

KINGMAN FIELD OFFICE SCOPING FORM

Proposal: Permanent District Regulator Station

DOI-BLM-AZ-C010-2011-0039-CX _____

S:/BLMshare:/LANDS/UniSource/AR
35564/AZAR-35564amendCX
Document Location

NEPA Document Number

RMP Implementation No.

Land Description: sec. 6 T. 13 N., R 14 W., G&SRM.

Applicant: UNS Gas Inc.

Authorization: AZAR 35564

INVOLVEMENT: Indicate in the left column which disciplines need to provide information into the EA.

Needed Input (X)	Discipline	Signature
	Lands	
	Minerals	
	Range	
	Wild Horse and Burro	
	General Recreation	
X	Cultural and Paleontological Resources	/s/ Tim Watkins 09/20/2011
	Wilderness	
	Soils	
	Surface and Groundwater Quality/Water Rights	
	Air Quality	
X	Wildlife	/s/ Rebecca L. Peck 09/22/2011
X	Threatened and Endangered Plants and Animals; <i>No T&E habitat in project area. No affect to T&E.</i>	/s/ Rebecca L. Peck 09/22/2011
X	Migratory Birds	/s/ Rebecca L. Peck 09/22/2011
	Surface Protection	
	Hazardous Materials	
	Areas of Critical Environmental Concern	
X	Visual Resources	/s/ Len Marceau 09/20/2011
	Socio-Economics/Environmental Justice	
	General Botany/Noxious Weeds	
	Energy Policy	

Writer: / s / Melissa Patriquin

Date: 09/21/2011

Environmental Coordinator: / s / David Brock

Date: 09/21/2011

Field Manager: / s / Ruben A. Sánchez

Date: 09/28/2011

PART I: PLAN CONFORMANCE REVIEW:

This proposed action is subject to the following land use plan: Kingman Resource Management Plan. Date Approved: March 1995. This proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM MS 1617.3) and is in conformance LR 13a, "All other minor rights-of-way would be evaluated through the environmental review process and granted or rejected on a case-by-case basis. Existing rights-of-way would be used when possible to minimize surface disturbance".

PART II: NEPA REVIEW:

A. Categorical Exclusion Review. This proposed action qualifies as a categorical exclusion under: 516 DM 11.9. (E) Realty: 12) Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way

B. Departmental Manual Review. The Departmental Manual (516 DM 2.3A(3) & App. 2) requires that before any action described as being subject to a categorical exclusion, the exceptions must be reviewed for applicability in each case. The proposed action cannot be categorically excluded if one or more of the exceptions apply, thus requiring either an EA or an EIS. When no exceptions apply, the following types of bureau actions normally do not require the preparation of an EA or EIS.

Criteria	Comment (Yes or No with supporting rationale)
1. Has significant adverse effects on public health or safety.	No, It is intended to provide greater safety and reliability in gas service for the Bagdad Mine.
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.	No. There will be a negligible impact to any of these areas.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	No. There will be a negligible impact to resources.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No. There are no potential significant environmental effects expected.
5. Establishes a precedent for future action or represents a decision in principle about future actions with significant environmental effects.	No. This action does not set a precedent for future actions expected.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No. This action involves very little public land 0.086 acres and will not lead to foreseeable significant environmental effects.
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	No, properties in this area are not listed or eligible for listing in the National Register of Historic Places.
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.	No. There are no T&E species or critical habitat involved.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No. The action does not violate any laws protecting the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No. It will have the same effects on low income and minority populations as it will on those that are not low income or minority populations.
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).	No. No Indian sacred sites known to exist in the immediate vicinity of the project area.
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).	No. The proliferation of noxious weeds or non-native invasive species will not be promoted by this action.

