

**Worksheet**  
**Determination of NEPA Adequacy (DNA)**  
**U.S. Department of the Interior**  
**Bureau of Land Management**

**Office:** AZA010, AZA020, AZA030

**Tracking Number:** N/A

**Casefile/Project number:** DOI-BLM-AZ-A000-2010-0003-DNA

**Proposed Action Title/Type:** Hunting Guides Special Recreation Permits, No. 2

**Location/Legal description:** Vermilion Cliffs National Monument, Grand Canyon-Parashant National Monument, and Arizona Strip Field Office.

**Applicant:** AA Guide Service and Lost Spring Outfitters

**A. Description of the Proposed Action and any applicable mitigation measures:**

Authorize Special Recreation Permits for AA Guide Service and Lost Spring Outfitters to conduct commercial hunting guide activities. Permits would be issued for a period of up to ten years. The BLM requires that an annual letter of authorization be issued for each subsequent year under the permit to ensure that permit conditions are fulfilled on an ongoing basis. The letter of authorization would be signed by the appropriate authorized officer (i.e., Field or Monument Manager), provided the following criteria are met: no changes are made to the permittee's operations plan; all permit stipulations are followed (see attached stipulations); fee payments and post-use reports are submitted in a timely manner; and appropriate insurance coverage is maintained. A permit holder who does not fulfill a permit condition would not receive a letter of authorization and therefore permitted activities would be suspended or terminated.

The proposed activities would occur throughout the Arizona Game and Fish Department's game management units 13A, 13B and 12B on public lands administered by the BLM Arizona Strip Field Office, Grand Canyon - Parashant National Monument, and Vermilion Cliffs National Monument. Commercial outfitters guide for deer, mountain lion, bighorn sheep, and pronghorn on the Arizona Strip. Applicants anticipate conducting anywhere from one to four trips per year, with average group sizes ranging from two to seven, including both guides and clients. Maximum group size would be ten. Average trip length would be one week or less. Camp stays in a single location are limited to 14 consecutive days. Extensions beyond 14 consecutive days would require approval from the appropriate authorized officer prior to the last day of the 14 day camp limit. Due to the unpredictability of hunting activity, the exact location of overnight campsites cannot be determined. The permittees would be required to camp along the existing roads (or along designated "open" roads within areas where the roads have been designated. i.e. national monuments) in existing disturbed areas only and comply with all overnight camping

stipulations. In specific areas, i.e., Coyote Buttes and Paria Canyon, restrictions on overnight camping and group sizes apply. Refer to Vermilion Cliffs National Monument Management Plan for specific details.

Commercial photography or filming of the hunting activity would be authorized under this SRP (see the Recreation Permit Administration Handbook, H-2930-1, pages 13 and 14) so long as the photography takes place at the same time, location, and in association with the activity permitted under the SRP. A 2920 filming permit would not be required. However, both the SRP fee (43 CFR 2930) and commercial filming fee (43 CFR 2920) would be charged. Filming is limited to the use of hand-held and tripod mounted cameras with no set construction or site adaptations, see specific stipulations attached to this DNA.

Any photographs taken by the permittee for use in the permittee's own promotional material or given to guests as a memento of the trip, and any motion or still picture photography done by guests or using a guest's camera equipment for non-commercial purposes would not require a film permit or filming fees in conjunction with the SRP.

## **B. Land Use Plan (LUP) Conformance**

The proposed action is in conformance with the following LUPs because it is specifically provided for in the LUP decisions listed.

### **Arizona Strip Field Office Resource Management Plan (RMP)**

#### **Date Approved: 2008**

MA-RR-12 No person or persons shall occupy one area within the Arizona Strip FO for longer than 14 consecutive days in any 28-day period; however, extensions beyond the 14-day length of stay can be authorized for permitted uses on a case-by-case basis. Any site on public land within 30 air miles constitutes the same area for the purpose of this rule. Persons occupying a regular campsite within the Virgin River Canyon Recreation Area are exempt from this rule. To protect resources, for public safety, or for other administrative purposes, an authorized officer may, by posting notification, close a given site to occupancy.

