

ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: **DOI-BLM-AZ-A030-2014-0005-CX**

Project Title: **Hidden Spring Allotment #04803 Permit Transfer**

Project Lead: **Whit Bunting**

Date that any scoping meeting was conducted: N/A

Date that concurrent, electronic distribution for review was initiated: August 1, 2014

Deadline for receipt of responses: **Thursday, August 21, 2014**

ID Team/Required Reviewers will be determined at scoping meeting or as a default the following:

Gloria Benson, Tribal Liaison
Whit Bunting, Range/Vegetation/Weeds/S&G
Laurie Ford, Lands/Realty/Minerals
Diana Hawks, Recreation/Wilderness/VRM
John Herron, Cultural Resources
Ray Klein, GCPNM Supervisory Ranger
Jace Lambeth, Special Status Plants
John Sims, Supervisory Law Enforcement
Richard Spotts, Environmental Coordinator
Jeff Young, Wildlife/T&E Animals
Pam McAlpin, Monument Manager, GCPNM

Required Recipients of electronic distribution E-mails only (not reminders):

Steve Rosenstock (E-mail address: srosenstock@azgfd.gov)
Daniel Bulletts (E-mail address: dbulletts@kaibabpaiute-nsn.gov)
Peter Bungart (E-mail address: pbungart@circaculture.com)
Dawn Hubbs (E-mail address: dawn.hubbs101@gmail.com)

(Mr. Rosenstock is an Arizona Game and Fish Department (AGFD) Habitat Program Manager. Mr. Bulletts is acting Environmental Program Director for the Kaibab Paiute Tribe (KPT). Mr. Bungart and Ms. Hubbs are cultural staff for the Hualapai Tribe. They may review and/or forward on ASDO NEPA documents to other employees. If a Project Lead receives comments from any AGFD employee on their draft NEPA document, they should include them in the complete set/administrative record and share them with Jeff Young as the ASDO Wildlife Team Lead. Mr. Young will then recommend how these comments should be addressed. If a Project Lead receives comments from any KPT or Hualapai Tribe employee, they should include them in the complete set/administrative record and share them with Gloria Benson as the ASDO Tribal Liaison. Ms. Benson will then recommend how these comments should be addressed.)

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)
U.S. Department of Interior
Bureau of Land Management**

PART I. – PROPOSED ACTION

BLM Office: Grand Canyon-Parashant National Monument **NEPA No.:** DOI-BLM-AZ-A030-2014-0005-CX

Proposed Action Title/Type: Hidden Spring Allotment #04803 Permit Transfer

Location of Proposed Action: The Hidden Spring Grazing Allotment is located in the Grand Canyon-Parashant National Monument, approximately 56 miles south-southwest of St. George, Utah and is found within the following described area (Attachment 1):

Gila & Salt River Meridian, Mohave County, Arizona
T. 35 N., R. 13 W. secs. 1 thru 4, 9 thru 16, and 21 thru 24.
T. 35 N., R. 12 W. secs. 5 thru 8, and 17 thru 21.
T. 36 N., R. 13 W. secs. 22, 23, 26, 27, and 34 thru 36.

Federal Acres: 18,642
State Acres: 565
Private Acres: 0
Total Acreage: 19,207

Description of Proposed Action: This transfer of base water and attached grazing preference from Kay A. Bundy to Dwight E. and Kelby D. Dannelly applies to the Hidden Spring Allotment #04803 (Attachment 1). The attached preference of the allotment is described below:

<u>Allotment</u>	<u>No.</u>	<u>Livestock</u>	<u>Season of Use</u>	<u>%PL*</u>	<u>AUMs</u>
Hidden Spring	04803	106 Cattle	03/01 – 02/28	96	1,221
		3 Horse	03/01 – 02/28	96	36

*PL = Public Land

There are no changes to the grazing preference or terms and conditions of the permit.

