

# ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: DOI-BLM-AZ-A010-2015-0014-DNA

Project Title: Backpacking in Kanab Creek Wilderness - Sierra Club SRP

Project Lead: Jon Jasper

Date that any scoping meeting was conducted: n/a

Date that concurrent, electronic distribution for review was initiated: 3/20/2015

Deadline for receipt of responses: 4/9/2015

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  
Jace Lambeth, Special Status Plants  
Whit Bunting, Range/Vegetation/Weeds/S&G  
Richard Spotts, Environmental Coordinator  
John Sims, Supervisory Law Enforcement  
Relevant Manager(s) *Lorraine Christian ASFO*

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

Steve Rosenstock (E-mail address: [srosenstock@azgfd.gov](mailto:srosenstock@azgfd.gov) )  
Daniel Bulletts (E-mail address: [dbulletts@kaibabpaiute-nsn.gov](mailto:dbulletts@kaibabpaiute-nsn.gov) )  
Peter Bungart (E-mail address: [pbungart@circaculture.com](mailto:pbungart@circaculture.com) )  
Dawn Hubbs (E-mail address: [dawn.hubbs101@gmail.com](mailto:dawn.hubbs101@gmail.com) )

(Mr. Rosenstock is an Arizona Game and Fish Department (AGFD) Habitat Program Manager. Mr. Bulletts is acting 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:**

*(insert names and titles of any additional reviewers recommended by Project Lead, Manager(s), Environmental Coordinator, or from scoping meetings)*

**Worksheet**  
**Determination of NEPA Adequacy (DNA)**

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

**Offices:** Arizona Strip Field Office

**Tracking Number:** N/A

**Casefile/Project Number:** DOI-BLM-AZ-A010-2015-0014-DNA

**Proposed Action Title/Type:** Backpacking in Kanab Creek Wilderness - Sierra Club SRP

**Location/Legal Description:**

The proposed action is a multi-day backpacking trip within the Kanab Creek Wilderness. The trip involves land on the North Kaibab Ranger District of the Kaibab National Forest, the BLM's Arizona Strip Field Office, and possibly Grand Canyon National Park. This DNA only covers the portions on BLM Arizona Strip Field Office. See attached map for proposed route.

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

The proposed action is for the Sierra Club to lead guided backpacking tours of 11 people (9 clients to 2 guides) into Kanab Creek Wilderness. This entire trip is scheduled for April 18 to April 25. Only one night (April 21, camp night 4) is anticipated to be spent on the BLM Arizona Strip Field Office administered lands. This camp would be located on the Esplanade between Chamberlain Canyon and the next downstream canyon (see attached map). The trip may be repeated annually, if there is enough interest.

To meet the applicable EA's wilderness group size requirement of 6 people, the two groups would travel independently in two separate and distinct groups (4 clients to 1 guide and 5 clients to 1 guide). These groups would be separated by at least one mile at all times (while both traveling and camping) on BLM-administered lands.

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

LUP Name/Date Approved *Arizona Strip Field Office Resource Management Plan (RMP), January 29, 2008*

The proposed action is in conformance with this RMP because it is specifically provided for in the following decisions:

**DFC-RR-24:** SRP application packages (application, operating plan, etc.) would be considered for authorization on a case-by-case basis upon receipt of application. (See 43 CFR 2930 for requirements)

**DFC-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.
- Recreation activities requiring use authorization may be limited in listed species and other sensitive habitats.

**DFC-RR-10:** Any area not delineated as a SRMA will be identified as one or more ERMA. ERMAs will receive only custodial management regarding visitor health and safety, user conflict and resource protection issues, with no activity level planning. Therefore, actions within ERMAs will generally be implemented directly from land use plan decisions.

In addition, it has been determined that the proposed action would not conflict with other decisions contained within this plan.

