



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Nevada State Office
1340 Financial Boulevard
Reno, Nevada 89502-7147
<http://www.blm.gov/nevada>

DEC 09 2019

In Reply Refer To:
3100 (NV920)

CERTIFIED MAIL 91 7199 9991 7039 9487 4144

DECISION

Michael and Janis Sullivan : Protest of Parcels in the
430 Bannock St. : November 12, 2019
Mesquite, NV 89027 : Competitive Oil and Gas Lease Sale

Protest Dismissed Parcels Offered For Sale

On September 30, 2019, the Bureau of Land Management (BLM), Nevada State Office (NVSO), timely received a protest¹ from Sullivan, et al (Sullivan), which protested 19 of the 263 parcels scheduled to be offered at the November 12, 2019 Competitive Oil and Gas Lease Sale (the Sale) as analyzed in the Ely District Office's (EYDO) Environmental Assessment (EA), DOI-BLM-NV-L000-2019-0004-EA and FONSI.² Sullivan protested an additional 55 parcel serial numbers that are not related to the November 2019 Sale. The Sullivan protest consists of four form letters that made the same substantive points.

To comply with the Preliminary Injunction (PI) in Western Watersheds Project et al. v. Schneider et al. dated October 16, 2019 (Case No. 1:16-CV-83-BLW), all 165 parcels in Greater Sage-Grouse habitat scheduled to be offered at the November 12, 2019 sale have been deferred for further analysis, and an additional 50 parcels have been deferred from the Sale for other resource concerns, leaving 48 parcels to be offered in the Sale.

DECISION

The BLM has removed all parcels protested by Sullivan from the November 2019 Competitive Oil and Gas Lease Sale for further analysis and review, therefore this protest filed by Sullivan has been dismissed, and the remaining 48 parcels were offered for sale on November 12, 2019.

¹ The protest is posted on the BLM website, located at: <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/regional-lease-sales/nevada>

² The EA and FONSI are posted to the BLM's ePlanning website with links to the documents located at: <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/regional-lease-sales/nevada>

APPEAL INFORMATION

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 Form 1842-1 (enclosed). If an appeal is taken, a notice of appeal and/or request for stay must be filed in writing, on paper, in this office, either by mail or personal delivery within 30 days after the date of service. Notices of appeal and/or request for stay that are electronically transmitted (e.g., email, facsimile, or social media) will not be accepted as timely filed. The notice of appeal is considered filed as of the date our office receives the hard copy and places our BLM date stamp on the document.


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 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 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'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.

If you have any questions regarding this decision, please contact Brian C. Amme, Deputy State Director, Minerals Division, at (775) 861-6585.


for Jon K. Raby
State Director

Enclosure:

1- Form 1842-1

cc: Elmer R. Bley
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cc (electronic):

WO310

NVL0000

NVL0100

NVL0300

NV0920 (B. Amme)

NV0922 (K. Anderson, F. Kaminer, J. Menghini, J. Estrella)

bcc: Erica Niebauer, Office of the Solicitor, Pacific Southwest Region,
2800 Cottage Way, Room E-1712, Sacramento, California, 95825
Lease Sale Book November 2019
Reading File: NV-922