PART II. – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan(s): Grand Canyon-Parashant National Monument Resource Management Plan (RMP)

Decisions and page nos.: LA-GM-01; page number 2-74

Date plan approved/amended: January 29, 2008

This proposed action has been reviewed for conformance with this plan (*43 CFR 1610.5-3, BLM Manual 1601.04.C.2*).

PART III. – NEPA COMPLIANCE DETERMINATION REVIEW

A. The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Appendix 5.4: D. (1) Approval of transfers of grazing preference;

And

B. Extraordinary Circumstances Review: In accordance with **43 CFR 46.215**, any action that is normally categorically excluded must be subjected to sufficient environmental review to determine if it meets any of the 12 Extraordinary Circumstances described. If any circumstance applies to the action or project, and existing NEPA documentation does not adequately address it, then further NEPA analysis is required.

IMPORTANT: Appropriate staff should review the circumstances listed in Part IV, check the appropriate box (yes/no), comment and initial for concurrence. Add any appropriate additional reviewers and applicable manager. Rationale supporting the concurrence should be included in the appropriate block. If no response is received from a mandatory reviewer, enter the comment due date along with the notation “No response received.”

PART IV. – EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION

PREPARERS/REVIEWERS:	DATE:
Whit Bunting, Project Lead/Range/Vegetation/Weeds/S&G	August 28, 2014
Gloria Benson, Tribal Liaison	August 12, 2014
Laurie Ford, Lands, Reality, Minerals	August 12, 2014
Diana Hawks, Recreation/Wilderness/VRM	August 1, 2014
David Van Alfen, Cultural Resources	August 6, 2014
Ray Klein, GCPNM Supervisory Ranger	August 4, 2014
Jace Lambeth, Special Status Plants	August 4, 2014
John Sims, Supervisory Law Enforcement	August 12, 2014
Richard Spotts, Environmental Coordinator	August 8, 2014
Jeff Young, Wildlife/T&E Animals	August 1, 2014
Pam McAlpin, Monument Manager, GCPNM	August 22, 2014

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215(a)-(l)) apply. The project would:

(a) Have significant impacts on public health or safety.

Yes	No	Rationale: No significant impacts on public health or safety would occur as a result of a simple change of preference from one operator to another.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		Preparer’s Initials <u> WB </u>

<p>(b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The allotment has had a land health evaluation completed. The NEPA analysis to renew the permit is in process. This CX is a simple transfer of preference from one operator to another without any changes to the mandatory terms and conditions. No significant impacts on the aforementioned items would occur.</p> <p style="text-align: right;">Preparer's Initials <u>WB, DH, DV</u></p>
<p>(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: There are no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources on the allotment. The allotment has had a land health evaluation completed. There were no additional issues or unresolved conflicts brought forward in the evaluation. This CX is a simple transfer of preference from one operator to another without any changes to the mandatory terms and conditions.</p> <p style="text-align: right;">Preparer's Initials <u>WB</u></p>
<p>(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The mandatory terms and conditions would not change. This categorical exclusion is a simple change of preference from one operator to another, thus no highly uncertain and potentially significant environmental effects or unique or unknown environmental risks would occur.</p> <p style="text-align: right;">Preparer's Initials <u>WB</u></p>
<p>(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The proposed action has no environmental effects that have not already been analyzed. It also does not establish precedent for future actions or represent a decision in principal about future actions with potentially significant environmental effects.</p> <p style="text-align: right;">Preparer's Initials <u>WB</u></p>
<p>(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The proposed action does not have a direct relationship to other actions. This action is an administrative action of changing the permit of record.</p> <p style="text-align: right;">Preparer's Initials <u>WB</u></p>