#### MA-RR-13

- Camping may be limited in listed species and other sensitive habitats (see Special Status Species & Vegetation Management decisions).
- Camping may be restricted or limited to protect cultural and/or natural resources through campsite monitoring and LAC.
- Dispersed camping will be allowed, subject to Trail and Travel Management decisions.

MA-RR-24 Special recreation permit (SRP) application packages (application, operating plan, maps, etc.) will be considered for authorization on a case-by-case basis upon receipt of application. (See 43 CFR 2930 for requirements)

MA-RR-28 Commercial, competitive, organized group/event, and special area permits can be authorized when such uses accomplish or are compatible with management objectives and other plan provisions. Commercial services in designated wilderness shall meet guidelines for commercial activities within wilderness.

### **Grand Canyon - Parashant National Monument Resource Management Plan (RMP) and General Management Plan**

**Date Approved: 2008**

DFC-RR-01 Recreation and visitor services will be managed to provide varying levels of structured recreation opportunities that offer a range of specific benefits, activities, and experiences within outdoor settings (Special Recreation Management Areas [SRMAs]; See Map 11).

DFC-RR-13 The primary strategy for the Parashant SRMA/NPS SMA will be to target a demonstrated undeveloped recreation-tourism market demand from local community and regional/national visitors for trophy hunting opportunities, guided backcountry tours, hiking, viewing and appreciating wildland landscapes and cultural sites, canyoneering and motorized/mechanized/non-mechanized exploring. This demand is supported by the area's distinctive remote, rugged landscape; its proximity to the Grand Canyon; its vast size; and the largely open and undeveloped character of its recreation settings. Regional and local recreation-tourism visitors value this area for the distinctive kinds of dispersed recreation it produces. (See RMP Appendix J for more information.)

MA-RR-12 No person or persons should occupy one area on BLM-administered lands within the Monument for longer than 14 consecutive days in any 28-day period; however, extensions beyond the 14-day length of stay can be authorized for permitted uses on a case-by-case basis. Any site on public land within 30 air miles constitutes the same area for the purpose of this rule. To protect resources, for public safety, or for other administrative purposes, an authorized officer may, by posting notification, close a given site to occupancy.

MA-RR-27

- Commercial, competitive, organized group/event, and special area permits can be authorized when such uses accomplish or are compatible with management objectives and other plan provisions. Commercial services in designated or proposed wilderness should meet guidelines for commercial activities within wilderness.
- Recreation activities requiring use authorization can be limited in listed species and other sensitive habitats. (See Special Status Species and Vegetation Management decisions.)

### **Vermilion Cliffs National Monument Resource Management Plan (RMP)**

**Date Approved: 2008**

DFC-RR-01 Recreation and visitor services will be managed to provide varying levels of structured recreation opportunities that offer a range of specific benefits, activities, and

experiences within outdoor settings (Special Recreation Management Areas (SRMAs; See Map 2.8).

DFC-RR-06 In Backways and Specialized TMAs, recreation opportunities associated with somewhat remote settings, such as exploring backcountry roads, vehicle camping, hunting, sightseeing, recreation aviation, and picnicking will be maintained/enhanced on existing roads, provided they will be compatible with the protection and enhancement of sensitive resource values and Monument objects, where appropriate.

MA-RR-13 No person or persons shall occupy one area within the Monument for longer than 14 consecutive days in any 28-day period; however, extensions beyond the 14-day length of stay can be authorized for permitted uses on a case-by-case basis. Any site on public land within 30 air miles constitutes the same area for the purpose of this rule. To protect resources, for public safety, or for other administrative purposes, an authorized officer may, by posting notification, close a given site to occupancy.

MA-RR-27 SRP application packages (application, operating plan, maps, etc.) will be considered for authorization on a case-by-case basis upon receipt of application. (See 43 CFR 2930 for requirements)

The proposed action does not conflict with other decisions contained within these land use plans.

### **C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

EA No. AZ-931-93-001: Special Recreation Permits for Commercial Activities on Public Lands in Arizona. Approved 1993.

### **D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Documentation of answer and explanation: The existing EA (AZ-931-93-001) was written specifically for this type of activity. The EA analyzes a large number of guided outdoor activities including hunting, hiking and camping, which are the three main activities that would take place under these permits; these activities are mentioned specifically in page 1 of the document.

