



U.S. Department of the Interior
Bureau of Land Management

Salmon Field Office
1206 South Challis Street
Salmon, Idaho 83226

Decision Record/Finding of No Significant Impact

Salmon Travel Management Plan (North Half) Environmental Assessment
ID-340-2009-EA-3581

October 2010

NOTICE OF FIELD MANAGER'S PROPOSED DECISION

This document contains the Bureau of Land Management's (BLM) decision implementing comprehensive trails and travel management for the northern portion of the Salmon Field Office (SFO).

The SFO first addressed the need for more active transportation management with the completion of the 2001 Lemhi Resource Management Plan Amendment (RMPA). Prior to 2001, public lands throughout the SFO were, for the most part, open to cross-country motorized travel. Decisions made within the RMPA resulted in limiting motorized travel within most of the Field Office to "existing vehicle roads, ways and trails [USDI – BLM, 2001, p. 11]"; with subsets of the Field Office "limited to designated roads and trails."

Since the 2001 RMPA, the SFO has completed a comprehensive inventory of existing roads, primitive roads, and trails through the use of aerial photo analysis and ground verification. In 2004, the SFO published the "Salmon Area BLM Travel Guide". This map is free to the public, showing current travel designations and restrictions.

The 2001 RMPA guidance also recognized that the existing network of inherited roads and trails might not necessarily be the most appropriate or desirable transportation system for the long term, and directed the SFO to: "Reassess OHV management throughout the Field Office area no later than 2007 to determine if changes in management would be appropriate to achieve the broadest range of use opportunities."

With necessary route inventories completed in 2007, the SFO began a travel planning public outreach effort in the winter of 2008. Two "open house" meetings were held in Salmon and Tendoy, Idaho. Approximately 145 invitations to the open house meetings were mailed to a variety of individuals, user and interest groups, public officials, BLM permittees, and other government agencies. The meetings were also announced in regional newspapers, on the local radio station (Salmon), and with flyers posted throughout the community. During these meetings, the public was invited to review maps of the existing network of roads and trails; identify any mistakes in the inventory; describe the kind of travel system which would best suit their needs; and provide written comments and concerns. A total of approximately 30 people attended these two meetings. During 2008, the SFO staff responded to invitations to attend public meetings and provide a travel planning overview to the Salmon City Council, Backcountry Horsemen, and the Rotary Club. The SFO staff also attended a number of informal meetings with private individuals, stakeholders and local government officials.

In order for the public to track the progress of the planning effort, the SFO established a Travel Plan webpage in November 2008:

http://www.blm.gov/id/st/en/fo/salmon/travel_management.html.

The webpage was populated with maps of the planning area, maps of the existing route network, schedules for public meetings, an email address for comments, and other related planning documents and information.

In January of 2009, the Salmon Valley Stewardship, a local non-profit organization, recruited and organized a travel planning work group made up of a diverse cross-section of local citizens, resource and user advocate groups, and local government officials and commercial interests. The work group held a series of six meetings that continued through the spring 2009. The BLM was invited to attend the afternoon work group sessions and provided an opportunity to hear, in detail, the diverse issues and concerns surrounding public access.

The SFO and Lemhi County also entered into a Memorandum of Understanding (MOU), establishing Lemhi County as a “Cooperating Agency” in the travel planning effort. The Cooperating Agency role derives from the *National Environmental Policy Act of 1969* (NEPA) which calls on federal, state, and local governments to cooperate in planning efforts to identify common goals and improve communication, understanding, and the overall quality of management of public lands.

In 2009, BLM staff and resource specialists began working through a route-by-route review process resulting in a proposed action and three travel management alternatives. The SFO hosted two public meetings in September of 2009 for the public to review and comment on the proposed action, alternatives, and changes to the existing Resource Management Plan. A total of about 20 people attended these meetings.

Unless explicitly stated in the alternative description, all travel limitations, restrictions and/or exceptions identified in the 2001 RMPA would remain in effect (Attachment 1 of the Environmental Assessment (EA)).

Key Issues and Concerns:

The SFO identified numerous travel planning issues as a result of comments and concerns received through an extensive public involvement process and internal scoping. The following key issues were identified and are summarized below:

1. *Maintaining motorized recreation opportunities and administrative access:* Comments received at the public open house meetings focused on the need to maintain existing motorized access to public lands. These comments reflect a tradition and emphasis on motorized recreational use in Lemhi County. Many non-motorized users also recognized the need to continue this use within the constraints of a designated route system. Several comments came from public land grazing permittees stating their need to maintain access for administrative purposes, such as maintaining fences and livestock watering facilities.
2. *Protecting the planning area’s natural and cultural resources:* Public and internal comments emphasized the need to limit access and reduce route density where appropriate to protect a variety of resource values. Comments noted the planning area serves as important winter range for a variety of wildlife species, and accelerated erosion can occur due to the steep roads located on erosive soil types within the planning area. Recommendations to achieve these goals included eliminating: 1) steep routes wherever possible; 2) duplicate or redundant routes; 3) routes no longer demonstrating use; and 4) short, abbreviated segments of road pioneered from regularly traveled routes with no apparent recreation or administrative value.