Approval and Decision

Attachment 2

Compliance and assignment of responsibility (Type Program or Employee):

LANDS AND REALTY

Monitoring and assignment of responsibility: (Type Program or Employee):

LANDS AND REALTY

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.*

Prepared by: /s/ Melissa Patriquin **Date:** 09/21/2011

Melissa Patriquin Lands and Realty
Project Lead

Reviewed by: /s/ David Brock **Date:** 09/21/2011

David Brock
NEPA Coordinator

Reviewed by: _____ **Date:** _____

Ruben Sánchez Field Office Manager
Supervisor

Project Description: *(cut/paste description of the project here.)*

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

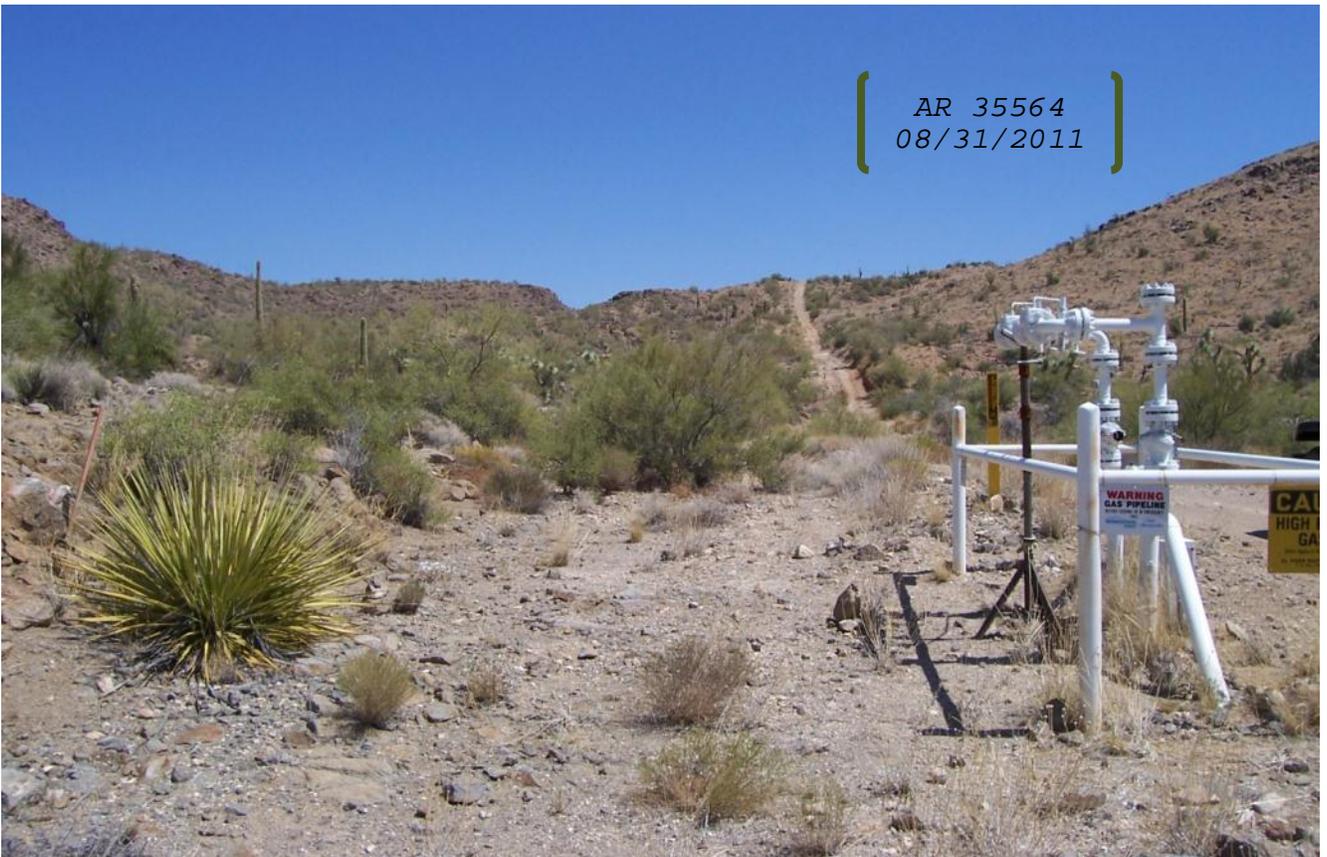
Approved By: _____ **Date:** _____

Type name here
Field Manager, Kingman Field Office

AR 35564
08/31/2011
Proposed replacement
metering station location



AR 35564
08/31/2011



Amendment #3 to AZAR-035564

EXHIBIT A

Terms and Conditions

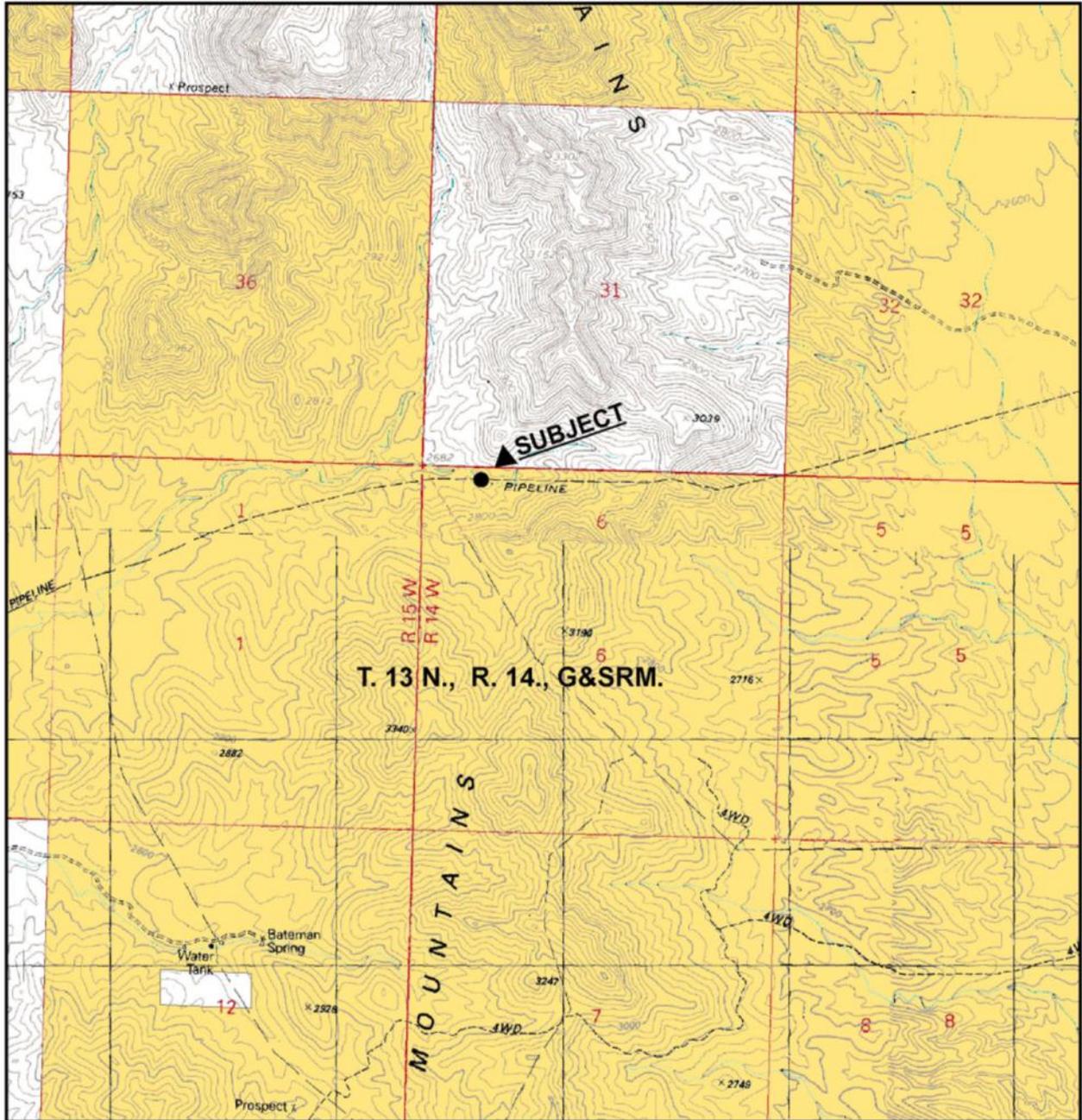
September 21, 2011

1. The Holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.
2. If, in its operations, operator discovers any previously unidentified historic or prehistoric cultural resources, then work in the vicinity of the discovery will be suspended and the discovery promptly reported to the BLM Field Manager. BLM will then specify what action is to be taken. If there is an approved "discovery plan" in place for the project, then the plan will be executed. In the absence of an approved plan, the BLM will evaluate the significance of the discovery, and consult with the State Historic Preservation Officer in accordance with 36 CFR Section 800.11. Minor recordation, stabilization, or data recovery may be performed by BLM or a permitted cultural resources consultant. If warranted, more extensive treatment by a permitted cultural resources consultant may be required of the operator prior to allowing the project to proceed. Further damage to significant cultural resources will not be allowed until any required treatment is completed. Failure to notify the BLM about a discovery may result in civil or criminal penalties in accordance with the Archeological Resources Protection Act of 1979 (as amended).