“This document generally covers the specific type of proposed action which involves 1) commercial recreation activities; 2) day-use or multi-day trips onto public lands; 3) base camps of 14 days or less; 4) spike camps, where relatively small groups (up to 6 people or 6 pack stock) would use a site for one or two nights and then move on; and 5) where general stipulations in this document are applied.”

This DNA (DOI-BLM-AZ-A000-2010-0003-DNA) clarifies the proposed action on one point. SRP holders using base camps under this current proposed action can request a base camp extension beyond the 14 day camp limit. Under the 2008 Arizona Strip Field Office, Grand Canyon-Parashant National Monument, and Vermilion Cliffs National Monument RMPs, no person or persons can occupy one area for longer than 14 consecutive days in any 28-day period; however, extensions beyond the 14-day camp limit to 28 days can be authorized for permitted uses on a case-by-case basis. EA-AZ-93-001 states “It is recognized that in some circumstances, such as delays to weather, emergencies, or tracking a wounded animal, guides may be required to extend stays to base and spike camps.” These types of extensions and a 14 day camp extension are deemed “substantially the same”; they were already analyzed and found to not substantially increase impacts to the land over those analyzed under EA-AZ-931-93-001.

Filming is an additional proposal by outfitters that is not specifically addressed in the existing EA. However, the use of small, hand-held cameras/video equipment with no film crews or sets, in conjunction with the guided hunting trips, would not result in impacts substantially different from those analyzed in the existing EA.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Documentation of answer and explanation: There are two alternatives analyzed in the existing EA—the proposed action and no action.

Under the proposed action analyzed in the existing EA, SRPs would be issued on a case-by-case basis. The analysis states that resource impacts would be minimal because the BLM would have the ability to approve, deny, or modify a proposed operation, as well as modify or add to the list of stipulations that commercial operators must comply with.

The alternative to the proposed action (No action) was to deny hunting and guide permits. The EA states, the denial of permits “would likely increase” illegal guiding activity and may hinder the BLM’s ability to work with outfitters and monitor commercial activities. Unregulated activity could have greater resource impacts and create additional enforcement problems. (EA-AZ-931-93-001, p.8)

The range of alternatives analyzed in the existing EA is still valid under the current conditions and circumstances.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Documentation of answer and explanation: The only change since EA-AZ-931-93-001 is the designation of Grand Canyon-Parashant and Vermilion Cliffs National Monuments within the Arizona Strip District. The designation of these monuments has not changed the validity of the EA. The proposed guiding activities are consistent with the monument proclamations and Arizona Strip Field Office, Vermilion Cliffs National Monument and Grand Canyon-Parashant National Monument RMPs. The management guidance in these documents does not preclude this proposal from being authorized or conflict with the analysis contained in the existing EA.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

These direct, indirect and cumulative effects are identical to those identified in the Environmental Impacts section (pages 5-8) of the existing EA. The nature of the proposed action is short-term and dispersed over a large area. The specificity of the existing analysis is adequate.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

The existing EA was widely distributed, including 550 copies to agencies, organizations, and individuals, including those on the wilderness mailing list. That public involvement and interagency review was, and continues to be, adequate for the current proposed action.

## E. Persons/Agencies /BLM Staff Consulted

**Interdisciplinary Analysis:** Identify those team members conducting or participating in the preparation or review of this worksheet.