3. *Providing for a designated route system which is implementable, maintainable and manageable:* Throughout the public outreach and planning process, comments included public concern regarding the BLM's lack of ability to effectively sign, maintain, and enforce travel regulations and restrictions within the SFO.
4. *Providing for a designated route system which is adaptable to meet the area's current and future recreation and non-recreation motorized and non-motorized demands:* Interdisciplinary Team and public comments emphasized the need to provide for a travel route system which can adapt to new information and future recreation and non-recreation needs.
5. *Providing public access to public lands where restricted or blocked by private land:* Throughout the public scoping process, local residents expressed concern about the increasing number of BLM roads and large blocks of public lands no longer accessible to motorized use due to gated or posted closures on private lands.
6. *Providing non-motorized trails and opportunities for mountain bike riding:* For several years now, a number of residents from the city of Salmon have expressed interest in having some of the more popular, existing single track bike trails designated as limited to non-motorized use.

An interdisciplinary team met frequently to analyze comments, offer proposed changes, create and analyze alternative management strategies, and complete an environmental analysis as required by NEPA. The public was notified by postal mail and via the BLM web site of this completed EA and the proposed decision. Any comments received regarding this proposed decision will be reviewed and considered by the interdisciplinary team and appropriate changes to the EA will be made.

This decision will implement the Salmon Travel Management Plan (TMP) to meet the Purpose and Need of the EA and provide a system of designated routes to ensure a wide variety of motorized and non-motorized recreation opportunities while protecting important resource values.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

I have reviewed the direct, indirect and cumulative effects of the alternatives documented in the EA (ID-340-2009-EA-3581) for the TMP (North Half). I have also reviewed the project record for this analysis and the effects of the proposed action and alternatives, as disclosed in the Alternatives and Environmental Impacts sections of the EA. I have determined the travel management plan of the selected alternative is in conformance with the Lemhi Resource Management Plan (RMP, 1987) relating to: Air Quality, Areas of Critical Environmental Concern/Research Natural Areas, Biological Diversity, Cultural Resources, Fire Management, Fisheries, Floodplain/Wetland Areas, Forest Resources, Land Tenure and Access, Livestock Grazing, Minerals – Energy and Non-Energy Leasable, Saleable and Locatable, Noxious Weed Infestations, Off-Highway Vehicle Use, Paleontological Resources, Recreation Opportunities

and Visitor Use, Riparian Areas, Special Status Species, Transportation, Tribal Treaty Rights, Upland Watershed, Visual Resources, Water Quality, Wilderness Study Areas – Management if Released from Wilderness Review, Wildlife Habitat and Wild and Scenic Rivers.

Implementing regulations for NEPA (40 CFR 1508.27) provide criteria for determining the significance of effects. Significant, as used in NEPA, requires consideration of both context and intensity.

(a) Context. This requirement means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant (40 CFR 1508.27):

The disclosure of effects in the EA found the actions limited in context. Effects are local in nature and are not likely to significantly affect regional or national resources.

(b) Intensity. This requirement refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27).

(1) Impacts that may be both beneficial and adverse.

The analysis documented in ID-340-2009-EA-3581 did not identify any individually significant short- or long-term impacts.

(2) The degree to which the proposed action affects public health or safety.

No significant effects on public health and safety were identified in the EA.

(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

No significant effects on unique characteristics of the geographic area, historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas were identified in the EA.

(4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Public and tribal comments gathered through the process did not identify effects on the quality of the human environment that were likely to be highly controversial. The comments received were very helpful in identifying relevant issues, desired routes and desired future conditions of the natural resources. No significant individual or cumulative impacts are anticipated as a result of this action.

(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The analysis did not identify any effects on the human environment which are highly

uncertain or involve unique or unknown risks. The use of off-highway vehicles on public lands has been well-established for decades, and has been documented on roads and trails throughout the field office.

(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The analysis showed how the alternatives would implement direction in the Lemhi RMP, as amended, and would not establish precedent for any future actions. Implementation of this decision anticipates future actions and provides criteria for addressing them under separate analyses required by NEPA.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The analysis did not identify any known significant cumulative effects (EA #ID-340-2009-EA-3581).