3. Holder will paint the stand pipe Carob Brown as shown on Exhibit D, attached. Non-glare, non-reflective, non-chalking paint will be used.
4. The cactus (beargrass) will either be transplanted adjacent to the ROW or will be avoided.
5. If any desert tortoise are observed in this right-of-way during construction or maintenance activities or while accessing the facilities authorized herein they will be handled in accordance with the protocol of the Guidelines for Handling Desert Tortoise Encountered On Roads and Vehicle Ways as described in Exhibit C, attached.
6. Disposal of all liquid or solid waste produced during operation of this right-of-way shall be in an approved manner so it will not impact the air, soil, water, vegetation, and animals.
7. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
8. The Holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, Holder(s) shall comply with the Toxic Substances Control Act of

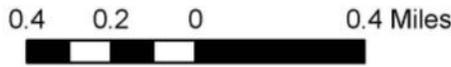
1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release of spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.

**Exhibit B
 September 21, 2011
 Proposed Amendment #3
 AZAR 035564**

State of Arizona



No warranty is made by the Bureau of Land Management for the use of the data for purposes not intended by the BLM.



LAND OWNERSHIP LEGEND

- Bureau of Land Management (BLM)
- Private Lands
- Proposed Amendment



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Kingman Field Office
2755 Mission Boulevard
Kingman, Arizona 86401
www.az.blm.gov



AZAR 35564

Exhibit C

Date: September 21, 2011

GUIDELINES FOR HANDLING DESERT TORTOISE ENCOUNTERED ON ROADS AND VEHICLE WAYS

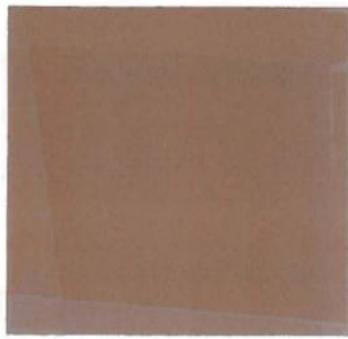
1. Stop your vehicle and allow the tortoise to move off the road.
2. If the tortoise is not moving, gently** pick up the tortoise and move it approximately 200 feet off the road to a shaded location.
