



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
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In Reply Refer To:
4110, 4130 (LLAZA01000)

OCT 07 2019

John P. Rich III and Steven H. Rich
c/o Steven H. Rich
1343 Normandie Cir.
SLC, UT 84105

NOTICE OF GRAZING DECISION

Dear John P. Rich III and Steven H. Rich:

This is in response to your application to transfer the grazing preference of the Pratt Tank Allotment from John P. Rich Jr. and Steven H. Rich to John P. Rich III and Steven H. Rich.

The Pratt Tank Allotment is located in the Arizona Strip Field Office, approximately 6 miles east of Fredonia, Arizona, and is found within the following described area of Coconino County:

Gila & Salt River Meridian,

T. 40 N., R. 1 E.

Secs. 7 through 10, Secs. 15 through 22 and Secs. 28 through 33

T. 40 N., R. 1 W.

Secs. 13 through 29 and Secs. 33 through 36

Federal Acres: 19,903

State Acres: 1,280

Private Acres: 620

Total Acreage: 23,083

This transfer would result in one new grazing permit being issued with no changes in season of use, kind of livestock, or number of AUMs, and with the current terms and conditions of the old permit. Billing will be based on Actual Use.

The term of the new permit will be the same as the transferor's permit, which is 9/01/2014 to 08/01/2024. The authorized grazing use and permit terms and conditions are as follows:

Table 1. Pratt Tank Allotment (AZ05314) Current Permitted Use.

Permittee	Livestock Number and Kind	Grazing Period	Percent Public Land	Active AUMs	Suspended AUMs	Total AUMs
John P. Rich III and Steven H. Rich	150 Cattle 152 Cattle	1/1- 2/28 3/1- 7-15	82%	800	147	947
Total	152			800	147	947

AUMs = Animal Units Months

TERMS AND CONDITIONS

Terms and Conditions:

Permit issued will have no changes and includes the Standard Terms and Conditions under 43 CFR 4130.3.

Other Terms and Conditions:

- Permitted livestock use shall be in accordance with the Pratt Tank CRMP dated 7/13/1994.
- Attainment of 50% utilization of key forage species at key areas will necessitate removal of livestock from this allotment. Salt if needed to attain better animal distribution, no closer to water than ¼ mile.
- As provided by 43 CFR 4130. 3-1(b), this permit shall be subject to cancellation, suspension, or modification for any violation of the regulations of 43 CFR part 4100 or of any term or condition of this permit.
- The permittee will be allowed to use an actual use billing system, this privilege may be revoked and the permittee placed on advanced billing if payment of bills and actual use reports are late.
- An actual grazing use report (form 4130-5) must be submitted within 15 days after completing your annual grazing use.
- Range improvements assigned in cooperative agreements and range improvement permits must be maintained in usable condition each year. This also includes wildlife escape ramps for both permanent and temporary water troughs.
- Any hay or other feed used in administering the livestock operation will be certified weed free and must be approved by the authorized representative prior to use.
- Use of nutritional livestock supplements is allowed including protein, minerals and salt. However, any supplements used must be dispersed at a minimum of ¼ mile from any known water sources, riparian areas, populations of special status plant species, winterfat dominated sites, cultural or any other sensitive sites.

DECISION

The grazing permit is in accordance with the Arizona Strip Field Office Resource Management Plan (RMP) approved January 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 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, both of which are applicable to this current action.

When a permit is terminated as a result of a transfer of preference, the authorized officer may issue the new permit in accordance with FLPMA Section 402(c)(2) with the same terms and conditions that were contained on the transferor's permit. When a grazing permit expires, a new permit may be issued in accordance with the mandatory renewal provisions also contained within 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,