| <u>Name</u>           | <u>Resource/ Agency Represented</u>  |
|-----------------------|--|
| Gloria Benson         | Tribal Liaison, Arizona Strip District Office  |
| Jon Jasper            | Acting Recreation/Wilderness/Cultural Resources Team Lead,<br>Arizona Strip Field Office |
| Laurie Ford           | Lands/Realty/Minerals Team Lead, Arizona Strip Field Office                              |
| Linda Price           | Vermilion Cliffs National Monument Manager, Standards &<br>Guidelines                    |
| John Herron           | Cultural Resources, Arizona Strip Field Office   |
| Lee Hughes            | Special Status Plants, Arizona Strip Field Office  |
| Ray Klein             | Law Enforcement, National Park Service   |
| Whit Bunting          | Range Team Lead, Arizona Strip Field Office  |
| Richard Spotts        | Environmental Coordinator, Arizona Strip District Office                                 |
| John Sims             | Law Enforcement, Arizona Strip District Office   |
| Whit Bunting          | Weed Coordinator, Arizona Strip Field Office   |
| Lorraine M. Christian | Field Manager, Arizona Strip Field Office  |
| Tom Edgerton          | Grand Canyon-Parashant National Monument Manager   |
| Jeff Bradybaugh       | Grand Canyon-Parashant National Monument<br>Superintendent, National Park Service        |
| Andi Rogers           | Arizona Game and Fish  |
| Sarah Reif            | Arizona Game and Fish  |
| LeAnn Skrzynski       | Kaibab Paiute Tribe  |

**Conclusion**

Based on the review documented above, we conclude that this proposal conforms to the applicable land use plans and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

Signature of the Responsible Officials:

Lorraine M. Christian 3/30/10  
Arizona Strip Field Office Manager Date

Thomas R. Edgerton 8/31/10  
Grand Canyon-Parashant National Monument Manager, BLM Date

**Note:** The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

Permittee:  
Permit Number:

Arizona Strip District Office  
SPECIAL RECREATION PERMIT  
TERMS, CONDITIONS AND STIPULATIONS

In order to protect and preserve the natural and cultural resource values on the Arizona Strip and provide for public safety, the attached supplemental stipulations and rules are in effect for all commercial recreation permits. These stipulations are specific to the Arizona Strip District Office and are in addition to those found within Form 2930-1 (SRP Application Permit) and BLM H-2930-1 (Recreation Permit Administration). These forms can be obtained through any BLM office or on-line at <http://web.az.blm.gov/cfiles/forms/forms.html>. These stipulations are considered a part of the permit. Please make sure these stipulations are fully understood; failure to comply can result in loss of permit privileges. Thank you for your interest and stewardship of your public lands.

