Determination of NEPA Adequacy (DNA)

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

OFFICE: Lake Havasu Field Office (LHFO), AZ-C030

TRACKING NUMBER: DOI-BLM-AZ-C030-2024-0030-DNA

CASE FILE NUMBER:

PROPOSED ACTION TITLE/TYPE: Havasu Herd Area 2024 Nuisance Burro

Removal

LOCATION/LEGAL DESCRIPTION: Havasu Herd Area

North Lake Havasu

See Figure 1

APPLICANT (if any):

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

The Lake Havasu Field Office is proposing to conduct a nuisance removal bait trapping of approximately 100 nuisance wild burros accessing the Lake Havasu National Wildlife refuge. The gather will be conducted in an area that is south of I-40, east of the Colorado River, west of State Route 95 (SR95) and north of Lake Havasu City. Burros are creating a public safety issue along local roadways and damaging refuge property.

The results of the November 2021 helicopter survey estimated a total of 304 burros in the Havasu Herd Management Area (HMA) and the Herd Area (HA). Approximately 91 burros were observed in the HA area north of Lake Havasu. In August 2021, the BLM removed approximately 53 burros from the area, and it is currently estimated that there are 146 burros in the area.

The BLM's management plan for the area does not include maintaining burros that are outside of HMA boundaries but are within HA's, nor maintaining burros that are within HA's that have not been designated as an HMA. This approach aims to manage the burro population in a sustainable manner.

The proposed action is substantially the same action and location (or is a part of that action) analyzed in environmental assessment (EA) EA-AZ330-2008-001.

Bait trapping is a method used to capture wild burros by enticing them into a corral with a one-way gate. The corral is constructed with panels and is placed in areas where the burros pose a threat to public safety or create a nuisance. Before initiating a bait trapping operation, it takes time to get the burros acclimated to eating hay and familiar with the

panels. Once the burros begin to utilize the hay offered, a temporary corral is constructed around the bait site.

Bait trap sites are located on or near private land, or on public land in disturbed sites. The traps are temporary, and the areas used can be quickly reclaimed by removing the corral panels and raking up hay and manure.

Previously used trap sites on BLM lands administered by the Lake Havasu Field Office Include:

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34.714148° -114.465138° Needle Mountain Trap Site
34.661878° -114.383883° Game Water Trap Site
34.608372° -114.376420° Blankenship Trap Site
34.605948° -114.386514° Wildlife Refuge Trap Site
34.631223° -114.376262° Road Trap Site
34.600727° --114.412510° Blankenship wash trap site (Havasu Wildlife refuge)
34.598627° --114.406348° Blankenship wash trap site (Havasu Wildlife refuge)
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The gather and capture of burros occurring at but not limited to these locations is depicted in Figure 2 and would follow procedures described under bait trapping in the Havasu HMA Gather Plan.

B. Land Use Plan (LUP) Conformance

LUP name: Lake Havasu Field Office Resource Management Plan

Date approved: May 10, 2007

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

- HB-1. Viable, color-diverse burro populations will be maintained within the HMA, while maintaining a thriving natural ecological balance with other resources and consistent with other management agencies' objectives (including wildlife, riparian and upland vegetation, recreation, and others).
- HB-2. In accordance with the Wild Free-Roaming Horses and Burros Act, non-BLM administered lands including the Alamo Wildlife Area, will be excluded from HMAs. These lands will be excluded from determinations of Appropriate Management Level (AML) for burros within the HMA. Wild burros that use non-BLM lands as part of their habitat remain protected under the Wild Horse and Burro Act; therefore, any removal actions remain the responsibility of the BLM.
- HB-4 The Area North of Lake Havasu City (west of SR 95 and east of the Colorado River) will be excluded from the Havasu HMA due to increasing population pressures, traffic concerns, refuge conflicts.

HB-9. Safety issues will continue to be handled as emergency/nuisance removals, receiving top priority to correct public safety concerns.

Wildlife Habitat Management

- WF-2. The BLM will manage all wildlife habitats with the objective to conserve native species for sustainable public benefits.
- WF-4. Ensure that important habitats for migratory birds are managed, maintained, increased and improved to attain the vegetation structure plant species diversity and density to provide diverse habitat of quality and quantity (see Maps 6, 7, and 8).

