



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

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2822 (CA-170.2) P

To Whom It May Concern:

I have made a land use decision to implement emergency stabilization actions as described in the Inyo Complex Fire Emergency Stabilization Plan and Environmental Assessment (09/05/07). This decision includes emergency stabilization actions and rehabilitation measures to monitor and prevent invasive weed species proliferation, promote natural revegetation, and protect cultural resources on public lands recently burned in the Big Pine and Independence, CA area.

I am issuing this decision as "Full Force and Effect" under authority delegated to BLM which means the decision can be implemented 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. If an appeal is taken your notice of appeal must be filed in this office (at the above address) within 30 days from the date of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If any individual or party wishes to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the 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 or require assistance regarding appeal procedures, please contact Katie Vinzant, our Natural Resource Specialist or Joe Pollini, our Assistant Field Manager at this office.

Sincerely,

/s/ Bill Dunkelberger
Bill Dunkelberger
Bishop Field Office Manager