#### General Stipulations

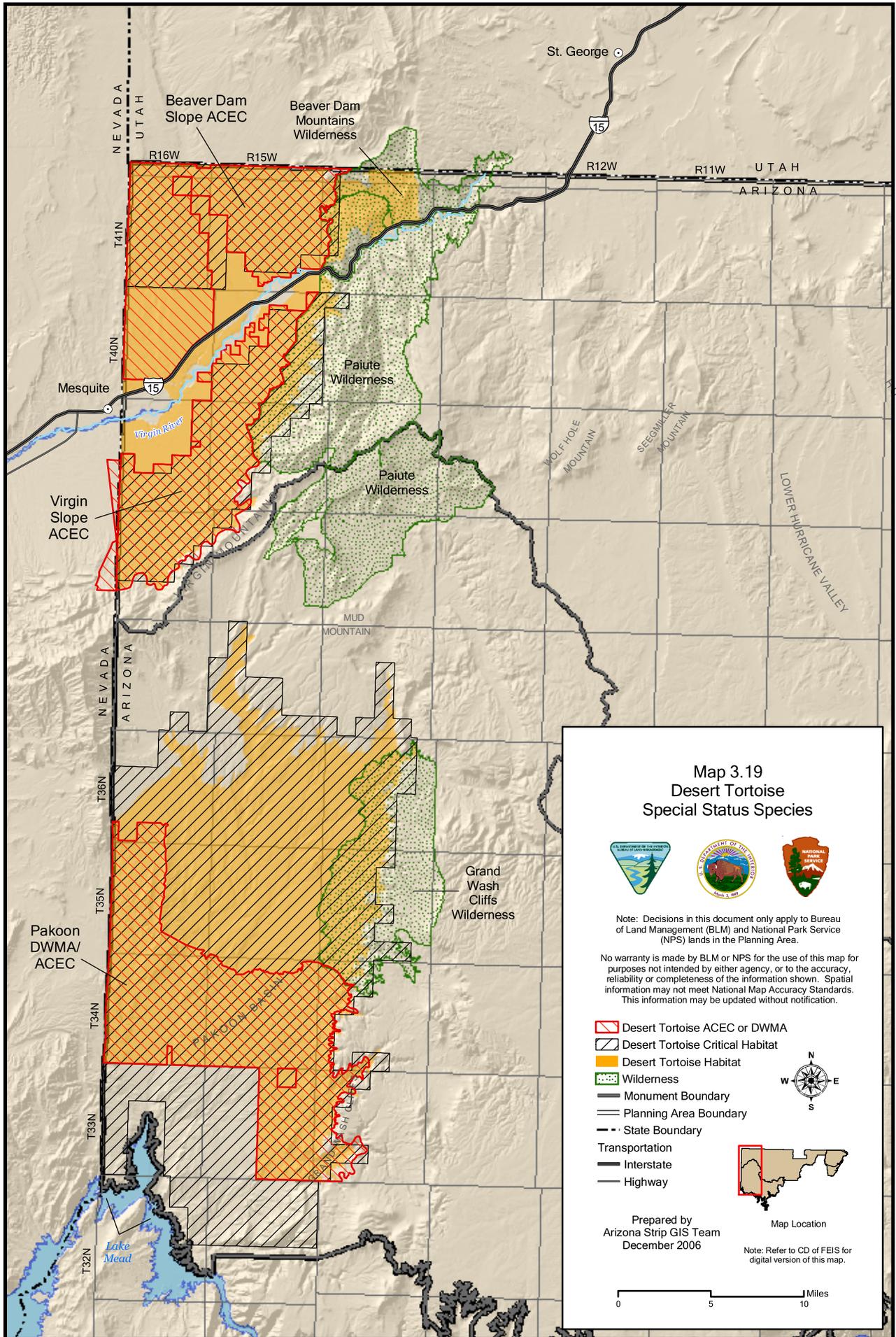
1. SRP's for commercial recreation uses requiring a State license (i.e., outdoor youth programs, hunting guides, etc.) will be valid only when accompanied by a valid State license.
2. Food, water, and/or equipment caches will not be allowed unless prior approval is obtained from the BLM's authorized officer. Location of proposed caches must be identified in the permittee's approved operating plan.
3. The permittee must submit a Post-Use Report to the authorized officer within 30 days after the use season. This report will be used to determine if additional fees are required of the permittee based upon total permitted use. For hunting outfitters, the report is due by January 31 for every year the permit is in effect. If the permittee desires, use reports may be submitted on a quarterly basis throughout the permit period.
4. The permittee will help prevent noxious weed spread by using certified weed-free feed and bedding for livestock and/or dogs. In addition, all machinery (street legal motorized vehicles, tractors, non-street legal all terrain vehicles, dirt bikes, etc) that has been used outside the Arizona Strip must be free of accumulated soil and plant parts (including the undercarriage) prior to their use on the Arizona Strip in order to prevent the possible introduction and spread of noxious weeds.
5. All signs placed on public lands by the permittee must be authorized by the BLM in writing. Permittee shall not construct cairns, use flagging or paint to mark trails, unless specified in their permit. All permitted signs and flagging must be removed from public lands at the end of the use period.
6. Permittee will not camp within one-quarter mile of a water hole containing water, or human made watering facility containing water, to allow wildlife access to water.
7. Follow "Leave No Trace" and TREAD Lightly principles. (See enclosed materials)
8. Disposal of human waste:

