

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

DECISION RECORD

CA-660-07-10

NAME of PROJECT: Coachella Valley Land Sale

DECISION: It is my decision to approve the proposed sale of public lands as described in Environmental Assessment (EA) number CA-660-07-10, with the following modifications:

1. Parcel # 4, which the appraiser concluded could not be developed and was valued at \$15,000 will not be offered for sale at this time.
2. In response to a request by the Coachella Valley Water District (CVWD), parcel 19 will be offered for sale directly to the CVWD at fair market value and will not be available for sale by competitive bidding. In the event CVWD declines to purchase parcel 19, it may be offered for competitive bidding in a future land sale.
3. Parcel #46, which is subject to a prior conveyance to the Metropolitan Water District of Southern California under the Act of June 18, 1932, will not be offered for sale at this time.

The public parcels will be sold for not less than their fair market value as determined by an appraisal that has been reviewed and approved by the Department of the Interior's Appraisal Services Directorate. In determining the current fair market value, the appraiser discounted the value of certain parcels due to the designation of open space in Riverside County's 2003 General Plan. The appraiser concluded that designation of open space precluded immediate development of those parcels and that any change in the designation from open space to rural residential was approximately one year away. It is my decision that the public parcels currently designated for open space be offered for sale at a minimum bid that values the parcels as if they were currently designated for rural residential use and available for development. The land use designation for each parcel in Riverside County's General Plan shall be disclosed on the final list of parcels available for sale.

RATIONALE: The approved action is in conformance with applicable land use plans and will not cause unnecessary or undue degradation.

Parcel #4 is likely to increase in value as nearby private lands are developed bringing road access and utilities closer to the parcel. BLM has concluded it is in the public interest to not offer this parcel for sale at this time

The CVWD operates a water tank and pump station on parcel 19, and these facilities encumber approximately 1 acre of the 5 acre parcel. CVWD has indicated they need additional lands for future expansion to serve the Coachella Valley. Section 203 of the Federal Land Policy and Management Act provides for the sale of public lands without competitive bidding in order "...to recognize equitable considerations or public policies.." The direct sale of parcel 19 to the CVWD recognizes their existing interest in the parcel as well as the public policy consideration of providing for expansion of water service infrastructure in the Coachella Valley. 43 Code of

Federal Regulations 2711.3-3 provides that direct sales may be used when, in the opinion of the authorized officer, a competitive sale is not appropriate and the public interest would best be served by a direct sale. I have concluded that the public interest would best be served by a direct sale of parcel 19 to the CVWD to provide additional water storage capacity to serve the public.

The Metropolitan Water District of Southern California (Metropolitan) has informed BLM that they continue to use certain lands in Parcel # 46 which were granted to them under the Act of June 18, 1932 for a transmission line. Because Metropolitan continues to have an active interest in these lands, it would not be appropriate to convey parcel 46 into private ownership.

The lands proposed for sale have been examined in accordance with section 120(h) of SARA. No evidence was found to indicate that any hazardous substances were stored for one year or more or disposed of or released on the lands.

FINDING OF NO SIGNIFICANT IMPACT: Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided in the attached EA, I conclude the approved action is not a major federal action and will result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. Preparation of an Environmental Impact Statement to further analyze possible impacts is not required pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969.

APPEALS: 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 Form 1842-1 (enclosed). If an appeal is taken, your notice of appeal must be filed in the Palm Springs-South Coast Field Office, Bureau of Land Management, U.S. Department of the Interior, P.O. Box 581260, North Palm Springs, California 92258, 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 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 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.

APPROVED



John Kalish, Field Manager

5/9/07
Date

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