 - a. **Do not** turn the tortoise over.
 - b. Move the tortoise in the direction it was traveling. If it was crossing the road, move it in the direction it was crossing.
 - c. Keep the tortoise within 12-18 inches of the ground, move slowly so as not to cause it to become alarmed.
 - d. Release the tortoise under the shade of a bush or rock.

** Tortoise store water in their bladder. If a tortoise becomes alarmed its defense is to void its bladder onto the captor. This could lead to dehydration of the tortoise and potentially to death.

3. Prior to moving any parked vehicle or equipment at the project site check for tortoise under the vehicles.



EXHIBIT D
AZAR 035564
September 21, 2011



Carob Brown

*Refer to actual paint
chip for color. This is
a copy.*

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT
SERIAL NUMBER AZAR 035564 amendment #3

1. A right-of-way is hereby granted pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185).

2. Nature of Interest:

a. By this instrument, the holder:

UNS Gas, Inc.
2901 W. Shamrell Blvd.
Suite 110
Flagstaff, Arizona 86001

receives a right to construct, operate, maintain, and terminate a district regulator station on public lands (or Federal lands for MLA Rights-of-Way) described as follows:

Gila and Salt River Meridian, Arizona

T. 13 N., R. 14 W.,
sec. 6 E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$

- b. The right-of-way or permit area granted herein is 75 feet wide, 50 foot long, and contains 0.086 acres, more or less.
- c. This instrument will terminate on September 29, 2031 unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal

thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise dispose of as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) A and B, C, and D dated September 21, 2011 attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

(Signature of Holder)

(Title)

(Date)

(Signature of Authorized
Officer)

(Title)

(Effective Date of Grant)

