



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Arizona Strip District
Arizona Strip Field Office
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 (LLAZA01000)
0201022

NOTICE OF GRAZING DECISION

Terry Esplin
Bridlebit Three Cattle Company
544 So. 100 E.
St. George, Utah 84770-3924

Dear Mr. Esplin:

This is in response to your application to transfer the Lizard and Wolfhole Lake Allotment grazing permit from Bridlebit Three Cattle Company (transferor) to Esplin Family Trust.

The Lizard Allotment (AZ04857) and Wolfhole Lake Allotment (AZ004823) are located in the northwestern corner of Arizona on the Arizona Strip Field Office. The allotments are located approximately 15-20 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):

Lizard: T42N R12W; T41N R12W; T42N R11W; T41N R11W; T40 N R12W.

Wolfhole Lake: T40N R12W; T39N R12, T39N R11W.

	Lizard:	Wolfhole Lake:
BLM acres:	4,198	12,549
State acres:	8,315	0
Private acres:	0	653
Total acreage:	12,513	13,202

The transfer of the Lizard and Wolfhole Lake 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 Wildcat Allotment is currently on this same authorization (0201022), this allotment will remain with the Bridlebit Three Cattle Company with no changes. Pursuant to the Proposed Action, separate permits would be issued for each authorization. The term of the new permit will be 12/1/2017 to 11/30/2027, the remaining period of time left on the original permit. 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					
Wolfhole Lake	80	Cattle	12/1 - 2/28	227	928	0	12,549	96
Wolfhole Lake	80	Cattle	3/1 - 11/30	694				
Wolfhole Lake	1	Cattle	3/1 - 9/30	7				
Lizard	30	Cattle	3/1 - 6/15	106	210	0	4,198	100
Lizard	23	Cattle	10/16 - 2/28	103				
Lizard	1	Cattle	3/1 - 3/30	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 Bridlebit Three Cattle Company was renewed in 2017 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 Arizona Strip Field Office Resource Management Plan, 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 Arizona Strip Field Office Resource Management Plan (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 Authorized Officer 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 Authorized Officer may complete a Determination of NEPA Adequacy (DNA), or the Authorized Officer may determine that a categorical exclusion (CX) is appropriate if the criteria of the FLPMA Section 402(h)(1) are met, or the Authorized Officer may determine preparation of an Environmental Assessment (EA) is necessary. Upon completion of a DNA, CX or EA, the Authorized Officer 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.

Sincerely,



Mark Wimmer
Monument Manager

cc: Bridlebit Three Cattle Company Case File.

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion Not Established By Statute
DOI-BLM-AZ-A010-2019-0011-CX**

**Lizard and Wolfhole Lake Allotments
Grazing Permit Transfer**

Location: Mohave County, Arizona

Applicant: Bridlebit Three Cattle Company C/O Terry Esplin

March 2019

Arizona Strip Field Office and
Grand Canyon-Parashant National Monument
345 East Riverside Dr.
St. George, UT 84790
435-688-3200
435-688-3258



**CATEGORICAL EXCLUSION DOCUMENTATION FORMAT WHEN USING
CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE**

A. Background

BLM Office: Arizona Strip Field Office

NEPA Number: DOI-BLM-AZ-A010-2019-0011-CX

Lease/Serial/Case File No: NA

Proposed Action Title: Lizard and Wolfhole Lake Allotments Grazing Permit Transfer

Location of Proposed Action:

Both the Lizard and Wolfhole Lake Allotments are located on the Arizona Strip Field Office, 20 miles south of St. George, Utah (see map).

Description of Proposed Action:

The Bureau of Land Management, Arizona Strip Field Office is considering an application to transfer Lizard and Wolfhole Lake Allotment Grazing Permit preference from Bridlebit Three Cattle Company to Esplin Family Trust. The Proposed Action would transfer the preference to the proposed entity. The numbers and kinds of livestock and the animal unit months would not change as described in the current permit. No new range improvements are proposed. This action will result in the issuance of a new authorization for the Wolfhole Lake and Lizard Allotments. The Wildcat Allotment, which is currently on the same authorization (0201022) and administered by Grand Canyon-Parashant National Monument, would remain with the Bridlebit Three Cattle Company with no changes.

