

ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: DOI-BLM-AZ-A000-2013-0002-CX

Arizona Strip District Kiosks Categorical Exclusion (CX)

Project Lead: Diana Hawks

Date that any scoping meeting was conducted: NA

Date that concurrent, electronic distribution for review was initiated: April 25, 2013

Deadline for receipt of responses: May 10, 2013

ID Team/Required Reviewers will be determined at scoping meeting or as a default the following:

Gloria Benson, Tribal Liaison
Diana Hawks, Recreation/Wilderness/VRM
Laurie Ford, Lands/Realty/Minerals
Jeff Young, Wildlife/T&E Wildlife
John Herron, Cultural
Jacquilyn Roaque, Special Status Plants
Ray Klein, GCPNM Supervisory Ranger
Whit Bunting, Range/Vegetation/Weeds/S&G
Richard Spotts, Environmental Coordinator
John Sims, Supervisory Law Enforcement
Relevant Manager(s) *Lorraine Christian ASFO and Pam McAlpin GCPNM*

Required Recipients of electronic distribution E-mails only (not reminders):

Andi Rogers (E-mail address: arogers@azgfd.gov)
LeAnn Skrzynski (E-mail address: lskrzynski@kaibabpaiute-nsn.gov)
Peter Bungart (E-mail address: pbungart@circaculture.com)
Dawn Hubbs (E-mail address: dawn.hubbs101@gmail.com)

(Ms. Rogers is an Arizona Game and Fish Department (AGFD) habitat specialist. Ms. Skrzynski is Environmental Program Director for the Kaibab Paiute Tribe (KPT). Mr. Bungart and Ms. Hubbs are cultural staff for the Hualapai Tribe. They may review and/or forward on ASDO NEPA documents to other employees. If a Project Lead receives comments from any AGFD employee on their draft NEPA document, they should include them in the complete set/administrative record and share them with Jeff Young as the ASDO Wildlife Team Lead. Mr. Young will then recommend how these comments should be addressed. If a Project Lead receives comments from any KPT or Hualapai Tribe employee, they should include them in the complete set/administrative record and share them with Gloria Benson as the ASDO Tribal Liaison. Ms. Benson will then recommend how these comments should be addressed.)

Discretionary Reviewers: None

Arizona Strip District Kiosks Categorical Exclusion (CX)

NEPA Document Number: DOI-BLM-AZ-A000-2013-0002-CX

A. Background

BLM Office: Arizona Strip Field Office, Vermilion Cliffs National Monument and Grand Canyon-Parashant National Monument **Lease/Serial/Case File No.:** NA

Description of Proposed Action:

The proposed action is the construction and placement of 23 informational kiosks over the next few years at various locations on the Arizona Strip District, including 13 kiosks in the Arizona Strip Field Office, nine kiosks in Vermilion Cliffs National Monument and one kiosk in Grand Canyon-Parashant National Monument (see maps attached to this CX and Table 1 below for specific locations).

The Arizona Strip District received an Arizona State Parks OHV Grant that covers, in part, development, construction and placement of 14 kiosks for OHV information. Half (seven) would be paid for from the grant funding and half (seven) would be paid for by the BLM. In addition, this CX covers an additional 9 OHV/information kiosks to be placed in the field office over the next few years. The kiosks would be placed where major OHV recreation occurs or at strategic entrance points onto public lands.

The Travel Management Area (TMA) and administrative recreation setting for each proposed kiosk location is also listed in the Table 1. All kiosks in the Arizona Strip Field Office and Grand Canyon-Parashant National Monument are proposed to be located within the Rural, Backways, or Specialized TMAs. None would be located in the Primitive TMA. Most would be located in the Rural and Backways TMAs, as directed by the RMPs.

Most of the kiosk locations are proposed to be located in the Rural or Roaded Natural administrative recreation settings except for six in the Arizona Strip Field Office that would be located in the Extensive Recreation Management Areas (ERMA), thus having no defined recreation setting. Signing and recreation facility development in the ERMAs would be the minimum necessary to provide for public safety, reduce user conflicts, and protect resources. Two proposed locations in Vermilion Cliffs National Monument would be located in the Semi-primitive Motorized Administrative Recreation Setting (West Bench Pueblo and White Pocket). None are proposed to be located in Primitive or Semi-primitive Non-motorized Administrative Recreation settings.

