

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT - APPLGATE FIELD OFFICE

DECISION RECORD

**Boulder Reservoir Free Use Permit
EA # DOI-BLM-CA-N070-2015-010-EA**

DECISION

It is my decision to approve the issuance of two Free-Use permits for the operation of the Boulder Reservoir gravel pit as described in Chapter 2, Proposed Action, of the Boulder Reservoir Gravel Pit Environmental Assessment (EA). The permits would allow Washoe County and BLM to extract and process sand and gravel from the proposed area. The proposed gravel pit is located in northern Washoe County, Nevada, specifically within the northeastern corner of Township 41 N., Range 20 E., section 34.

The authorizations would be granted for renewable 10-year terms. Stipulations, terms and conditions which were considered in Chapter 5 of the EA would apply to operations of the pit. See appendix 1 attached.

The permit would be made under the authority of and is subject to the terms and conditions in 43 CFR 3600.

This decision is effective immediately.

LAND USE PLAN CONFORMANCE

This proposed action is subject to the following use plan(s): Surprise Resource Management Plan (RMP) and Record of Decision (ROD), approved on April 1, 2008.

The proposed action has been determined to be in conformance with this plan as required by regulation (43 CFR 3600).

RATIONALE FOR THE DECISION

An EA was written analyzing the impacts of the action on issues/resources that were identified through both internal and external scoping. Based on the impact analysis there was a Finding of No Significant Impact, therefore, an Environmental Impact Statement is not necessary.

PUBLIC INVOLVEMENT

Consultation was held with the Fort Bidwell Tribe on February 14, 2015, with the Summit Lake Paiute Tribes on January 17, 2015, and with the Susanville Indian Rancheria on January 9, 2015. This consultation resulted in no concerns. The preliminary EA was made available for a 15 day public review and comment period from March 30 through April 14, 2015. The BLM received no comments.

ADMINISTRATIVE REVIEW PROCEDURES

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 BLM Form 1842-1.

If an appeal is taken, your notice of appeal must be filed in the Surprise Field Office, Bureau of Land Management, U.S. Department of the Interior, 602 Cressler Street, Cedarville, CA 96104, 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 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 to 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.

CONTACT PERSON

For further information regarding this project please contact, Dan Ryan, at (530) 279-2719.

/s/ Dennis A. Sylvia

4/18/2015

Dennis A. Sylvia PhD., Applegate Field Manager

Date

Attachment: 2

- 1. Form 1842-1
- 2. Appendix 1