Pursuant to the Proposed Action, separate permits would be issued for each authorization. The term of the new permit would be 12/1/2017 to 11/30/2027, the remaining period of time left on the original permit. The authorized grazing use and permit terms and conditions are as follows in Table 1, and Terms and Conditions section:

Table 1. Wolfhole Lake and Lizard Allotments Current Permitted Use.

Allotment Name	Livestock			Active AUMs	Total Active AUMs by Allotment	Suspended AUMs	Public Land (acres)	% Federal Range
	No.	Kind	Season of Use					
Wolfhole Lake	80	Cattle	12/1 - 2/28	227	928	0	12,549	96
Wolfhole Lake	80	Cattle	3/1 - 11/30	694				
Wolfhole Lake	1	Cattle	3/1 - 9/30	7				
Lizard	30	Cattle	3/1 - 6/15	106	210	0	4,198	100
Lizard	23	Cattle	10/16 - 2/28	103				
Lizard	1	Cattle	3/1 - 3/30	1				

AUMs = Animal Unit Months

TERMS AND CONDITIONS

Permit issued would have no changes and includes the Standard Terms and Conditions under 43 CFR 4130.3. The current permit for Bridlebit Three Cattle Company was renewed in 2017 under the authority of Section 402(c)(2) of the FLPMA as amended by Public Law No. 113-291. This permit contains the same terms and conditions as the previous permit or lease.

B. Land Use Plan Conformance

Land Use Plan Name: Arizona Strip Field Office Resource Management Plan (RMP)

All allotments will continue to be classified as available for grazing by livestock under the principal of multiple use and sustained yield, except where specifically noted (see Map 2.9).

In addition, the proposed action does not conflict with other decisions throughout this RMP.

Date Approved/Amended: January 29, 2008

C. Compliance with NEPA

A. The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with **516 DM 11.9, D. (1)**;

Approval of transfers of grazing preference.

And

B. Extraordinary Circumstances Reviews: 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.

Categorical Exclusion Review Record

Preparers / Reviewers	Date
Michael Cutler, Project Lead	/s/ M. Cutler 3/6/2019
Gloria Benson, Tribal Liaison	/s/ G. B. Benson 3/14/2019
Michael Cutler, Range/Vegetation/Weeds/S&G	/s/ M. Cutler 3/6/2019
Kendra Thomas, Lands and Realty	/s/ K. Thomas 3/11/2019
Jon Jasper, Recreation/Wilderness/VRM	/s/ Jon Jasper 3/6/2019

Preparers / Reviewers	Date
Sarah Page Cultural Resources	/s/ S. Page 3/7/2019
Jace Lambeth, Special Status Plants	/s/ J/ Lambeth 3/7/2019
Amber Hughes, Planning & Environmental Coordinator	/s/ A. L. Hughes 3/6/2019
Shawn Langston, Wildlife/T&E Animals	/s/ S. Langston 3/6/2019
Rody Cox, Minerals	/s/ R. Cox 3/21/2019
Brian McMullen, Soil/Water/Air	/s/ B. McMullen 3/15/19
Lorraine Christian, Field Manager, ASFO	/s/ L.M. Christian 3/25/2019

*Identified staff are to review the Extraordinary Circumstances listed below, check the appropriate box (yes/no), comment and initial for concurrence. Add any additional reviewers and applicable manager as appropriate. Rational supporting the concurrence is to be included in the appropriate block.

**Extraordinary Circumstance to Categorical Exclusions
Exceptions to Categorical Exclusion Documentation**

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

Extraordinary Circumstances		
1. Have significant impacts on public health or safety.		
Yes	No X	<p>Rationale: No significant impacts on public health or safety would occur as a result of a change of preference and base water from one operator to another. The proposed action does not change management of the allotment; it simply changes the name of the permit holder.</p> <p><i>Preparer's Initials: MC</i></p>
2. 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.		