The primary purpose for placing the kiosks is to inform/educate the motoring public, whether in a 4WD vehicle, on an ATV or UTV, or on a motorcycle, about public safety in this remote region, appropriate ways to enjoy motorized recreation on public lands, natural and cultural resources in the area, and information on where to ride motorized vehicles depending on the type of motorized recreation experience desired.

Location of Proposed Actions: See Table 1 attached below for the proposed locations of all 23 informational kiosks.

Table 1. Kiosk Locations in Priority Order for Placement for each unit

Arizona Strip Field Office		
General Location	Specific Location (UTM Zone 12)	TMA/Admin Rec Setting
1. Ft. Pearce Wash West-Sunshine Trail	4097500N 280300E	Rural/Roaded Natural
2. Ft. Pearce Wash Middle	4097300N 288900E	Specialized/Roaded Natural
3. Sand Hollow/Highway 91	4079800N 232400E	Rural/ERMA
4. Scenic West	4037500N 263200E	Rural/ERMA
5. Elbow Canyon	4076100N 238800E	Rural/Semi-Primitive Motorized
6. Base Hurricane Cliffs/stateline	4097180N 294800E	Backways/Roaded Natural
7. Lime Kiln Road	4070787N 227167E	Backways/Rural
8. Black Rock Road	4091464N 264978E	Backways/Rural
9. Quail Road/River Road	4093327N 272242E	Backways/Rural
10. Winter Road/Highway 89A	4087200N 375500E	Backways/ERMA
11. Toroweap Road (CR 109)	4076189N 350479E	Backways/ERMA
12. Clayhole Road (CR 5)	4088200N 321000E	Backways/ERMA
13. Bundyville Schoolhouse	4032100N 291500E	Backways/ERMA
Vermilion Cliffs National Monument		
General Location	Specific Location	TMA/Admin Rec Setting
1. West Bench Pueblo	4078424N 405804E	Backways/Semi-Primitive Motorized
2. N. Entrance/Stateline Campground	4095190N 407667E	Backways/Roaded Natural
3. S. Entrance to Monument	4065758N 306363E	Backways/Roaded Natural
4. Maggie's Trail 1 (Highway 89A Kiosks)	407322N 439334E	Backways/Rural
5. Maggie's Trail 2	4075071N 440824E	Backways/Rural
6. Condor Viewing Site	4069483N 405990E	Backways/Roaded Natural
7. White Pocket	4090160N 420147E	Specialized/Semi-Primitive Motorized
8. Paw Hole	4086434N 409343E	Backways/Roaded Natural
9. Cottonwood Cove	4090533N 412510E	Specialized/Roaded Natural

Grand Canyon-Parashant National Monument		
General Location	Specific Location	TMA/ Admin Rec Setting
1. Top of Lime Kiln Canyon	4058900N 767100E (Zone 11)	Backways/Roaded Natural

Three of the proposed kiosks (numbers 3, 4, and 5 for the Arizona Strip Field Office) are located within desert tortoise habitat. In order to minimize or eliminate effects to tortoises, the following measures are incorporated in as part of the proposed action:

1. To the extent possible, project activities would be scheduled when tortoises are inactive (October 15 through March 15).
2. Prior to installation of the kiosks, the project areas would be surveyed for desert tortoises by a qualified biologist approved by BLM; the project would be altered or tortoises in harm's way would be relocated to avoid lethal take of tortoises in the project areas.
3. For project activities occurring during the desert tortoise active season (March 15 through October 15), surveys would be conducted within 24 hours of initiation of surface-disturbing activities. For surface-disturbing activities conducted from March 15 to October 15 in desert tortoise habitat, construction activities would be monitored by a qualified desert tortoise biologist approved by the BLM. The biologist would be present during all activities in which encounters with tortoises may occur. The biologist would watch for tortoises wandering into the project areas, check under vehicles, and conduct other activities necessary to ensure that death or injury of tortoises is minimized.
4. Only biologists authorized and permitted by the USFWS and AGFD would handle desert tortoises. The authorized biologist would maintain a record of all desert tortoises encountered during project activities.
5. If a tortoise or clutch of tortoise eggs is found in a project area, activities would be modified to avoid injuring or harming it.
6. Project vehicle use would be limited to designated routes (or existing routes prior to designation) and to disturbed areas along designated/existing routes.
7. Vehicles associated with the project traveling on unpaved roads in desert tortoise habitat would not exceed speed limits established by the BLM as necessary to protect desert tortoises. These speed limits would generally not exceed 40 mph even on the best-unpaved roads but may be much less than this on some roads.
8. Project sites would be maintained in a sanitary condition at all times; waste materials would be placed in covered receptacles and disposed of promptly at an appropriate waste disposal site. "Waste" refers to all discarded matter, including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment. "Waste" also includes the creation of micro-trash such as bottle caps, pull tabs, broken glass, cigarette butts, small plastic, food materials, bullets, bullet casings, etc. No micro-trash would be left at use areas and trash receptacles used at use areas would be wildlife proof.

(Note: This measure would be followed at all proposed kiosk locations in order to protect California condors.)

B. Land Use Plan Conformance

Land Use Plan Name: Arizona Strip Field Office Resource Management Plan (RMP), Vermilion Cliffs National Monument RMP, and Grand Canyon-Parashant National Monument RMP

Date Approved: January 29, 2008 (all RMPs)

The proposed action is in conformance with each of these RMPs because it is specifically provided for in the following RMP decisions:

Arizona Strip Field Office RMP

DFC-RR-02: Information needed to plan, prepare, and choose safe, enjoyable, and appropriate uses of the Arizona Strip region will be available to the public.

MA-RR-30: Visitors will be provided with environmental educational opportunities that are appropriate for each RMZ or for the ERMA, allowing them to enjoy the variety of challenges that are presented when visiting these areas.

MA-RR-05:

- Within SRMAs, the levels and types of signing and recreation facility development will be guided by the individual RMZ objectives and the administrative and physical recreation settings components prescribed for each RMZ.
- Where ERMA are allocated, the main emphasis areas for any signing and/or recreation facility placement will be in the Rural and Backways TMAs.
- Generally, signing and recreation facility development in the ERMA will be the minimum necessary to provide for public safety, reduce user conflicts, and protect resources.

MA-RR-06: Sign material and design will be unobtrusive in order to blend with local landscape settings and retain the natural and/or historic integrity of the site.

Vermilion Cliffs National Monument RMP

DFC-RR-02: Information needed to plan, prepare, and choose safe, enjoyable, and appropriate uses of the Monument will be available to the public.

MA-RR-33: Visitors will be provided with environmental educational opportunities that are appropriate for each RMZ ..., allowing them to enjoy the variety of challenges that are presented when visiting these areas.

MA-RR-05 (which states in part):

The levels and types of signing and recreation facility development will be guided by the individual RMZ objectives and the administrative and physical recreation settings components prescribed for each RMZ.

MA-RR-06: Sign material and design will be unobtrusive in order to blend with local landscape settings and retain the natural and/or historic integrity of the site.

MA-TM-12: Installations/structures (e.g., unobtrusive barriers, gates, signs) on or along routes will be allowed when they will be the minimum necessary to control unauthorized use and when consistent with TMA objectives.

Grand Canyon-Parashant National Monument RMP

DFC-RR- 02: Information needed to plan, prepare, and choose safe, enjoyable and appropriate uses of the Monument will be available to the public.

MA-RR-29: Visitors will be provided with environmental educational opportunities that are appropriate for each RMZ, allowing them to enjoy the variety of challenges that are presented when visiting these areas.

MA-RR-05 (which states in part):

... the levels and types of signing and recreation facility development will be guided by the individual RMZ objectives and the administrative and physical recreation settings components prescribed for each RMZ.