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

Special Recreation Permits for Commercial Recreation Activities on Public Lands in Arizona (EA-AZ-931-93-001), August 24, 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:

Within EA-AZ-931-93-001, it states:

The proposed action is to issue Special Recreation Permits to commercial recreation operators who propose activities that comply with the standard stipulations shown in Attachment A. These stipulations are in addition to those contained on the permit form. Other stipulation would be placed on the permit as necessary to comply with local land use plans. Field offices will contact other state and local office on any applications which require additional coordination, through the normal environmental assessment notification processes.

Each applicant would be required to provide a plan of operations detailing his or her proposed operation. The plan of operations would provide a detailed description of the proposed activity including camps on public land, pack and riding stock, sanitation, and so forth.

Trips onto public lands would be day-use or multiple day trips, but camps in excess of 14 days would not be allowed. Camps would fall into one of two categories: 1) spike camps, where relatively small groups (up to 6 people or 6 pack stock) would use a site for 1 or 2 nights and then move on; and 2) base camps of 14 days or less. All types of camps would be reservable; that is, an operator could reserve a site for his or her use exclusive of other operators. The reservation does not exclude the general public from the site.

No permanent improvements would be made to public lands (such as corrals, outhouses, cabins, and so forth), and operators would be required to comply with local off-highway vehicle designations.

Under certain circumstances, commercial activities may be approved in wilderness areas. Many wilderness areas have individual wilderness management plans that direct how commercial recreation activities would be administered. In these areas, guidelines in the management plans would be followed. In areas where wilderness management plans have not been completed, commercial recreation operations would be limited to day-use or single-night spike camps by small groups (up to 6 people or 6 pack stock) only. Under no circumstances would the use of mechanized equipment or motorized vehicles be approved for use by the permittee. In wilderness areas where there is no management plan or where the management plan does not discuss the issue, operations that propose multi-night camps at a single location, reserved camps, groups larger than 6 people or 6 pack animals, or base camps over 14 days fall outside the scope of this environmental assessment and would require separate NEPA analysis.

The current proposed action is an overnight stay by small groups of 6 or less in a wilderness area without a completed wilderness plan, therefore it is similar to that 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:

EA-AZ-931-93-001 analyzed two alternatives: 1. issue permit with standard stipulations and 2. no permitting (no action). This range of alternatives is appropriate for issuing a SRP given that the proposed action meets all of the conditions described in the EA and that no new

environmental concerns are present. The analysis states that resource impacts would be minimal because the proposed action would provide the BLM with 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. Thus, should monitoring reveal that the proposed action is causing significant conflicts or adverse impacts to other resources or uses, special limits or rules would be developed and implemented through required procedures to mitigate those impacts. This is relevant to the current proposed action because specific stipulations would be included to minimize impacts to resources.

**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 listings of the California condors and the Mexican spotted owls were not specifically included in this analysis. While Mexican spotted owls have been found in the Kanab Creek area, spotted owls have not been found to occur on the BLM lands covered by this DNA. The proposed action would not affect Mexican spotted owls because the activities described would not modify habitat or disturb individual owls. The stipulations for California condors would result in minimal impacts from the proposed action in the unlikely event that a condor is encountered. The proposed action would not affect either of these species, and therefore the existing analysis is still valid.

**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?**

Documentation of answer and explanation:

The impacts of the proposed action are similar to those contained within the existing EA in that the Affected Environment and Environmental Consequences sections of EA-AZ-931-93-001, addressed the direct and indirect impacts of actions essentially similar to the current proposed action. The impacts are sufficiently detailed in the EA for the level of the current proposed project, and would not differ from the EA analysis. The current proposed action only foresees one trip per year, and therefore, would not change the anticipated cumulative impacts that were analyzed in the EA.

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

Documentation of answer and explanation:

The nature of public involvement in the EA remains in compliance with NEPA public involvement requirements. Public involvement and interagency review associated with the review of the EA is adequate for the current proposed action as there is no deviation of the proposed action outside those areas and activities as stated and analyzed in the existing EA.