- a. At vehicle accessible base camps and/or base camps with a group size eight or more, a portable toilet is required. Portable toilets are the preferred method for human waste disposal and must be emptied only at approved disposal sites.
  - b. At camps not accessible by vehicles and/or when the group size is less than eight, group latrines will be located on sites that maximize direct sunlight and no closer than 200 feet from water sources and dry washes. The hole excavated for the latrine will be 8-12 inches deep and will be completely filled in and disguised when camp is broken. SRP holders are required to bury or dispose of toilet paper in the trash.
9. Use areas shall be maintained in a sanitary condition at all times; waste material at those areas shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash and refuse.
  10. At a vehicle based camp, the permittee is required to camp along the existing roads (or along designated "open" roads if in area where the roads have been designated. i.e. national monuments) in existing disturbed areas only and comply with all overnight camping stipulations.
  11. The permittee must use existing campfire circles when they exist, rather than construct new ones. If no existing fire circles, sites should be selected that can be "naturalized" at departure.
  12. Camp fires will have a vegetation free barrier of five feet or more away from trees, shrubs and other vegetation. Do not build fires next to rocks or encircle your fire with stones/rocks to avoid fire scares.
  13. The permittee may use only dead and down wood for campfires (unless otherwise directed). Cutting or removing any live vegetation or standing dead vegetation is prohibited.
  14. The permittee must take all reasonable precautions to prevent wild land fires. Fires must be out and cold when camp is unattended.
  15. In time of severe fire danger or other emergencies, in order to protect public resources, the BLM may close large areas to the public. This permit does not entitle the holder to an exception to emergency closures. Permittee is responsible for informing employees and clients of the current fire danger and required precautions that may be placed in effect by the BLM or the State.
  16. Wildfires inadvertently caused by the permittee shall be reported immediately to the nearest BLM office by calling (435) 688-3200.
  17. This BLM issued Special Recreation Permit (SRP) does not cover operations on the National Park Service administered portion of the Grand Canyon-Parashant National Monument (GCPNM); a separate NPS issued Commercial Use Authorization (CUA) from the GCPNM is required for activities on NPS lands.
  18. Permit holders must notify the BLM wildlife team lead (435) 688-3200 if California condors visit the site while permitted activities are underway. The BLM may request that project activities be modified or relocated where adverse effects to condors may result.
  19. The permittee or their agent shall notify Arizona Strip Field Office Supervisory Law Enforcement Officer John Sims (435-644-4330) at least 24 hours prior, to the use of any aircraft on or over the Arizona Strip for the purposes of this SRP. This notification shall include the purpose, location, and estimated duration of each aircraft use.
  20. SRP holders must adhere to 43 CFR 4140.1 which prohibits: installing, using, maintaining, modifying, and/or removing range improvements without authorization; cutting, burning, spraying, destroying, or removing vegetation without authorization; damaging or removing

U.S. property without authorization; littering; failing to reclose any gate or other entry during periods of livestock use; and interfering with lawful uses or users including obstructing free transit through or over the public lands by force, threat, intimidation, signs, barriers, or locked gates.

21. Filming is limited to the use of handheld and tripod mounted cameras. Use of dollies, tracks, cranes, high lines, aircraft and other camera support devices are not allowed, unless the camera support device is part of the recreation activity authorized under the SRP. Construction or removal of vegetation for the creation of a camera platform or to clear a shot is not allowed. Filming is generally done using only ambient light sources. No more than two, battery-powered, auxiliary lighting sources may be used. If the filming project is more complex than allowed for under this stipulation, then a separate 2920 permit will be issued.
22. No commercial filming would be authorized in designated wilderness areas. The permittee shall request an amendment or modification of the permit to provide for changes in use areas or sites, season of use, services provided, or any substantive changes in the operating plan 90 days prior to the issuance of the permit.
23. Public lands will generally remain available on a first-come, first served basis to commercial and private recreational users. Nothing herein implies that the first permittee in any area has been granted exclusive use, or priority use. This permit does not in any way prevent public use of or access to any public lands, unless expressly identified under the permit.
24. Adequate first aid and safety equipment i.e. SAT phone or radio, shall be provided by permittee while performing the permitted activities. All guides must possess at minimum a current Standard First-Aid and CPR certifications. Copies of all certifications must be submitted to the BLM office.
25. The permittee shall notify the authorized officer of any accident which occurs while involved in activities authorized by this permit resulting in death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500 (lesser amount if established by state law). Reports should be submitted within 48 hours in the case of death or injury, or 10 days in accidents involving property damage. Contact BLM Ranger, John Sims at (435) 644-4330 or NPS Chief Ranger, Ray Klein at (435) 688-3280.
26. All guides and employees must carry a copy of the BLM and NPS permit and Letter of Authorization while conducting operations on public lands.
27. When contacted by law enforcement personnel, the permittee and their agents shall identify themselves as SRP and/or CUA holders or agents operating under a permit.
28. Within Vermilion Cliffs National Monument and Grand Canyon-Parashant National Monument, collection of Monument resources, objects, rocks, petrified wood, fossils, plants, parts of plants, fish, insects, or other invertebrate animals, and other items is prohibited. If in compliance with Arizona state statutes and AGFD regulations, recreational collection of animals and animal parts is allowed. This SRP does not give authorization to appropriate, injure, destroy, or remove any feature of this monument, or to locate or settle upon any of the lands thereof.
29. Desert tortoise / Mojave desert restrictions:
  - a. During the Mojave desert tortoise active season (March 15 through October 15), the permittee must observe a 20 mph speed limit on BLM roads within DWMA/ACECs and 40 mph in desert tortoise habitat outside of DWMA/ACECs. (See attached map.)