<p>(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: Cultural Resource Compliance Documentation Record BLM-030-2014-023 has been completed for the project and found no properties would be affected.</p> <p style="text-align: right;">Preparer's Initials <u> DV </u></p>
<p>(h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The proposed action does not have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.</p> <p style="text-align: right;">Preparer's Initials <u> JL/JY </u></p>
<p>(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: This proposed action in this categorical exclusion does not violate a federal law, or a state, local or tribal law or requirement imposed for the protection of the environment. Please see plan conformance and NEPA compliance sections above.</p> <p style="text-align: right;">Preparer's Initials <u> WB </u></p>
<p>(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: There would be no effect on low income or minority population because the proposed action is a transfer from one existing entity to another.</p> <p style="text-align: right;">Preparer's Initials <u> WB </u></p>
<p>(k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: Based on the prepared CX and accompanying maps, this project would not "limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites"</p> <p style="text-align: right;">Preparer's Initials <u> GB </u></p>
<p>(l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).</p>		
<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>Rationale: The proposed action does not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). The proposed</p>

action is an administrative action of changing the preference from one operator to another.

Preparer's Initials WB

PART V. – COMPLIANCE REVIEW CONCLUSION

I have reviewed this plan conformance and NEPA compliance record, and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required.

MITIGATION MEASURES/OTHER REMARKS: None

APPROVING OFFICIAL: /s/ Pamela D. McAlpin DATE: September 2, 2014

TITLE: Monument Manager, Grand Canyon-Parashant National Monument

Note: The signed conclusion on this compliance record is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. A separate decision to implement the action should be prepared in accordance with program specific guidance.

Attachment 1

Hidden Spring Allotment #04803



DECISION MEMORANDUM

Hidden Spring Allotment #04803
NEPA No.: DOI-BLM-AZ-A030-2014-0005-CX
U.S. Department of the Interior
Bureau of Land Management
Grand Canyon-Parashant National Monument

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion (CX) documentation and resource staff recommendations, I have determined that the project is in conformance with the Grand Canyon-Parashant National Monument Resource Management Plan (approved January 29, 2008) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed.

Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Grand Canyon-Parashant National Monument Office, 345 E. Riverside Drive, St. George, Utah 84790 within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

In accordance with 43 CFR 4.471 and 4160.3(c), this decision remains in effect pending appeal unless a stay is granted. If you wish to file a petition pursuant to regulations at 43 CFR 4.471 and 4160.3(c) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151 (see 43 CFR 4.413) at the same time the original documents are filed in this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by laws or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

/s/ Pamela D. McAlpin
Pamela D. McAlpin, Monument Manager

9/2/2014
Date

Attachment: Form 1842-1

AZ-1790-1
August 2013

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL.....	A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the <i>Notice of Appeal</i> in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a <i>Notice of Appeal</i> in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).	
2. WHERE TO FILE	Field Manager, Arizona Strip Field Office Bureau of Land Management 345 East Riverside Drive St. George, Utah 84790	
NOTICE OF APPEAL.....		
WITH COPY TO SOLICITOR...	Office of the Field Solicitor Sandra Day O'Connor US Courthouse, Suite 404 401 West Washington Street, SPC-44 Phoenix, Arizona 85003-2151	
3. STATEMENT OF REASONS	Within 30 days after filing the <i>Notice of Appeal</i> , file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the <i>Notice of Appeal</i> , no additional statement is necessary (43 CFR 4.412 and 4.413).	
WITH COPY TO SOLICITOR.....	Office of the Field Solicitor Sandra Day O'Connor US Courthouse, Suite 404 401 West Washington Street, SPC-44 Phoenix, Arizona 85003-2151	AND COPY TO.....Field Manager, Arizona Strip Field Office Bureau of Land Management 345 East Riverside Drive St. George, Utah 84790
4. ADVERSE PARTIES.....	Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the <i>Notice of Appeal</i> , (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).	
5. PROOF OF SERVICE.....	Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).	
6. REQUEST FOR STAY.....	Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a <i>Notice of Appeal</i> (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your <i>Notice of Appeal</i> (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the <i>Notice of Appeal</i> and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.	

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.