**E. Persons/Agencies /BLM Staff Consulted**

Name, Title Resource

Gloria Benson, Tribal Liaison  
Diana Hawks, Recreation/Wilderness/VRM  
Laurie Ford, Lands/Realty/Minerals  
Jeff Young, Wildlife/T&E Wildlife  
John Herron, Cultural Resources  
Jace Lambeth, Special Status Plants  
Whit Bunting, Range/Vegetation/Weeds/S&G  
Richard Spotts, Environmental Coordinator  
John Sims, Supervisory Law Enforcement

Relevant Manager: Lorraine Christian, Arizona Strip Field Office Manager

Steve Rosenstock, AZ Game and Fish Department  
Daniel Bulletts, Acting Environmental Program Director for the Kaibab Paiute Tribe  
Peter Bungart, Cultural Staff for the Hualapai Tribe  
Dawn Hubbs, Cultural Staff for the Hualapai Tribe

**Conclusion**

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

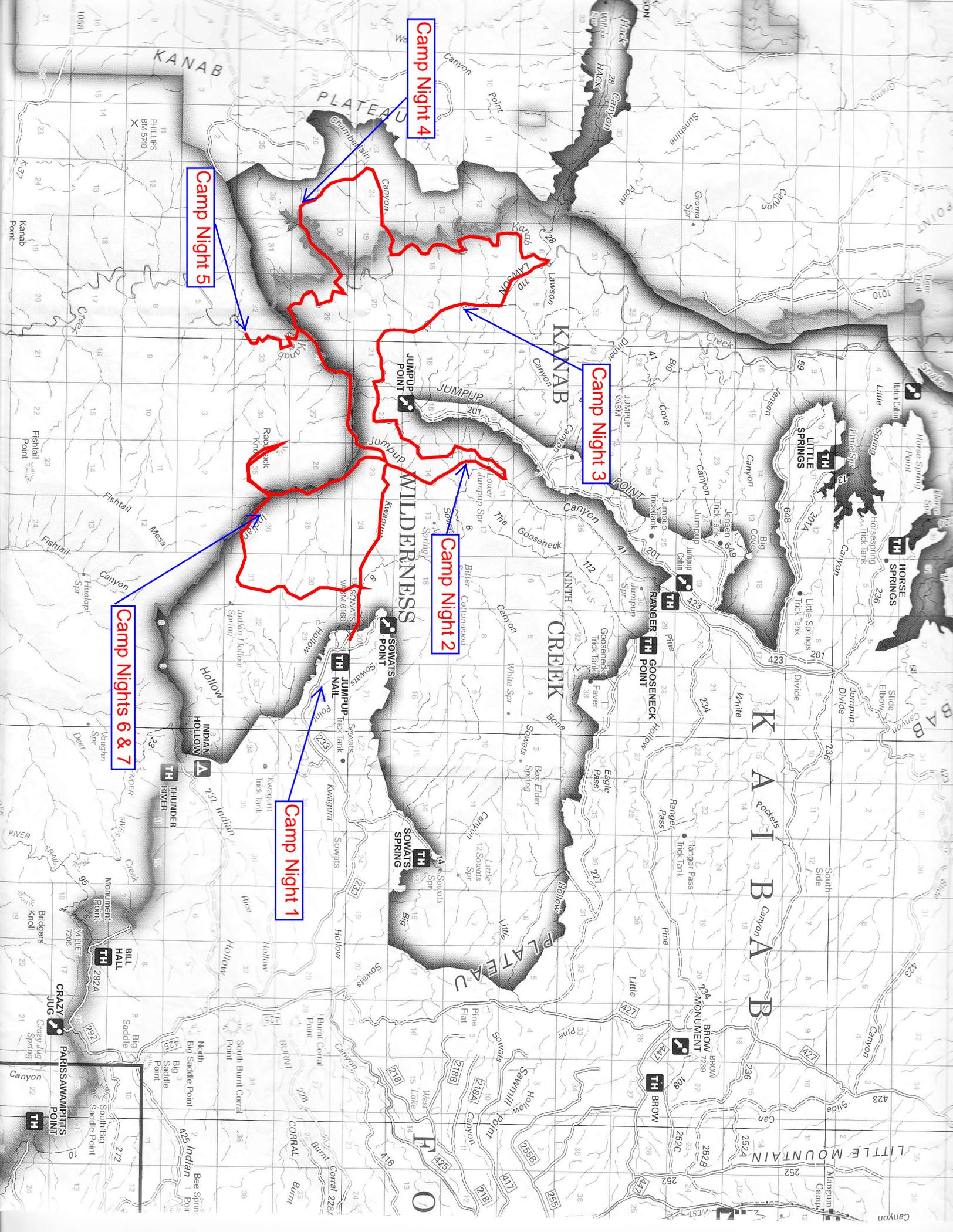
Lorraine M. Christian

Lorraine M. Christian  
Arizona Strip Field Office Manager

4/13/2015

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 authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and program-specific regulations.



Camp Night 4

Camp Night 5

Camp Night 3

Camp Night 2

Camp Nights 6 & 7

Camp Night 1

## SPECIAL RECREATION PERMIT STIPULATIONS

Arizona Strip District Office

In order to protect and preserve the natural and cultural resource values on the Arizona Strip and provide for public safety, the attached terms and conditions/stipulations are incorporated as part of the special recreation permit (SRP). These stipulations are specific to the Arizona Strip District and are in addition to those found within Form 2930-1 (SRP Application Permit) and BLM H-2930-1 (Recreation Permit Administration). These stipulations are incorporated as part of the SRP and apply to the permittee and all employees working for him/her. Failure to comply can result in permit revocation.

### **GENERAL Terms (FORMS 2930-1 AND 2930-2)**

1. The permittee shall comply with all Federal, State, and local laws, ordinances, regulations, orders, postings, or written requirements applicable to the area or operations covered by the Special Recreation Permit (SRP). The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or registrations. The permittee shall make every reasonable effort to ensure compliance with these requirements by all agents of the permittee and by all clients, customers, participants, or spectators under the permittee's supervision.
2. An SRP authorizes special uses of the public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including modification of the amount of use. The authorized officer may suspend or terminate an SRP if necessary to protect public resources, health, safety, the environment, or because of non-compliance with permit stipulations. Actions by the BLM to suspend or terminate an SRP are appealable.
3. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price or compensation. The use of a permit as collateral is not recognized by the BLM.
4. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. The permittee shall not interfere with other valid uses of the Federal land by other users. The United States reserves the right to use any part of the area for any purpose.
5. The permittee or permittee's representative may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, contracting of equipment or services may be approved by the authorized officer in advance, if necessary to supplement a permittee's operations. Such contracting should not constitute more than half the required equipment or services for any one trip and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit.
6. All advertising and representations made to the public and the authorized officer must be accurate. Although the addresses and telephone numbers of the BLM may be included in

advertising materials, official agency symbols may not be used. The permittee shall not use advertising that attempts to portray or represent the activities as being conducted by the BLM. The permittee may not portray or represent the permit fee as a special Federal user's tax. The permittee must furnish the authorized officer with any current brochure and price list if requested by the authorized officer.

7. The permittee must assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, landslides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous flora/fauna, abandoned mines, or other hazards that present risks for which the permittee assumes responsibility.
8. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors shall not succeed to the operating rights or privileges of the permittee's SRP.
9. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands. Upon leaving, the lands must be restored as nearly as possible to pre-existing conditions.
10. The permittee must present or display a copy of the SRP to an authorized officer's representative, or law enforcement personnel upon request. If required, the permittee must display a copy of the permit or other identification tag on equipment used during the period of authorized use.
11. The authorized officer, or other duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or the permittee's operator, employee, or agent for up to three years after expiration of the permit.
12. The permittee must submit a post-use report to the authorized officer for every year the permit is in effect. If the post-use report is not received by the established deadline, the permit will be suspended and/or late fees assessed.
13. The permittee shall notify the authorized officer of any incident that occurs while involved in activities authorized by this permit, which result in death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500 (lesser amounts if established by State law). Reports must be submitted within 24 hours. Contact BLM Ranger, John Sims at (435) 644-1211