MA-RR-06: Sign material and design will be unobtrusive in order to blend with local landscape settings and retain the natural and/or historic integrity of the site.

The proposed action is in conformance with each RMP because it is clearly consistent with the following RMP decisions (objectives, terms, and conditions):

Arizona Strip Field Office RMP

DFC-RR-27: The Arizona Strip's interpretation and environmental education program will be grounded in:

- Arizona Strip natural and cultural resources;
- Themes related to Arizona Strip FO significance and mission statements; and
- BLM mission and goals.

DFC-RR-28: The public will understand and appreciate the purposes and significance of the Arizona Strip FO and their resources for this and future generations.

MA-TM-08: Installations/structures (e.g., unobtrusive barriers, gates, signs) on or along routes will be allowed when they are the minimum necessary to control unauthorized use and when consistent with TMA objectives.

Vermilion Cliffs National Monument RMP

DFC-RR-18: The Monument's interpretation and environmental education program will be grounded in:

- The Monument's natural and cultural resources, including Monument objects;
- Themes related to the Monument's purpose, significance, and mission statements; and
- BLM's mission and goals.

DFC-RR-19: The public will understand and appreciate the purposes and significance of the Monument and its resources for this and future generations.

MA-TM-11: Installations/structures (e.g., unobtrusive barriers, gates, signs) on or along routes will be allowed when they are the minimum necessary to control unauthorized use and when consistent with TMA objectives.

Grand Canyon-Parashant National Monument RMP

DFC-RR- 16: The Monument's interpretation and environmental education program will be grounded in:

- The Monument's natural and cultural resources
- Themes related to the Monument's purpose, significance, and mission statements, and
- The BLM's and NPS' missions and goals.

DFC-RR-18: The public will understand the importance of natural and cultural resources in the Monument through interpretive, watchable wildlife, and other environmental education programs.

MA-TM-12: Installations/structures (e.g., unobtrusive barriers, gates, signs) on or along routes will be allowed when they will be the minimum necessary to control unauthorized use and when consistent with TMA objectives.

In addition, the proposed action does not conflict with other decisions contained within these RMPs.

Placement of kiosks would be the minimum necessary to inform and educate the public about appropriate uses, areas and methods. Placement of kiosks would occur at areas previously disturbed, with room for the public to pull off the road to view the information, and design and size of the kiosks would take into consideration the environmental and recreational setting they would be placed in. None of the proposed kiosks would be placed in any designated wilderness areas or areas managed to maintain wilderness characteristics.

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.9:

1.11 Activities which are educational, informational, advisory or consultative to other agencies, public and private entities, visitors, individuals or the general public.

G (4) Placement of recreational, special designation or information signs, visitor registers, kiosks and portable sanitation devices.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply (see Attachment 1).

We considered placement of each kiosk in the appropriate TMA (primarily in the Rural and Backways TMAs but also in the Specialized TMA) and in the Rural and Roaded Natural Administrative Recreation Settings so that they would be consistent with the RMP objectives. We also considered placing each kiosk at existing road junctions or road turnouts, in previously disturbed areas, so that disturbance would be minimized in placing the kiosks as well as during subsequent recreational use around them. We have determined there is no potential for significant impacts in placing and the subsequent recreational use at these 23 kiosks.