Special Status Species Management

- TE-1. Conserve and protect Migratory Bird species (see Appendix C Table C-7) and their habitats, Lake Havasu Field Office will follow the guidance provided within the Migratory Bird Executive Order 13186, *Arizona Partners in Flight Bird Conservation Plan* (Latta, Beardmore, and Corman 1999), *Partners in Flight Desert and Riparian Bird Conservation Plan* (California Partners in Flight 2006), *USFWS North American Waterfowl Management Plan* (USFWS et al. 1998), and LCRMSCP (Reclamation, USFWS, and MWD 2004).
- TE-2. No net loss of quantity or quality of priority species and/or priority habitats will occur on the Lake Havasu Field Office. (See Table 3-4 in the PRMP/FEIS)

<u>Cultural Resource Management</u>

CL-1. Preserve and protect significant cultural resources and ensure that they are available for appropriate uses by present and future generations.

Travel Management

TM-3. Travel between communities within the planning area will be made safer.

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions): N/A

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

List by name and date all applicable NEPA documents that cover the proposed action.

- North Lake Havasu Burro Removal (EA-AZ-330-2008-001)
- Havasu Herd Management Area Plan (1979)

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

N/A

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:

Yes, this action is similar to the removal methods discussed in the LHFO RMP, North Lake Havasu Burro Removal (EA-AZ-330-2008-001), and the Havasu Herd Management Area Plan (1979).

As discussed in the LHFO RMP: Wild Burro Removals (page 2-293)

All wild burros that are removed are made available for adoption through the Wild Horse and Burro Adoption Program.

Wild burros would be removed as nuisance animals whenever a safety problem becomes apparent (such as burros crossing highways, burro related vehicle accidents, etc.). Removal of nuisance burros from private land is required when requested in writing from the landowner. Excess wild burros would be removed from HMAs when the population exceeds the Appropriate Management Level (AML) as set by the Herd Management Area Plans.

Burros continuing to use public lands, even outside of a HA or HMA, as any part of their habitat remain protected under the Wild Horse and Burro Act. These burros would be removed by BLM when requested, or when regular removal is scheduled.

Methods for burro removal include bait or water trapping, roping, helicopter drive trapping, and helicopter-assisted roping. The method would vary with the situation. Helicopter drive trapping is usually required for gathering larger numbers of wild burros. Bait trapping is normally used for private land removals or when smaller numbers are planned for removal.

As discussed in North Lake Havasu Burro Removal (EA-AZ-330-2008-001): Havasu HMA Gather Plan (page 1)

IV. Capture Methods

The removal of wild burros from the North Portion of the Havasu HA will be accomplished through live capture operation. The animals may be captured by several methods utilizing the National Capture Contract and BLM personnel.

Wild burros will be captured utilizing bait trapping technique described below.

Bait Trapping: Burros are enticed into a corral which is constructed with a one-way gate; the animals may enter but not exit the corral. Since wild burros generally have not acquired a taste for alfalfa hay, it takes some time to get them used to hay and panels before initiating a bait trapping operation. Once the burros begin utilizing the offered hay, a temporary corral is constructed around the bait site. To keep from scaring the burros away from the area, the corral is built in stages until the trigger gate is installed and the burros are forced onto one trail into the feed site. The trigger gates are hung from the frame and once set, become a one way gate. Bait trapping is slow but effective when dealing with a small number of animals.

As discussed in Havasu Herd Management Area Plan (1979) (Page 16):

B. Initial Removal of Excess Burros

Generally, this action is expected to capture approximately 750 burros using mainly two methods. Areas adjacent to the Colorado River would incorporate a helicopter to locate and drive burros to expert ropers and areas adjacent to the Bill Williams River would use alfalfa fields to trap burros with cooperation of Planet Ranch. Other methods that would be attempted are trapping burros at watering sites along major travel routes and those burros that inhabit Lake Havasu City which are unafraid of humans could be enticed by feed stuffers and caught with the aid of local residents.

The difference between the proposed action and the previous capture methods described above is that the current proposed action will only be conducted by BLM personnel or contracted personnel. Bait trapping will be the primary method.