## **SRP MANAGEMENT**

14. Permits issued for more than one year are subject to annual authorization. To secure authorization, the permit holder (and all persons operating under the permit, must:
  - a) Perform satisfactorily under the terms and conditions of this permit.
  - b) Be in conformance with applicable federal, state, and local laws, ordinances, regulations, orders, postings, written requirements applicable to the area, and operations covered by the permit.
  - c) Ensure that all persons operating under the permit have obtained all required federal, state, and local licenses or registrations.

- d) Have on file, with the office issuing the permit, current insurance identifying the U.S. Department of the Interior, Bureau of Land Management, as additional insured (see Insurance section below).
  - e) Have no outstanding, past due, or unpaid billing notices.
  - f) Turn in current post-use report showing gross income earned, pay 3% of gross from post-use report, and pay the minimum fee for commercial special recreation permits (see Financial section below).
15. The permittee must maintain, on file with the BLM, a current and correct list of employees who will be conducting services for the company on public lands. Persons providing services under this permit must be employees of the permittee.
16. The permittee must allow BLM representatives to complete permit checks to determine the validity of the permit, to ascertain the group has a copy of the permit and all required equipment, and to orient trip participants about the use of public lands and related waters and safety.

## **FINANCIAL**

17. The permittee must submit a post-use report by January 31. The report must contain a trip-by-trip log of: trip location with beginning and ending dates, number of clients, and guides, and gross receipts for the trip. In reporting gross receipts, the permittee will report all payments made by the customer, with the only exception being retail sales of durable goods that remain the property of the customer and have an expected service life extending beyond the guided activity.
18. Request for deductions based on pre/post trip transportation and lodging expenses and percentage of time on public land, if being claimed, must also be submitted with post-use. Requests for transportation and lodging deductions must be accompanied by copies of supporting receipts documenting proof of payment.
19. The permittee must maintain the following internal accounting records pertaining to the permit:
- a) W-2 records or a similar record of employment for all employees conducting trips under the permit.
  - b) A record of all financial relationships with booking agents or advertisers.
  - c) A record of all receipts or compensation including payments, gratuities, donations, gifts, bartering, etc., received from any source on trips conducted under the permit.
  - d) A record of all payments made by the permittee and claimed as a deduction in the permittee's fee submission.
20. The BLM retains the right to verify permit compliance from the books, correspondence, memorandums, and other records of the permittee, and from the records pertaining thereto of a proprietary or affiliated company during the period of the permit and for 3 years thereafter regardless of physical location.

## **INSURANCE**

21. At a minimum, the permittee must have in force public liability insurance in the appropriate amount as shown on the permit.
22. The policy must state that the insurance company shall have no right of subrogation against the United States of America.
23. Such insurance must name the U.S. Department of the Interior, Bureau of Land Management, as additional insured and provide for specific coverage of the permittee's contractually assumed obligation to indemnify the United States against any claims.
24. The policy must stipulate that the authorized officer of the Bureau of Land Management shall be notified 30 calendar days in advance of the termination or modification of the policy.
25. The permit is not valid unless the permittee maintains a current authenticated certificate of the required insurance on file with the office issuing the permit.
26. The permittee must indemnify and hold harmless the United States against any responsibility or liability for damage, death, injury, or loss to persons and property that may occur during the permitted use period or as a result of such use.
27. The permittee must furnish a copy of the insurance policy directly to the authorized officer.
28. The name of the insured on the insurance policy must be the same as the name on the permit. Those permittees holding insurance policies that insure only the permittee and not the permittee's employees must ensure that their employees also have the required insurance in effect and that a certificate of insurance is furnished to the authorized officer.
29. For multiyear permits, the insurance policy must be provided the first year, but on each subsequent year the authorized officer may accept a valid certificate of insurance.