Extraordinary Circumstances

Yes	No X	<p>Rationale: This CX is a transfer of preference from one operator to another with no changes to the mandatory terms and conditions. The permit name change would not have significant impacts to wilderness, recreation, cultural resources, visual resources, migratory birds, or wild and scenic river segments. The allotment is outside designated wilderness areas, areas with wilderness characteristics, existing or proposed wild and scenic river segments, and national monuments. Both allotments proposed for transfer were designated as available for livestock grazing in the land use plan and there would be no changes to the current permits or mandatory terms and conditions.</p> <p><i>Preparer's Initials: SP, JJ, MC, SL</i></p>
<p>3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].</p>		
Yes	No X	<p>Rationale: There are no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources on the allotments. This CX addresses is a transfer of preference from one operator to another with no changes to the mandatory terms and conditions.</p> <p><i>Preparer's Initials: MC</i></p>
<p>4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.</p>		
Yes	No X	<p>Rationale: The mandatory terms and conditions would not change. This categorical exclusion addresses is a 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><i>Preparer's Initials: MC</i></p>
<p>5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.</p>		
Yes	No X	<p>Rationale: The proposed action does not establish precedent for future actions or represent a decision in principal about future actions with potentially significant environmental effects. Any future proposals for actions on the allotments would be considered individually on a case-by-case basis.</p> <p><i>Preparer's Initials: MC</i></p>
<p>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</p>		
Yes	No X	<p>Rationale: The proposed action does not have a direct relationship to other actions. This action is an administrative action changing the operator on the permit of record.</p>

Extraordinary Circumstances

7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

Yes	No X	<p>Rationale: The nature of the proposed action is such that no impacts would be expected on significant cultural resources – the action is a transfer of preference from one operator to another (name change only) with no changes to the mandatory terms and conditions on the grazing permit.</p> <p><i>Preparer's Initials: SP</i></p>
------------	-----------------------	--

8. 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.

Yes	No X	<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. The proposed action is a transfer of preference from one operator to another (name change only) with no changes to the mandatory terms and conditions.</p> <p><i>T & E Wildlife Preparer's Initials: SL</i> <i>T & E Plant Species Preparer's Initials: JL</i></p>
------------	-----------------------	---

9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

Yes	No X	<p>Rationale: This proposed action does not violate a federal law, or a state, local or tribal law or requirement imposed for the protection of the environment. It is the administrative action of changing the operator name on an existing permit.</p> <p><i>Preparer's Initials: MC</i> <i>Preparer's Initials: GB</i></p>
------------	-----------------------	---

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Yes	No X	<p>Rationale: Minority, low-income populations and disadvantaged groups may be present within the county and may use the area. Individual proposed actions within the project area would not cause any disproportionately high and adverse effects on minority or low-income populations (individually or collectively) because there are no exposure pathways by which any population would come into contact, such as chemical, biological, physical, or radiological effects.</p> <p><i>Preparer's Initials: ALH</i></p>
------------	-----------------------	--

Extraordinary Circumstances		
<p>11. 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>		
Yes	No X	<p>Rationale: This action would not limit access to and ceremonial use of Native American sacred sites on Federal lands by Native Americans or significantly adversely affect the physical integrity of such sacred sites.</p> <p><i>Preparer's Initials: GB</i></p>
<p>12. 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>		
Yes	No X	<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 action is an administrative action changing the preference from one operator to another.</p> <p><i>Preparer's Initials: MC</i></p>

MITIGATION MEASURES/OTHER REMARKS:

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.

Design Features/Special Conditions/Other Remarks:

D: Signature

Authorizing Official: Lorraine M. Christian Date: March 27, 2019
Field Manager, Arizona Strip Field Office

Authorizing Official: Mark Summer Date: 27 March 2019
Monument Manager, Grand Canyon-Parashant National Monument

For additional information concerning this CX review, contact Michael Cutler mcutler@blm.gov or 435-688-3277.