D: Signatures – Authorizing Officials

Lorraine M. Christian
Lorraine M. Christian
Field Manager

May 17, 2013
Date

Pamela D. McAlpin
for Pamela D. McAlpin
Monument Manager

May 17, 2013
Date

Contact Person

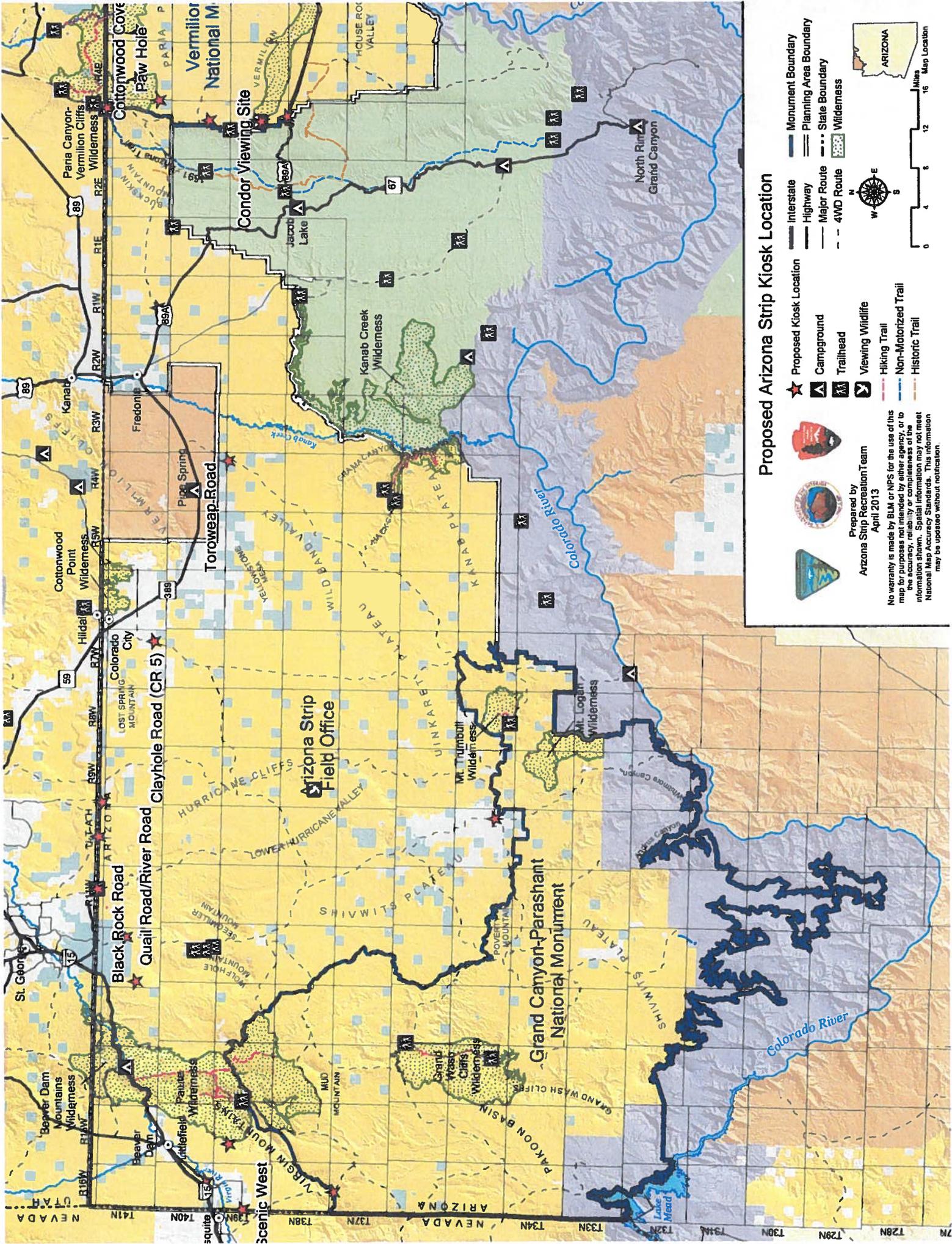
For additional information concerning this CX review, contact:

Diana Hawks, Team Lead
Recreation, Wilderness and Cultural Resources
Arizona Strip District Bureau of Land Management
Telephone (435) 688-3266
Email dhawks@blm.gov

