

DECISION RECORD ADDENDUM

The purpose of this addendum is to clarify the appeals process for this project, including the date that all appeals must be received in order to be considered. All appeals must be received by the issuing office within 30 days of the signature of the issuing office. The appeal process is as follows:

Administrative Appeals Process

This decision is effective immediately. 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 enclosed Form 1842-1.**

Notice of Appeal

If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from signature of this decision. A copy of the notice must also be filed with the Office of Regional Solicitor. The appellant has the burden of showing that the decision appealed from is in error. In addition, an appellant must be a party to the decision and also must show that they are adversely affected by the decision.

Petition for Stay

If you wish to file a petition 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 (43CFR 4.21). 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). If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Accept 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.

Statement of Reasons

If an appellant chooses not to provide his or her reasons for appealing at the time the notice of appeal is filed as explained above, a statement of reasons must be filed with the Interior Board of Land Appeals within 30 days after filing the notice of appeal. A copy of the statement of reasons must also be filed with the Office of the Regional Solicitor at the Sacramento address. If the appellant fully stated his or her reasons for appealing when filing the notice of appeal, no additional statement is necessary.