PIPELINE PLAN OF DEVELOPMENT

1. Purpose and Need

The Applicant, UNS Gas, Inc. (UNSG) has applied for an amendment to AZA-0035564 to add a joint use area of 75 feet by 50 feet overlapping the El Paso Natural Gas (EPNG) permit AZA-0035564-A. The joint use area is required to construct a district regulator station in order to provide greater safety and reliability in gas service for the Bagdad Mine. The UNSG existing 3 1/2" OD natural gas main originates via connection with an EPNG line. This point of custody facility is called our Block Valve #1. We have added a temporary regulator station to the top of our existing structure in order to decrease the pressure this line carries. The permanent regulator station will offer an odorizer tank, electric monitoring device and small gas meter. This regulator station would be fenced.

2. Right-of-way Location

The existing Block Valve #1 site is located on public lands identified as T. 13 N., R. 14 W., Section 6, Gila and Salt River Meridian, Mohave County, Arizona as shown on the Vicinity Map. All work, facility improvements, access and maintenance will be done within the existing right of way of UNSG and the amended a joint use area overlapping EPNG r/w AZA-0035564-A. Temporary work areas will not be required.

3. Facility Design Factors

The gas line within the regular station will be 4" coated steel pipe. This line will operate at 12,000 DTH per year with operating temperatures of 20 degrees F to 80 degrees F. A portion of this pipeline will be approx. 3-4 feet underground, while a portion will be above-ground to accommodate the regulator equipment. The odorizer tank will be underground for the most part, with only the level gauge showing. The fenced area will include a double-locked gate for EPNG and our use. EPNG has approved this proposed design and joint use. It is anticipated the construction process will be 4-6 months. The construction work itself is anticipated to be completed within two months after start of construction.

4. Additional Components of the Right-of-way

The proposed safety improvements will cross where UNSG and EPNG r/w meet. Therefore, this amendment is for a joint use area overlapping EPNG a distance of 75 feet. The proposed improvements cannot be located entirely within UNSG r/w since a dirt roadway crosses the natural gas pipeline within 25 feet of the point of custody between the two companies. Other components are not anticipated at this time or for the near future.

5. Government Agencies Involved - No other agency involvement is required.

6. Construction of the Facilities

Once the job is released for construction, the process will take approximately two months. A standard truck with trailer will bring in materials such as the pipe, valves, and odorizer tank. A backhoe will trench approximately one foot wide by 3-4 feet deep. Welding of pipe will be done, then pressure testing. Pipe will be laid on top of shading (sand) around the pipe. An odorizer tank will be installed underground with only the level gauge showing. Back fill will be accomplished with native materials depending upon soil conditions which will be tamped down. If needed, it is anticipated that gravel backfill for the pipeline will be obtained from a local vendor. Equipment will be stored within the existing r/w. A dump truck will remove excess material to an approved landfill. During construction, a temporary one-inch steel pipe will be connected to the existing T on the Block Valve #1 and run approximately 100', then connect back in to the main to allow service while the permanent connections are being secured. It is anticipated this temporary pipe will only be needed for one-to-two days.

UNSG construction crews adhere to all applicable OSHA standards and comply with all applicable Federal laws and regulations. This includes personal protective equipment and operating equipment. A preconstruction meeting is held to discuss the scope of the job, various aspects of the project as well as review any mitigation and safety concerns. A UNSG inspector will be present throughout the project.

Disposal of any liquid or solid waste produced during operation of this right-of-way shall be in an approved manner so it will not impact the air, soil, water, vegetation or animals. Construction sites shall be maintained in a sanitary condition at all times; water materials at those sites shall be disposed of promptly at an appropriate waste disposal site.

UNSG construction contact is Jeff Brown, Construction Supervisor, 928.771.7226

7. Resource Values and Environmental Concerns

No environmental studies were conducted since this work will be the existing pipeline r/w. The surrounding area is vacant upper desert with no fencing nearby. Should BLM determine any studies are necessary; UNSG will immediately contract for the work to be performed. If during construction any previously unidentified historic or prehistoric cultural resources are found, then work in the vicinity of the discovery will be suspended and the discovery promptly reported to the BLM Area Manager. Appropriate rules will be followed by BLM and consultation with State Historic Preservation Officer in accordance with 36 CFR Section 800.11 if necessary. Minor recordation, stabilization, or data recovery may be performed by BLM or a permitted cultural resources consultant. If warranted, more extensive treatment by a permitted cultural resources consultant may be required of the operator prior to allowing the project to proceed. Further damage to significant cultural resources will not be allowed until any required treatment is completed. Failure to notify the BLM about a discovery may result in civil or criminal penalties in accordance with the Archeological Resources Protection Act of 1979 (as amended).

