



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)
0200910

March 27, 2019

NOTICE OF GRAZING DECISION

Willie and Jodi Barnson
280 N. 300 W
PO Box 82
Junction, Utah 84740

Dear Willie and Jodi Barnson:

This is in response to your application to transfer the preference tied to the South Gyp Pasture in the Lower Hurricane Allotment from LV Livestock, LLC (transferor) to Willie and Jodie Barnson.

The South Gyp Pasture of the Lower Hurricane Allotment is located in the Arizona Strip Field Office, approximately 25 miles south of St. George, Utah, and is found within the following described area:

Gila & Salt River Meridian, Mohave County, Arizona.

T. 40 N., R. 10 W., Sec. 17, 20-22, 27-29, 31-34

T. 39 N., R. 10 W., Sec. 4-6, 7-9, 16-17

T. 39 N., R. 11 W., Sec. 1, 12

Federal Acres: 6,620

State Acres: 360

Private Acres: 0

Total Acreage: 6,980

The transfer of the South Gyp Pasture is authorized with no changes in season of use, kind of livestock, or number of AUMs, and with current terms and conditions. Billing would continue to be based on after the fact. The preference to be transferred (active AUMs tied to the South Gyp Pasture) is shown in Table 1.

**Table 1. South Gyp Pasture of the Lower Hurricane Allotment (AZ04837)
Current Permitted Use.**

Permittee	Allotment	Pasture	Livestock Number and Kind	Grazing Period	Percent Public Land	Active AUMs	Suspended AUMs
VL Livestock LLC	Lower Hurricane	South Gyp	75 Cattle	11/01 – 04/30	100%	455	0

AUMs = Animal Unit 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. The current permit for VL Livestock LLC was renewed in 2018 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.

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.

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,

Lorraine M. Christian
Field Manager

cc: Willie and Jodi Barnson case file.

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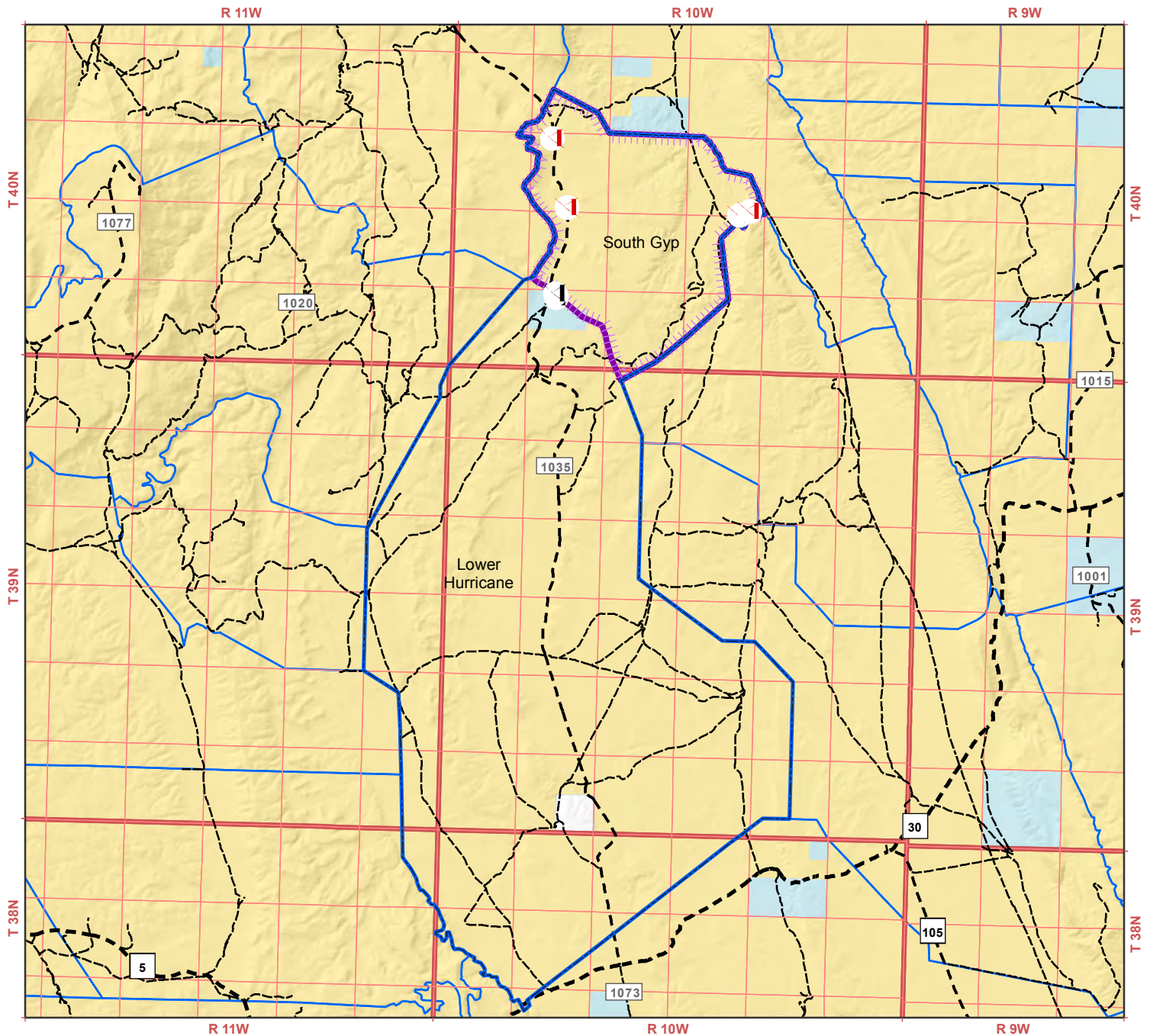


Lorraine M. Christian
Field Manager

cc: Willie and Jodi Barnson case file.



South Gyp Pasture of the Lower Hurricane Allotment Location Map
NEPA Number DOI-BLM-AZ-A010-2019-0013-CX
Bureau of Land Management - Arizona Strip District - Arizona Strip Field Office



Surface Management Agency

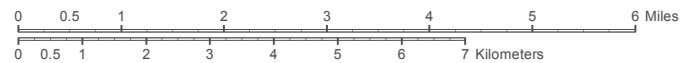
- Bureau of Land Management
- State
- Private
- Lower Hurricane Allotment
- Grazing Allotments
- South Gyp Pasture

PLSS Township

- PLSS Section

Arizona Strip Routes

- Primary Road Unpaved
- Secondary Road Unpaved
- Tertiary Road Unpaved



Map Produced by BLM Arizona Strip District
File: lowerhurricane.mxd
Coordinate System: NAD 1983 UTM Zone 12N
Reference System: U.S. PLSS GSRB&M
Scale: 1:118,355 at 8.5x11 page output
User: jreeve
Date: 3/5/2019



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