Attachment 1 - 43 CFR 46.215

EXTRAORDINARY CIRCUMSTANCES REVIEW AND CHECKLIST		
<p>IMPORTANT: Appropriate staff should review the circumstances listed below, and comment for concurrence. Rationale supporting the concurrence should be included where appropriate.</p>		
EXTRAORDINARY CIRCUMSTANCES	YES/NO & RATIONALE (If Appropriate)	STAFF
Does the proposed action...		
1. Have significant impacts on public health and safety?	No significant impacts on public health and safety would result because the kiosks would be placed in previously disturbed areas.	D Hawks
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study 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 (Executive Order 13186); and other ecologically significant or critical areas?	No impacts on unique resources would result from the proposed action because the kiosks would be placed in previously disturbed areas. See JHerron email dated 5/8/2013; and JYoung email dated 5/8/2013. Also LChristian draft CX edits.	J Herron D Hawks J Young L Christian
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?	No controversial environmental effects or unresolved conflicts would be involved because all kiosks would be placed in previously disturbed areas.	D Hawks
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No significant environmental effects or unique circumstances are expected because all kiosks would be placed in previously disturbed areas.	D Hawks
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?	Proposed action is similar to other authorized sign installation projects; it does not represent a decision in principle about future actions with potentially significant environmental effects.	D Hawks
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No cumulative effects because all kiosks would be placed in previously disturbed areas.	D Hawks
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. See Cultural Resource Compliance Documentation Record 5/8/2013.	J Herron

<p>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?</p>	<p>No significant impacts would result from the proposed action because all kiosks would be placed in previously disturbed areas. In addition, measures have been built into the proposed action to minimize or eliminate impacts to desert tortoise (see JYoung email dated 5/8/2013 and JRoaque email dated 5/8/2013).</p>	<p>J Young J Roaque</p>
<p>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?</p>	<p>No environmental laws/requirements would be violated. See GBenson email dated 5/13/2013.</p>	<p>D Hawks J Young</p>
<p>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?</p>	<p>No effect on low income or minority populations because of the remote location and minimal extent of the project.</p>	<p>D Hawks</p>
<p>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)?</p>	<p>No impacts would result because of the minimal extent of the project (i.e., small signs located in previously disturbed areas along existing roads). See GBenson email dated 5/13/2013.</p>	<p>D Hawks</p>
<p>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)?</p>	<p>No impacts would result because of the minimal impacting nature of the proposal (i.e., all kiosks would be located in previously disturbed areas along existing roads). See WBunting email dated 4/26/2013.</p>	<p>W Bunting</p>