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:

Yes, the range of alternatives is adequate. The proposed action is similar to the removal actions described in the NEPA documents (see #1 above).

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:

New information and new circumstances would not substantially change the analysis of the new proposed action There are no new Federally listed, BLM sensitive, or State listed species found in the Havasu Herd Area since the last analysis.

The bait trap areas will be in previously disturbed locations. Setting up temporary corral in these areas would mitigate impacts to all wildlife. Corrals placed in the already disturbed areas will also mitigate any impacts to cultural resources.

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:

Yes, the direct, indirect, and cumulative effects from the proposed action are similar to those analyzed in the existing NEPA documents.

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:

Yes, public involvement in the Lake Havasu Field Office RMP (May 2008), North Lake Havasu Burro Removal (EA-AZ330-2008-001), and the Havasu Herd Management Area Plan was extensive. Over 500 individuals and groups were notified and requested to provide comments to the proposed actions of the above plans.

E. Persons/Agencies/BLM Staff Consulted

Name	Title	Resource/Agency
Chad Benson	Wild Horse and Burro Specialist	BLM

Note: Refer to the EA for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

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.

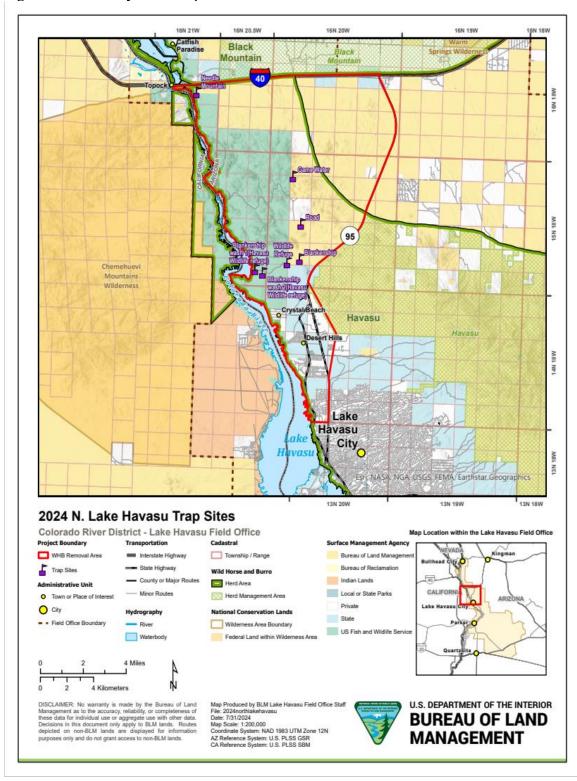
Chad Benson	07/31/2024
Chad Benson Project Lead	Date
Amanda Dodson Acting Field Manager	Date

Note: The signed <u>Conclusion</u> 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 and appeal under 43 CFR Part 4 and the program-specific regulations.

16N 21W 16N 20.5W 16N 20W 16N 19W Black Mountain 16N 18W 7N 23E 15N 6N 23E 95 Havasu 3 Lake Havasu City 13N 4N 23E Esri, NASA, NGA, USGS, FEMA/Earthstar Geographics 13N 18W 4N 25E 13N 19W 13N 20W 2024 N. Lake Havasu Removal Colorado River District - Kingman Field Office - Lake Havasu Field Office - Yuma Field Office **Project Boundary** Transportation Cadastral WHB Removal Area Interstate Highway Township / Range Bureau of Land Manage State Highway Bureau of Reclamation inistrative Unit County or Major Routes Indian Lands Herd Area Merd Manageme O City National Conservation Lands - Field Office Boundary State Wilderness Area Boundary US Fish and Wildlife Service Waterbody Federal Land within Wilderness Area 4 Kilometers DISCLAIMER: No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Decisions in this document only apply to BLM lands. Routes depicted on non-BLM lands are displayed for information purposes only and do not grant access to non-BLM lands. Map Produced by BLM Colorado River District Staff Fize: 2024northlakehavasu Date: 7/23/2024 Map Scalle: 1/200,000 Coordinate System: NAD 1983 UTM Zone 12N AZ Reference System: U.S. PLSS GSR CA Reference System: U.S. PLSS SBM U.S. DEPARTMENT OF THE INTERIOR **BUREAU OF LAND** MANAGEMENT

Figure 1: Burro Removal Area is within highlighted boundary.