- b. Uncontrolled (unleashed) domestic dogs will be prohibited in areas within the range of the Mojave desert tortoise. Use of firearms, except by law enforcement officers or licensed hunters during lawful hunting activities, will also be prohibited.
- c. When parked in areas within the range of the Mojave desert tortoise during the tortoise active season (March 15 – October 15) please check underneath vehicles for tortoises before resuming travel. Tortoises and other wildlife often use the shade provided by parked vehicles. Avoid standing upon burrows for Mojave desert tortoise. This may cause burrows to collapse.



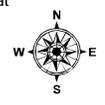
**Map 3.19  
Desert Tortoise  
Special Status Species**



Note: Decisions in this document only apply to Bureau of Land Management (BLM) and National Park Service (NPS) lands in the Planning Area.

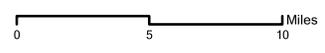
No warranty is made by BLM or NPS for the use of this map for purposes not intended by either agency, or to the accuracy, reliability or completeness of the information shown. Spatial information may not meet National Map Accuracy Standards. This information may be updated without notification.

- Desert Tortoise ACEC or DWMA
- Desert Tortoise Critical Habitat
- Desert Tortoise Habitat
- Wilderness
- Monument Boundary
- Planning Area Boundary
- State Boundary
- Transportation
  - Interstate
  - Highway



Prepared by  
Arizona Strip GIS Team  
December 2006

Map Location  
Note: Refer to CD of FEIS for digital version of this map.



**Map 3.19 Desert Tortoise - Special Status Species**

**DECISION MEMORANDUM**  
***Hunting Guides Special Recreation Permits, No 2***  
DOI-BLM-AZ-A000-2010-0003-DNA

U.S. Department of the Interior  
Bureau of Land Management  
*Arizona Strip Field Office*  
*Grand Canyon Parashant National Monument*  
*Vermilion Cliffs National Monument*

**Approval and Decision**

Based on a review of the project described in the attached Determination of NEPA Adequacy (DNA) documentation and Field Office and Monument staff recommendations, we have determined that the project is in conformance with the Arizona Strip Field Office, Grand Canyon Parashant National Monument and Vermilion Cliffs National Monument Resource Management Plans (approved 2008). The DNA is based on EA-AZ-931-93-001, *Special Recreation Permits for Commercial Recreation Activities*, and specifically addresses outfitting and guiding services. It is our decision to approve the action as proposed.

**Administrative Review or Appeal Opportunities**

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 attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at the Arizona Strip District Office, 345 East Riverside Drive, St. George, Utah 84790, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

In accordance with 43 CFR 2931.8 (b) this decision remains in effect pending appeal unless a stay is granted. If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) 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 Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (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.

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:

Standards for Obtaining a Stay

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.

Lorraine M. Christian  
Lorraine M. Christian  
Arizona Strip Field Manager

8/30/10  
Date

Thomas R. Edgerton  
Tom Edgerton  
Grand Canyon Parashant National Monument Manager

8/31/10  
Date

Attachment: 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 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.....**

WITH COPY TO  
SOLICITOR.....

**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 .....

**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). If the decision concerns the use and disposition of public lands, including land selections under the Alaska Native Claims Settlement Act, as amended, service will be made upon the Associated Solicitor, Division of Land and Water Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240. If the decision concerns the use and disposition of mineral resources, service will be made upon the Associated Solicitor, Division of Mineral Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240.

**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 2804.1). 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 other 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.

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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.

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### **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.

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