Lorraine M. Christian

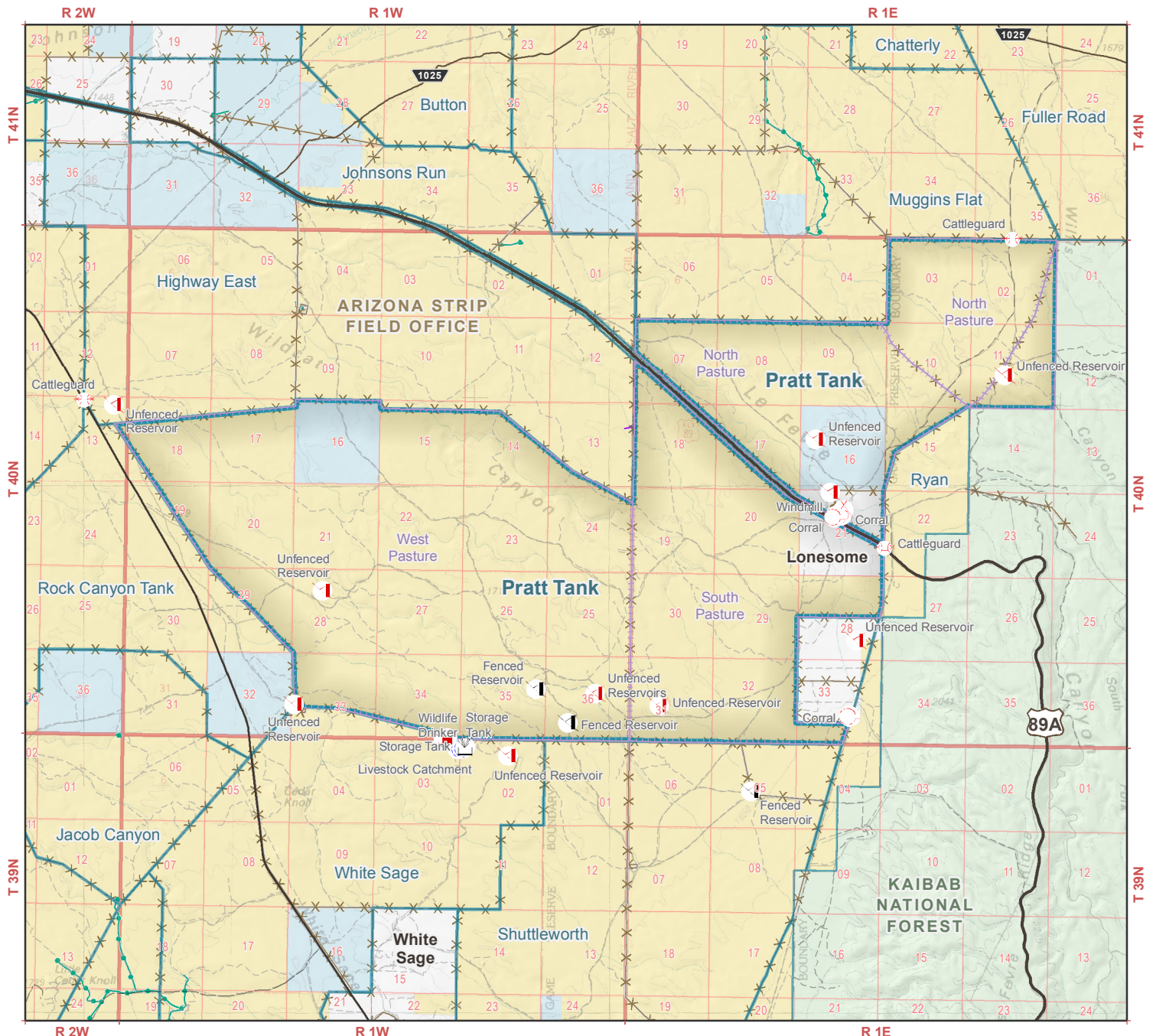
Lorraine M. Christian
Field Manager

cc: John P. Rich Jr. and Steven H. Rich case file.



Pratt Tank Allotment Grazing Permit Transfer NEPA Project DOI-BLM-AZ-A010-2019-0032-CX

Bureau of Land Management - Arizona Strip District - Arizona Strip Field Office



- Grazing Allotment
- Grazing Pastures within Pratt Tank Allotment
- Range Developments (Non-water)**
 - Cattleguard
 - Corral
 - Windmill
- Range Developments (Water)**
 - Fenced Reservoir
 - Livestock Catchment
 - Livestock Trough
 - Unfenced Reservoir
 - Water Storage Tank
 - Wildlife Drinker
- Range Development Lines**
 - Fence
 - Pipeline
 - Dike
- Surface Management Agency**
 - Bureau of Land Management
 - US Forest Service
 - State
 - Private
- PLSS Township
- PLSS Section



Map Produced by BLM Arizona Strip District
File: Pratt_Tank_GPT_2019.mxd
Coordinate System: NAD 1983 UTM Zone 12N
Reference System: U.S. PLSS GSRB&M
Scale: 1:110,000 at 8.5x11 page output
User: bhansen
Date: 9/18/2019



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