Figure 2: Previously used Trap Sites



DECISION RECORD

Tracking Number: DOI-BLM-AZ-C030-2024-0030-DNA

Description of the Proposed Action: Havasu Herd Area 2024 Nuisance Burro

Removal

LUP Name: Lake Havasu Field Office Resource Management Plan

Date approved: May 10, 2007

INTRODUCTION/BACKGROUND:

The Lake Havasu Field Office is proposing to conduct a nuisance removal bait trapping of approximately 100 nuisance wild burros accessing Lake Havasu City and the Lake Havasu National Wildlife Refuge. The gather will be conducted in an area that is south of I-40, east of the Colorado River, west of State Route 95 (SR95) and north of Lake Havasu City. Burros are creating a public safety issue along local roadways and damaging refuge property.

The results of the November 2021 helicopter survey estimated a total of 304 burros in the Havasu Herd Management Area (HMA) and the Herd Area (HA). Approximately 91 burros were observed in the HA area north of Lake Havasu. In November 2021, the BLM removed approximately 53 burros from the area, and it is currently estimated that there are 146 burros in the area.

The BLM's management plan for the area does not include maintaining burros that are outside of HMA boundaries but are within HA's, nor maintaining burros that are within HA's that have not been designated as an HMA. This approach aims to manage the burro population in a sustainable manner.

The proposed action is substantially the same action and location (or is a part of that action) analyzed in environmental assessment (EA) EA-AZ330-2008-001.

Bait trapping is a method used to capture wild burros by enticing them into a corral with a one-way gate. The corral is constructed with panels and is placed in areas where the burros pose a threat to public safety or create a nuisance. Before initiating a bait trapping operation, it takes time to get the burros acclimated to eating hay and familiar with the panels. Once the burros begin to utilize the hay offered, a temporary corral is constructed around the bait site.

Bait trap sites are located on or near private land, or on public land in disturbed sites. The traps are temporary, and the areas used can be quickly reclaimed by removing the corral panels and raking up hay and manure.

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The gather and capture of these burros occurring at but not limited to these locations would follow the procedures under Bait Trapping in the Havasu HMA Gather Plan section IV. C Bait trapping. The EA analyzed the impacts to resources. The environmental consequences are evaluated from pages 8-11. Cumulative impacts are described on page 11.

PUBLIC INVOLVMENT:

The Public involvement and interagency review associated with the environmental assessment are adequate for the current proposed action. Title 43 CFR subpart 4720.2 removal of strayed or excess animals from private lands. BLM has received notification from landowners and city officials requesting the removal of animals causing public safety issues and strayed (excess) animals on to private lands.

A notice to the public is not necessary when:

- 1. Habitat or animal conditions require an immediate population adjustment.
- 2. They are considered strayed animal (nuisance) burros and horses.
- 3. Private landowners request burros to be removed from their lands.
- 4. Public Safety

However, as mentioned above affected interest that have requested to be kept updated for actions involving the Havasu HMA/HA will be notified of this action.

LAND USE PLAN CONFORMANCE:

The Proposed action is subject to and in conformance with the Bureau of Land Management (BLM) Lake Havasu Field Office Resource Management Plan (LHFO-RMP, 2007). The Area North of Lake Havasu City (west of SR 95 and east of the Colorado River) will be excluded from the Havasu HMA due to increasing population pressures, traffic concerns, refuge conflicts. Safety issues will continue to be handled as emergency/nuisance removals, receiving top priority to correct public safety concerns.

AUTHORITY:

The proposed action is in conformance with the FLPMA of 1976, the Lake Havasu RMP adopted in 2007, the regulations at 43 CFR§ 4700, 16 U.S.C 1331-1340 (Wild and Free Roaming Horse and burro Act of 1971); 43 U.S.C 1901-1908 (Public Rangelands Improvement Act of 1978) and with current BLM policies, plans and programs. The proposed action is consistent in relationship to statutes, regulations and policies of neighboring local, County, State, Tribal governments and other federal agencies.

