

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

**DECISION RECORD
CA-660-06-28**

NAME of PROJECT: Travertine Project CACA-45667

DECISION: It is my decision to approve the proposed action (a right-of-way for the Jefferson Street access road portion of the proposed action across public land) as described in Environmental Assessment (EA) number CA-660-06-28. The approved action is in conformance with applicable land use plans and would not cause unnecessary or undue degradation. In approving the proposed action, I solicited the comments of local jurisdictions, Native American tribes and U.S. Fish and Wildlife Service. No comments were received during the public comment period for the draft EA or after publishing of the final EA.

“The Jefferson Street right-of-way (ROW), which is intended to provide secondary access to the development site, would extend across public land located in the northwest corner of Section 32, T. 6S., R 7E., SBBM. The ROW would be approximately 1600 feet long and 100 feet wide. The access road, constructed within the ROW, would consist of four paved lanes (two in either direction), without a median. Buried utilities planned within the road ROW would include water and sewer lines, electric distribution line up to 69kv and storm drains. Dry utilities (e.g., cable television, telephone and a natural gas line) would also be buried in the ROW. The approved right-of-way would include a short term authorization to use an adjacent 50 feet on either side of the right-of-way for construction purposes. Upon completion of the access road, the holder shall provide an as-built map showing the location of all utilities placed within the ROW”.

The right-of-way shall be subject to stipulations requiring compliance with all mitigation measures identified in the EA which involve public lands under the administrative jurisdiction of the BLM. The right-of-way shall also require compliance with all mitigation measures identified in the EA involving non-federal (private) lands where those measures involve the BLM's obligations under section 7 of the Endangered Species Act and section 106 of the Historic Preservation Act.

FINDING OF NO SIGNIFICANT IMPACT: Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided in the attached EA, and not having received any comments on this project, I conclude the approved action is not a major federal action and would 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, 690 West Garnet Avenue, P.O. Box 581260, North Palm Springs, California 92258, within 30 days from the date of mailing and the Record of Decision being posted on BLM's website. 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 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 appellants 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 BY: _____

Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
U.S. Department of the Interior
690 W. Garnet Avenue; P.O. Box 581260
North Palm Springs, CA 92258

_____ Date