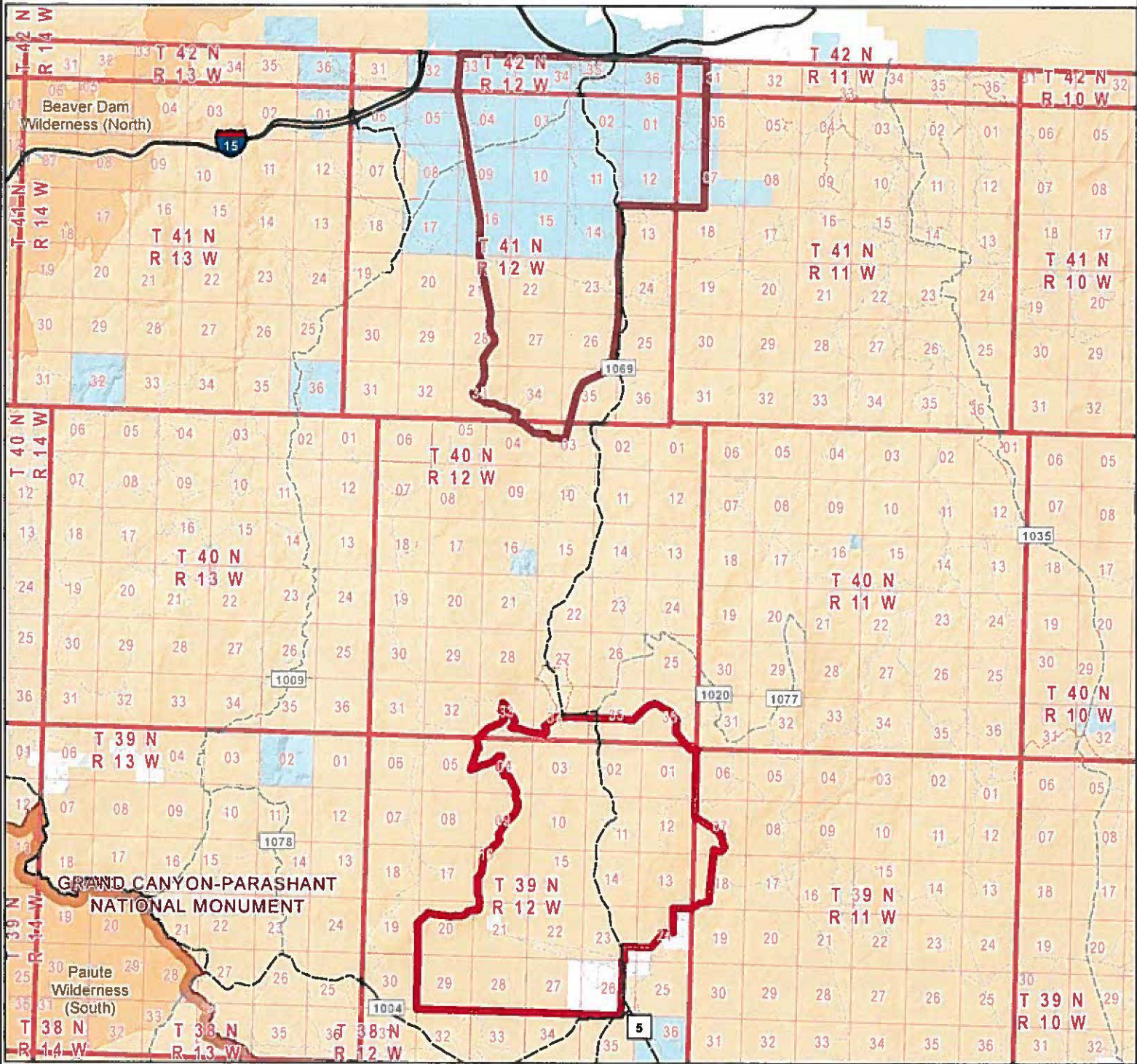
Attachments:
Allotment Map



Lizard and Wolfhole Lake Allotment Grazing Permit Transfer

DOI-BLM-AZ-A010-2019-0011-CX

Bureau of Land Management - Arizona Strip District - (Administrative Unit)



- Arizona Strip District
- Lizard Allot
- Wolfhole Lake Allot
- BLM National Monument
- BLM Designated Wilderness

- Surface Management Agency**
- Bureau of Land Management
- State
- Private

- Arizona Strip Routes**
- Primary Road Paved
- Secondary Road Paved
- Primary Road Unpaved
- Secondary Road Unpaved
- Tertiary Road Unpaved
- Single Track

Map Produced by BLM Arizona Strip District
 File: Lizard Wolfhole Lake GPT.mxd
 Coordinate System: NAD 1983 UTM Zone 12N
 Reference System: U.S. PLSS GSR8&B
 Scale: 1:162,005 at 8.5x11 page output
 User: mcutler
 Date: 3/8/2019



No warranty is made by the Bureau of Land Management (BLM) regarding the accuracy or completeness of this map. This map is representational and is to be used as intended by the BLM. Map data compiled from various sources. This map and the data from which it was derived are not binding on the BLM and may be revised at any time.



Extent of Main Map