RATIONALE:

Measures mitigating project impacts are incorporated by reference as the decision of the Bureau of Land Management regarding this action. The referenced EA show's that all practicable means to avoid or minimize environmental harm have been adopted and that unnecessary or undue degradation of the public lands will not occur as a result of the proposed gather project.

Decision:

In accordance with 43 United States Code 1701, it is my decision to approve the Bureau of Land Management, Lake Havasu Field Office proposal to continue to implement the capture plan for the removal of wild and free roaming burros from the Lake Havasu Herd Area to address public safety issues and nuisance complaints along Highway 95 and within the Lake Havasu City limits.

I find that the action conforms to the Lake Havasu Field Office Resource Management Plan (LHFO-RMP, 2007), and will not cause any unnecessary or undue degradation. I further find that Environmental Assessment North Lake Havasu Burro Removal EA (EA-AZ330-2008-001) fully covers the approved action as documented in the Determination of NEPA adequacy worksheet and constitutes the Bureau's compliance with the National Environmental Policy Act.

Measures mitigating project impacts are incorporated by reference as the decision of the Bureau of Land Management regarding this action. The referenced EA show's that all practicable means to avoid or minimize environmental harm have been adopted and that unnecessary or undue degradation of the public lands will not occur as a result of the proposed gather project.

Specifically, the Lake Havasu Field Office is approved to conduct bait trapping for the removal of 100 burros within the Havasu HA where they are creating public safety issues.

Under these conditions, the Authorized Officer is making the decision to remove burros which is under full force and effect in accordance with 43 CFR 4770.3(c).

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES:

This decision is issued effective immediately in accordance with title 43 Code of Federal Regulations 4770.3(c) to allow for the immediate removal of strayed/excess burros from the Lake Havasu HA.

Administrative remedies as described in Title 43 Code of Federal Regulations 4770.3 may be available to those who believe they would be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after

the notice of appeal is filed. The Notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Pacific Southwest Region, U.S. Department of Interior, 2800 Cottage Way, E-1712, Sacramento, CA 95825.

Pursuant to (43 CFR 2931.8) this decision shall remain effective pending appeal unless the Secretary of the Interior rules otherwise. If the appellant wishes to file a petition pursuant to regulation (43 CFR 4.21) for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board, the petition for a stay must accompany the notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the Notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the interior Board of Land appeals and to the appropriate office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If a stay is requested, the appellant has the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the Parties if the stay is granted or denied;
- (2) The Likelihood of the appellant 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. 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

Signature of the Responsible Official	Date
Amanda Dodson	
(Acting) Field Manager	
Lake Havasu Field Office	

Attachment:1 Form 1842-1

Form 1842-I

(September 2006)

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	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 <i>Notice of Appeal</i> 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 <i>Notice of Appeal</i> in time for it to be	
	filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).	
2. WHERE TO FILE		
NOTICE OF APPEAL	BUREAU OF LAND MANAGEMENT, LAKE HAVASU FIELD OFFICE, 1785 KIOWA AVE, LAKE HAVASU, AZ	
WITH COPY TO	86403 FIELD SOLICITOR, U.S. DEPARTMENT OF THE INTERIOR, SANDRA DAY O'CONNOR U.S. COURTHOUSE, SOLICITOR SUITE 404, 401 WEST WASHINGTON STREET, SPC 44, PHOENIX, AZ 85003-2151	
3.STATEMENT OF REASONS.	Within 30 days after filing the <i>Notice of Appeal</i> , 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 <i>Notice of Appeal</i> , no additional statement is necessary (43 CFR 4.412 and 4.413).	
WITH COPY TO SOLICITOR	FIELD SOLICITOR, U.S. DEPARTMENT OF THE INTERIOR, SANDRA DAY O'CONNOR U.S. COURTHOUSE, SUITE 404, 401 WEST WASHINGTON STREET, SPC 44, PHOENIX, AZ 85003-2151	
4.ADVERSE PARTIES	Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the <i>Notice of Appeal</i> , (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 4.40l(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 <i>Notice of Appeal</i> (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 <i>Notice of Appeal</i> (43 CFR 4.21 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 <i>Notice of Appeal</i> 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 . 4 0 2). Be certain that all communications	

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.

(Continued on page 2)

43 CFRSUBPART 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 ------ 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)