Proposed Arizona Strip Kiosk Location

Proposed Kiosk Location

Interstate

Highway

Major Route

4WD Route

Monument Boundary

Planning Area Boundary

State Boundary

Wilderness

Campground

Trailhead

Viewing Wildlife

Hiking Trail

Non-Motorized Trail

Historic Trail

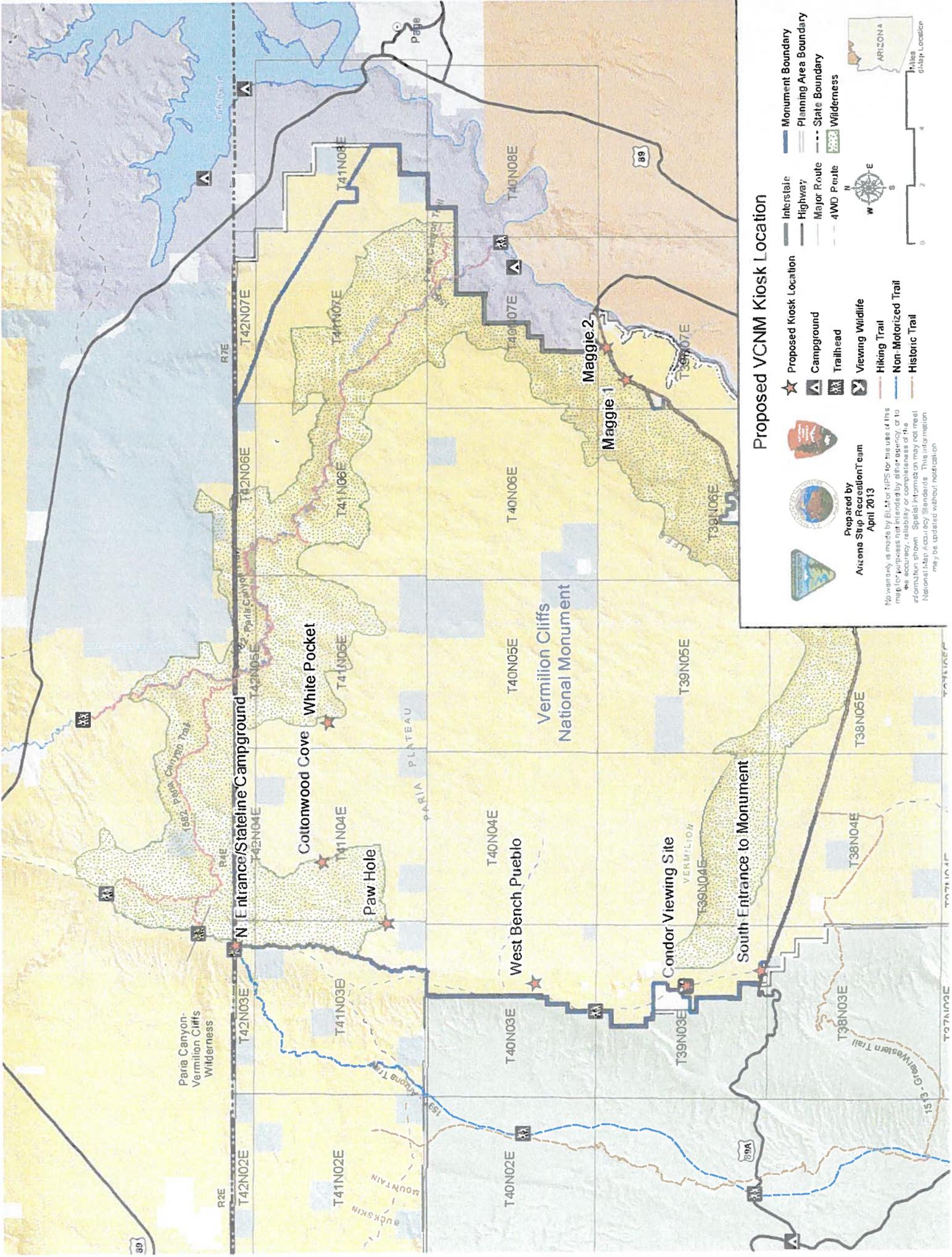
Prepared by
Arizona Strip Recreation Team
April 2013

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.

NEVADA ARIZONA NEVADA

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Proposed VCNM Kiosk Location

- Proposed Kiosk Location
- Campground
- Trailhead
- Viewing Wildlife
- Hiking Trail
- Non-Motorized Trail
- Historic Trail

- Monument Boundary
- Planning Area Boundary
- State Boundary
- Wilderness

Prepared by
Arizona State Recreation Team
 April 2013

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DECISION MEMORANDUM

Arizona Strip District Kiosks CX
DOI-BLM-AZ-A000-2013-0002-CX

U.S. Department of the Interior
Bureau of Land Management

Arizona Strip Field Office, Vermilion Cliffs National Monument and Grand Canyon-Parashant National Monument

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and field office and Monument staff recommendations, we have determined that the project is in conformance with the Arizona Strip Field Office, Vermilion Cliffs National Monument, and Grand Canyon-Parashant Resource Management Plans (all approved 2008) and is categorically excluded from further environmental analysis. 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 ^{Field} 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. _{smc}

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
Field Manager

May 17, 2013

Date

Pamela D. McAlpin

for Pamela D. McAlpin
Monument Manager

May 17, 2013

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 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..... Field Manager, Arizona Strip Field Office
Bureau of Land Management
345 East Riverside Drive
St. George, Utah 84790
- WITH COPY TO SOLICITOR...** Office of the Field Solicitor
Sandra Day O'Connor US Courthouse, Suite 404
401 West Washington Street, SPC-44
Phoenix, Arizona 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 SOLICITOR.....** Office of the Field Solicitor
Sandra Day O'Connor US Courthouse, Suite 404
401 West Washington Street, SPC-44
Phoenix, Arizona 85003-2151
- AND COPY TO.....** Field Manager, Arizona Strip Field Office
Bureau of Land Management
345 East Riverside Drive
St. George, Utah 84790
-
- 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.

(Form 1842-1, September 2006)