dear Mr. Blake:

This is in response to your application to transfer the Cottonwood Allotment grazing permit from Ronald & Deborah Blake Revocable Trust (0201006) to Arizona Cottonwood Ventures, LLC to graze the Cottonwood Allotment (AZ04809).

The Cottonwood Allotment is located in northwestern Arizona, wholly within the Grand Canyon-Parashant National Monument, on the Arizona Strip District. The allotment is approximately 40 miles south southwest of St. George, Utah. The western edge of Mud Mountain and Cottonwood Canyon are found within the allotment a long with a good variety and diversity of vegetation, ranging from mountain Pinyon-Juniper in the higher elevations to desert shrub and annual grasses in the lower elevations. The northeast portion of the allotment is in the Paiute Wilderness (South). The legal description is as follows:

Gila & Salt River Meridian, Mohave County, Arizona.

- T. 36 N., R. 15 W.,
Sections, 3 thru 6, 8, and 9;
- T. 36 N., R. 16 W.,
Sections, 1 thru 3, and 11;
- T. 37 N., R. 15 W.,
Sections, 2 thru 5, 7 thru 11, 14 thru 23, 26 thru 34;
- T. 37 N., R. 16 W.,
Sections, 13, 23 thru 27, 34 thru 36;
- T. 38 N., R. 14 W.,
Sections, 7, 18, and 19;
- T. 38 N., R. 15 W.,
Sections, 1, 2, 9 thru 16, 21 thru 24, 26 thru 29, 32 thru 36.

Federal Acres: 33,232
 State Acres: 0
 Private Acres: 0
Total Acreage: 33,232

The transfer of the Cottonwood Allotment is authorized with no changes in the season of use, kind of livestock, or number of Animal Unit Months (AUM), and with the current terms and conditions. Billing will continue to be based on actual use. The term of the new permit will be 3/1/2021 to 2/28/2031. The authorized grazing use and permit terms and conditions are as follows:

Table 1. Current Permitted Use

Allotment	Livestock Number & Kind	Grazing Period	Percent Public Land *	Active AUMs	Suspended AUMs	Total AUMs
Cottonwood (AZ04809)	155 Cattle 1 Horse	3/01-2/28 3/01-9/30	100%	1860 7	472	2339
Total				1867	472	2339

*Percent public land is based on AUMs

TERMS AND CONDITIONS

Terms and Conditions:

Permit issued would have no changes and includes the Standard Terms and Conditions under 43 CFR § 4130.3. Other Terms and Conditions on the permit would have no changes and be as listed below.

Other Terms and Conditions:

There are no additional terms and conditions.

DECISION

The grazing permit is in accordance with the Grand Canyon-Parashant National Monument Resource Management Plan and Record of Decision 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 Grand Canyon-Parashant National Monument Resource Management Plan and Record of Decision (approved February 2008) 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 permit is terminated as a result of a transfer of preference, the AO may either issue the new permit in accordance with section 402(c)(2) or prepare an appropriate NEPA document prior to such termination. If the existing NEPA analysis is adequate, the AO may complete a Determination of NEPA Adequacy (DNA), or the AO may determine that a categorical exclusion (CX) is appropriate if the criteria of the FLPMA Section 402(h)(1) are met, or the AO may determine preparation of an Environmental Assessment (EA) is necessary. Upon completion of a DNA, CX or EA, the AO will issue the grazing decision in accordance with 43 CFR § 4160, followed by a new permit. Otherwise, issue a permit in accordance with FLPMA Section 402(c)(2) with the same terms and conditions that were contained on the transferor's permit. A permit must be issued once the transfer of preference is complete, whether with a completed NEPA document, by using the FLPMA Section 402(h)(1) statutory categorical exclusion (if applicable), or in accordance with the mandatory renewal provisions in the FLPMA Section 402(c)(2). 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 CFR § 4160 and 43 CFR § 4.470 et seq. A permit that is issued under Section 402(c) (2) of the

FLPMA is to be issued for up to 10 years in accordance with Section 402(a) of the FLPMA unless one of the provisions of 43 CFR § 4130.2(d) applies.

Sincerely,

Digitally signed by Mark
Wimmer

Date: 2021.05.03
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Mark Wimmer
Monument Manager

cc: Arizona Cottonwood Ventures, LLC case file.