## **ENVIRONMENTAL AND RESOURCE PROTECTION**

30. All trips must follow Leave No Trace principles.

## **CULTURAL RESOURCES**

31. Employees and clients will be instructed that it is unlawful to disturb, deface, excavate or remove any archaeological or paleontological objects or structures. Look but don't touch! Rock art may be photographed but not touched. Collection of prehistoric or historic artifacts is prohibited on Federal Lands and is prosecutable under the Archaeological Resources Protection Act and other laws, both federal and state. Disturbance, defacement, or excavation of prehistoric and historic sites is also prohibited (see ARPA for additional prohibited acts).
32. Intentional removal or excavation of Native American human remains, funerary objects, sacred objects or objects of cultural patrimony is a violation of the Native American Graves Protection and Repatriation Act

## **RANGELAND MANAGEMENT**

33. 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.
34. Harassment of livestock or destruction of private and public improvements such as water catchments, pipelines, fences and gates is prohibited. Gates will be left open or closed, as they are found.

## **WILDLIFE**

### General Requirements

35. Harassment of wildlife, destruction of or tampering with private and public improvements such as wildlife catchments is prohibited.

### California condor

36. The permittee will notify the BLM Arizona Strip wildlife team lead (435-688-3373) within 5 days of the completion of the trip if California condors visit the participants while permitted activities are underway. Permittee and participants will be instructed to avoid interaction with condors. Subsequent activities will be modified if those activities are determined to have adverse effects on condors.
37. California condors are highly susceptible to the effects of micro-trash. Micro-trash includes small and easily ingestible materials such as bottle caps, broken glass, cigarette butts, small plastic bits, bullets, and bullet casings, even food materials. Any sites used will be cleaned up at the end of each day of use (e.g., trash removed, scrap materials picked up) to minimize the likelihood of condors visiting the site. BLM staff may conduct site visits to the area to ensure adequate clean-up measures are taken.

## **OVERNIGHT CAMPING**

38. All camps will be prohibited within one-quarter mile of a natural water hole or man-made watering facility containing water, to allow wildlife or domestic stock access to water.
39. All camps will be located at least 200 feet from any known archaeological sites, including prehistoric camps, rock shelters, caves, and historic buildings. For all trips and at all base camps with locations serviced by a motorized vehicle, the permittee must have a toilet system that allows for the proper carry-out and disposal of solid human body waste that is adequate for the size of the group and length of the trip. In locations remote from a permittee's vehicle, solid human waste must be buried in a sunny location in bare soil or carried out. Toilet paper must be carried out and not buried or burned.
40. Camp locations and other use areas shall be maintained in a sanitary condition at all times;

waste material at those areas shall be removed and disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash and refuse. Burying garbage is prohibited.

#### **KANAB CREEK WILDERNESS**

41. A human waste bag will be provided for each customer at overnight camps. All bags must be packed out of the wilderness area and properly disposed of in a trash receptacle.
42. Campfires are prohibited.

**DECISION MEMORANDUM**  
**DOI-BLM-AZ-A010-2015-0014-DNA**

Backpacking in Kanab Creek Wilderness - Sierra Club SRP

U.S. Department of the Interior  
Bureau of Land Management  
*Arizona Strip Field Office*

**Approval and Decision**

Based on a review of the project described in the attached Determination of NEPA Adequacy (DNA) documentation and Field Office staff recommendations, I have determined that the project is in conformance with the Arizona Strip Field Office Resource Management Plan. The DNA is based on EA-AZ-931-93-001, *Special Recreation Permits for Commercial Recreation Activities*, and this EA specifically addresses commercial guiding services within wilderness areas. It is my 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 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  
Field Manager, Arizona Strip Field Office

4/13/2015  
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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