8. Stabilization and Rehabilitation

Disturbed areas around the facilities will be raked to scarify and allow natural seeding to occur.

9. Operation and Maintenance

After construction, access will continued from US93 through existing r/w. There will not be hydrostatic testing. Maintenance activities will be confined within the right-of-way. This upgrade will make the system safer and more reliable. No industrial wastes or toxic substances will be generated or stored on the right-of-way.

Regular maintenance of UNSG facilities consists of patrolling lines on-the-ground within the right-of-way on an annual basis. Annual cathodic protection inspections also occur with intermittent inspections as needed. Additionally, a service truck is dispatched to investigate on an as needed basis typically if a customer complains of irregular service.

10. Termination and Restoration

Should future termination of the right-of-way occur, all improvements will be removed within one-hundred-eighty (180) days. Disturbed areas will be ripped to a depth of 2” to promote natural seeding.

DECISION

UNS Electric, Inc. :
P. O. Box 3099 : Right-of-Way Grant AZAR-035564
Kingman, AZ 86402-3099 :

Right-of-Way Grant AZAR-035564 Amended
Rental Determined
Monitoring Fee Determined

On June 15, 2011, UNS Gas, Inc. submitted an amendment to their right-of-way grant AZAR-035564 (Amendment #3) for a 75 foot by 50 foot overlapping joint use corridor with EPNG ROW AZAR-035564-A and to add a permanent District Regulator Station on public land as follows:

Gila and Salt River Meridian
T. 13 N., R. 14 W.,
Sec. 6, E2NW¹/₄ NW¹/₄,
Consisting of 0.086 acres, more or less.

The amendment would consist of a 75 foot by 50 foot overlapping joint use corridor with EPNG ROW AZAR-035564-A and to add a permanent District Regulator Station.

Right-of-way AZAR-035564 is hereby amended to authorize the above modifications. All requirements of the original right-of-way are applicable in addition to the following terms and conditions:

The holder shall minimize disturbance to existing fences, pipelines and other improvements on public land. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be H-braced on both sides of the passageway prior to cutting the fence.

The advance rental for the ROW is determined to be \$6.21 for the period from November 1, 2011 to June 1, 2016 when the next rental review is due. All subsequent rental billings will be due at the beginning of the calendar year starting January, 2017. Future billings will be based on the rent schedule in effect at that time.

The monitoring fee for this ROW will be charged to Master Agreement 5103-ER-A003, Project Number AC05.

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 enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) 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 a 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 appropriate Office of the Solicitor (see 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 regulation, 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.

If you have any questions, please contact Melissa Patriquin, Lands and Realty, at (928) 718-3706.

Ruben A. Sánchez
Field Manager
Kingman Field Office

Enclosures
BLM Form 1842-1

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 *Notice of Appeal* 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 *Notice of Appeal* 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

NOTICE OF APPEAL..... BUREAU OF LAND MANAGEMENT, LAKE HAVASU FIELD OFFICE, 2610 SWEETWATER AVE, LAKE HAVASU, AZ 86406

WITH COPY TO..... FIELD SOLICITOR, U.S. DEPARTMENT OF THE INTERIOR, SANDRA DAY O'CONNOR U.S. COURTHOUSE,
SOLICITOR SUITE 404, 401 WEST WASHINGTON STREET, SPC 44, PHOENIX, AZ 85003-2151

3. STATEMENT OF REASONS..... Within 30 days after filing the *Notice of Appeal*, 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 *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO..... FIELD SOLICITOR, U.S. DEPARTMENT OF THE INTERIOR, SANDRA DAY O'CONNOR U.S. COURTHOUSE,
SOLICITOR SUITE 404, 401 WEST WASHINGTON STREET, SPC 44, PHOENIX, AZ 85003-2151

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 *Notice of Appeal*, (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 *Notice of Appeal* (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 *Notice of Appeal* (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 *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 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.