



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

In Reply Refer To:
4110, 4130 (LLAZA01000)

CERTTIFIED MAIL-RETURN RECEIPT REQUESTED
FedEx # 771314492720

NOTICE OF GRAZING DECISION

Grazing Permit Transfer for the Shuttleworth and Sunshine Tank Allotments

Jason Spencer
29 Ranch LLC
2142 E. Saddleback View Drive
Enoch, Utah 84721

Dear 29 Ranch LLC:

This is in response to your application to transfer the Shuttleworth and Sunshine Tank allotments from Brian Lamb to 29 Ranch LLC.

The Shuttleworth Allotment is in the Arizona Strip Field Office, approximately 15 miles southeast of Fredonia, Arizona, and is found within the following described area:

Gila & Salt River Meridian, Coconino County, Arizona

T. 39 N., R. 1 W., Secs. 1, 11, 12, 13, 14, 23, 24 & 25

T. 39 N., R. 1 E., Secs. 4-9, 17-20

Federal Acres: 9,437

State Acres: 120

Private Acres: 0

Total Acreage: 9,557

The Sunshine Tank Allotment is also located in the Arizona Strip Field Office, approximately 25 miles southwest of Fredonia, Arizona, and is found within the following described area:

Gila & Salt River Meridian, Mohave County, Arizona

T. 38 N., R. 4 W., Secs. 29-33

T. 37 N., R. 4 W., Sec. 4-9, 16-19

Federal Acres: 7,140

State Acres: 80

Private Acres: 0

Total Acreage: 7,220

The transfer of the grazing preference for the Shuttleworth and Sunshine Tank allotments from Brian Lamb to 29 Ranch LLC. is authorized with no changes in the season of use, kind of livestock, or number of AUMs, and with current terms and conditions. Billing will continue to be based on before the fact.

The new permit will expire 10 years from the issuing date. Concurrent with our process of issuing a new permit (to the former permittee) due to the expiration of the old permit, you applied to the Bureau of Land Management to transfer the grazing preference from Brian Lamb to you.

The authorized grazing use and permit terms and conditions are shown below in Table 1 and in the Terms and Conditions section.

Table 1. Shuttleworth Allotment and Sunshine Tank Allotment Authorized Grazing Use.

Allotment	Livestock Number and Kind	Grazing Period	Percent Public Land	Active AUMs	Suspended AUMs	Total AUMs
Shuttleworth	55 Cattle	03/01 – 02/28	100%	661	280	941
Sunshine Tank	95 Cattle	11/01- 02/28 03/01 – 06/30	99%	752	52	804
Total AUMs				1,413	332	1,745

AUMs = Animal Unit Months

The total AUMs for 29 Ranch LLC will be 1,745 (1,413 active and 332 suspended), the same as Brian Lamb had before the transfer.

The following statement will be included in the new permit for tracking purposes but is not a term and condition of the permit: “This permit is issued under the authority of Section 402(c)(2) of FLPMA, 1976 as amended, and contains the same terms and conditions as the previous permit. This permit may be cancelled, suspended, or modified, in whole or in part to meet the requirements of applicable laws and regulations.”

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:

Grazing pursuant to this permit is subject to: (A) The final grazing decision dated May 27, 1999; and (B) Final disposition of any appeal filed against said decision.

DECISION

The grazing permit is in accordance with the Arizona Strip Field Office Resource Management Plan (RMP) 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 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,



Digitally signed by
LORRAINE
CHRISTIAN
Date: 2023.02.15
14:26:13 -07'00'

