DECISION RECORD
McCourt Road Right-of-Way

DECISION
It is my decision to approve the issuance of a road right-of-way (ROW) grant for the construction and maintenance of a road within a 20 foot wide by 1,400 foot long ROW across BLM lands to access private property as described in Chapter 2, Proposed Action, of the McCourt road right-of-way Environmental Assessment (EA). The proposed ROW is located in Siskiyou County, California, specifically within the southeastern corner of Township 45 N., Range 2 E., section 4.

The authorizations would be granted for a 20-year renewable term. Stipulations, terms and conditions which were considered in Chapter 5 of the EA would apply to construction, operation and maintenance of the ROW. See Appendix 1 attached.

The permit would be made under the authority of and is subject to the terms and conditions in 43 CFR 2800.

This decision is effective immediately.

LAND USE PLAN CONFORMANCE
This proposed action is subject to the following use plan(s): Alturas Resource Management Plan (RMP) and Record of Decision (ROD), approved on April 2008. Section 2.7.6 in the RMP explains how the BLM would respond to public needs for land use authorizations such as ROWs, leases and permits. The proposed action has been determined to be in conformance with this plan as required by regulation (43 CFR 2800).

RATIONALE FOR THE DECISION
An EA was written analyzing the impacts of the action on issues/resources that were identified through both internal and external scoping. Based on the impact analysis there was a Finding of No Significant Impact, therefore, an Environmental Impact Statement is not necessary.

PUBLIC INVOLVEMENT
The BLM Applegate Field Office conducted internal scoping with an interdisciplinary team of specialists as well as coordination and scoping with the local tribes. The final EA was also posted to the BLM website and links were sent out to interested parties and made available for appeals. The BLM received no comments.

ADMINISTRATIVE REVIEW PROCEDURES
This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR) Part 4, and the information provided in BLM Form 1842-1.

If an appeal is taken, your notice of appeal must be filed in the Applegate Field Office, Bureau of Land Management, U.S. Department of the Interior, 708 W 12th Street, Alturas, CA  96101, within 30 days.
from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, 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 the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

**Standards to 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.

**CONTACT PERSON**

For further information regarding this project please contact, Dan Ryan, at (530) 279-2719.

/s/ Dennis A. Sylvia                        4/22/2015

Dennis A. Sylvia PhD., Applegate Field Manager       Date

Attachment: 2

1. Form 1842-1
2. Appendix 1

Decision Record for EA # DOI-BLM-CA-N070-2015-0010-EA Boulder Reservoir Gravel Pit 2