Lorraine M. Christian
Field Manager

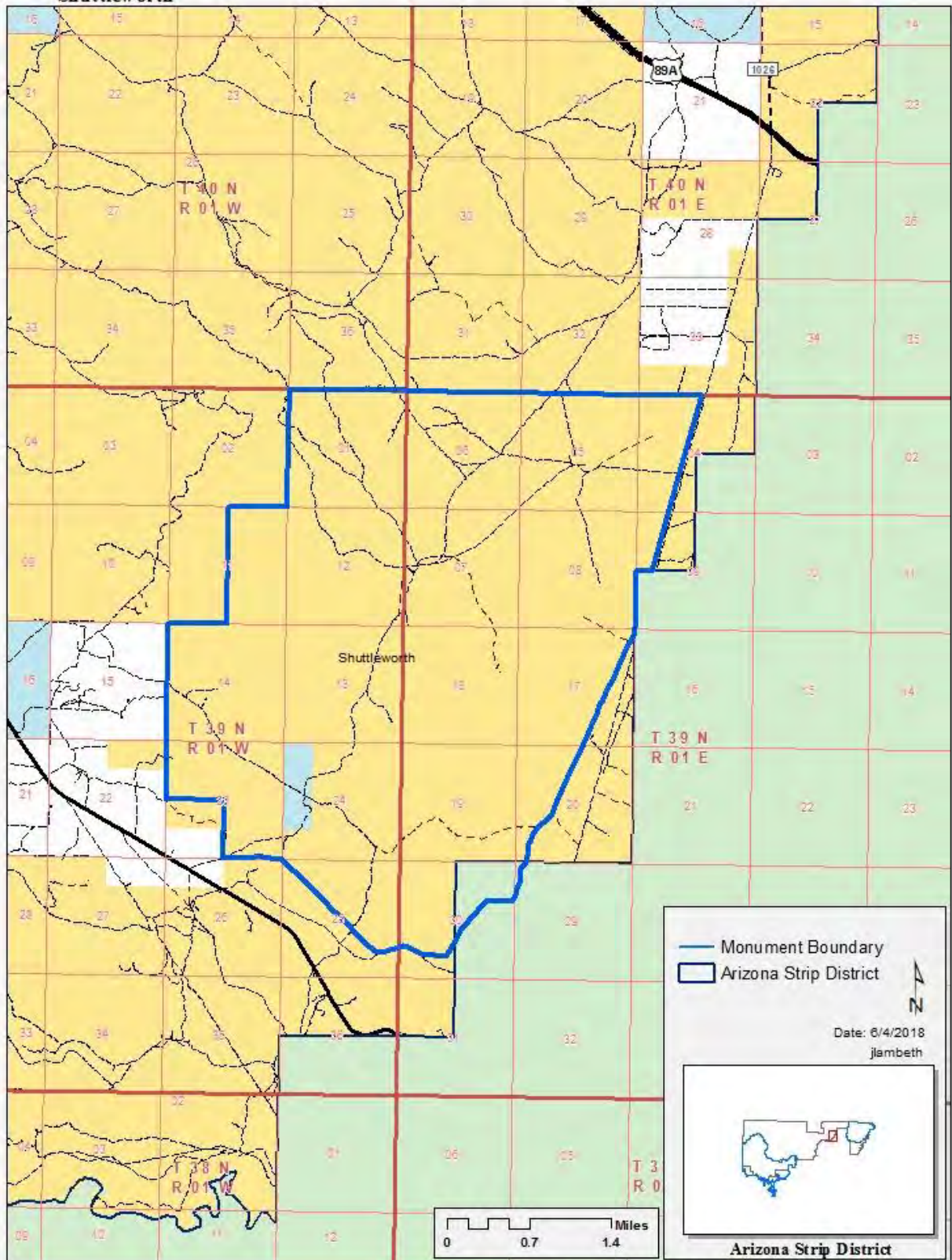
cc: 29 Ranch LLC case file.

Sunshine Tank



While every effort has been made to ensure the accuracy of this information, the BLM makes no warranty, expressed or implied, as to the accuracy and expressly disclaims liability for the accuracy thereof. No warranty is made by the BLM for the use of this map for purposes not intended by BLM.

Shuttleworth



While every effort has been made to ensure the accuracy of this information, the BLM makes no warranty, expressed or implied, as to the accuracy and expressly disclaims liability for the accuracy thereof. No warranty is made by the BLM for the use of this map for purposes not intended by BLM.