(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

Consultation under the National Historic Preservation Act (NHPA) of 1966 (as amended) has been conducted in accordance with the BLM National Programmatic Agreement and the implementing Protocol agreement between Idaho BLM and Idaho State Historic Preservation Office. The analysis showed that the alternatives would not result in adverse effects to cultural or historical resources.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The Alternatives may affect, but are not likely to adversely affect, listed species. Alternatives 2, 3 and 4 reduce the number of miles that can be used by the public for travel. This reduction decreases the impacts to habitat used by listed species and impacts to the species themselves.

(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The analysis in the EA shows that the alternatives are consistent with Federal, State, and local laws or requirements imposed for protection of the environment.

I have reviewed the Council on Environmental Quality Regulations (CEQ) for significance (40 CFR 1508.27) and have determined the actions analyzed in the EA would not constitute a major Federal action that would significantly affect the quality of the human environment; therefore an Environmental Impact Statement is not required.

PROPOSED DECISION

My decision is to implement Alternative 2 and portions of Alternative 3 as described in EA #

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ID-340-2009-EA-3581, for the SFO TMP (North Half):

The SFO will provide for motorized travel over approximately 366 miles of existing roads, primitive roads, and trails. Most of the routes (167 miles) that will not be designated are due to lack of legal public access to the routes, routes duplicating an adjacent route, or short user created routes not allowing public access to additional areas (Map # 3, Alternative 2 and Table 1 of the EA).

The following actions described and analyzed in the EA will occur:

1. Existing travel limitations and exceptions: Unless explicitly stated in the alternative description, all travel limitations, restrictions and/or exceptions identified under the 2001 amendment to the Lemhi RMP would remain in effect (Attachment 1).
2. Methods of route closure: A variety of closure methods would be available depending on site specific circumstances. In general, minimum closure techniques supporting resource needs would be used. Methods of closure may include one or more of the following activities: signing, natural rehabilitation, obscuring the road entrance, blocking the road entrance, and/or scarifying, seeding and/or planting the road surface. Physical route rehabilitation would not occur in the following areas without further analysis under the NEPA:
 - a. Within 0.6 miles of an active greater sage-grouse lek, between 3/1 and 6/30.
 - b. Between 11/15 and 3/15 on WS-1 (big game and sage-grouse winter range) lands as described in the Lemhi RMP (1987).
3. Route obliteration techniques including scarifying the soil in the road bed, seeding, and vertical mulching would mimic the existing texture, form, line, color, and scale of the existing landscape. Any barrier construction would consist of natural materials incorporated into the existing landscape where feasible.
4. Appropriate and applicable project-related clearances and consultation processes (such as NHPA Section 106 cultural resources survey, mitigation and consultation with Idaho State Historic Preservation Office and the Shoshone-Bannock Tribes) would be completed prior to any undertaking, including any ground-disturbing activities, re-routes, new routes and physical route closures.
5. Provide for the continued exercise of tribal treaty rights and ceremonial activities, including access. Identify and consider Native American issues and concerns in order to accommodate treaty and other legal rights of appropriate Native American groups in the multiple-use management of public lands. Consult with the Shoshone-Bannock Tribes on a case-by-case basis prior to project implementation in order to assess the potential effects to reserved treaty rights and cultural resources of concern to the Tribes.
6. Route Maintenance: Both motorized and non-motorized road and/or trail segments could receive periodic maintenance including smoothing of tread, removal of rocks or other obstacles, installation of rolling dips or water bars, cleanout of water bars, and repair of

gullies and rills on the route surfaces. Maintenance of full-sized motorized routes may require mechanized equipment, whereas maintenance of single track trails would be carried out with the use of hand tools. These activities would not occur during the time-frames and in the areas described above under Action 2.

7. Despite the efforts of personnel to “ground truth” existing routes within the planning area, some errors may still be identified on the maps and they would be corrected as they are found. Correction of mapping errors would not change the affects of any of the alternatives and routes would not be added to the alternatives. Maps would be corrected as necessary to accurately reflect the route on the landscape.
8. Within the planning area, all motorized travel would be limited to designated roads, primitive roads and trails, thereby eliminating the current category of “limited to existing” routes.
9. Unless a route is signed or mapped as open, it would not be designated for motorized use.
10. In accordance with 43 CFR §8341.2 with regard to off-highway-vehicle (OHV) use:

“Where off-road vehicles are causing or will cause considerable adverse effects upon soil, vegetation, wildlife, wildlife habitat, cultural resources, historical resources, threatened or endangered species, wilderness suitability, other authorized uses, or other resources, the affected areas shall be immediately closed to the type(s) of vehicle causing the adverse effect until the adverse effects are eliminated and measures implemented to prevent recurrence.”
11. Non-reflective materials would be utilized for route signage.
12. New route or re-route construction of roads designated open to full-size vehicles would be implemented using standard engineering and construction techniques as appropriate. For maintenance of segments designated as restricted to ATVs, a small trail dozer, mini-excavator or equivalent would be used as the primary piece of mechanized equipment to undertake corrective action. The footprint made by a mini-excavator is less than 5 feet wide and new variable width track trail dozers are even less (designed for single-track trail building). Over time, the initial footprint diminishes as cuts slough off and vegetation re-establishes itself. Proposed construction and maintenance efforts for all routes would likely result in disturbance footprints beyond the existing tread width, but would be limited to the minimum disturbance necessary. Construction and maintenance of single-track trail segments would be accomplished using hand tools. Construction would not take place during the timeframes described under Action 2 in “Actions common to All Alternatives”.
13. New routes and re-routes built on upland slopes would be designed to reduce the potential for increased soil movement by using specifications that address slope stability, grade, and gradient with installation of water bars, leaving and /or re-establishing vegetation, and/or following and fitting route locations to the natural terrain as closely as possible. New

surface disturbance would take into account the character of the landform, natural contours, cut material, depth of cut, where the fill material would be deposited, resource concerns, and visual contrast.

14. Re-routes #1 and #2: Two existing roads (Maps #6 and #7) would be re-routed and the new routes would be designated as “open”. Each existing road is approximately 0.1 miles and would be closed, re-contoured and rehabilitated (seeding, planting and installation of water control structures) to reduce accelerated erosion.
15. Re-routes #3 and #4: Construct and designate as “open” two segments of new vehicle road. Re-route #3 would be approximately 0.2 miles to go around private land where there is currently no legal access. Re-route # 4 would be approximately 0.3 mile to go around USFS land where there is currently no legal access. (Maps #8 and #9).
16. A BLM approved seed mix would be used when disturbances from route closures or rehabilitation are planted and seeded.

Approximately 28 miles of additional motorized access described and analyzed in Alternative 3 of the EA will be designated as “open” as long as access across private land is being provided to all members of the public (Map #4, Alternative 3 and Table 1 in the EA). These routes have no legal public access (public easement instrument) across private land to reach the BLM route. Some routes are currently available to the public; the landowner allows access across the private land even though there is not a legal requirement (public easement instrument) to do so. Other routes are currently unavailable to the public; the land owner either does not allow public access or allows only a small portion of the public access. As long as the private landowner allows access across his private land to all members of the public, the route will be designated as “open”. If, at anytime the private landowner ceases to allow access to all members of the public, the road will not be signed as designated “open”.

All routes located on public land authorized by the BLM under a Right-of-Way Grant will be designated as open. If a person needs to cross private land to get to a BLM authorized route and there is legal public access across the private land, the route will be designated. If there is no public access across the private land, the route will not be designated. Excluding those routes where access is being allowed (Map #4, Alternative 3 and Table 1 in the EA).

This decision attempts to maximize the opportunity for motorized public access to public lands while recognizing the inherent conflicts arising out of private landowners exercising discretion over who can have access to certain public roads or trails. All of the above described actions (#1-15) will apply.

This decision pertains only to the northern portion of the SFO as described in the EA. The rest of the Field Office area will continue to be managed as described in the 2001 amendment to the Lemhi RMP until a travel management plan is developed for the remaining portion of the Field Office area.

RATIONALE

These provisions of Alternatives 2 and 3 were chosen because they best meet the purpose and need to:

- 1) Change from “limited to existing routes” category and formally designate specific roads and trails on which vehicle use is allowed, thereby improving BLM’s ability to provide the public with a clear delineation of available routes through the publication of maps and installation of designated route markers and portal signs;
- 2) Reduce the potential for impacts from increasing recreational use on cultural and natural resource values;
- 3) Provide a transportation system that meets the needs of the public land users; and
- 4) Reduce use conflicts associated with private and public lands interface.

The development of this plan meets the 2001 RMPA decision to reassess OHV management in the Field Office area to determine if changes in management are appropriate to achieve the broadest range of use opportunities. This plan considers the need for access, recreation opportunities, public safety, user conflicts, the ability to properly maintain roads, and resource concerns (2001 RMPA, pg 4).

All alternatives analyzed in the EA designate specific routes on which vehicle use is allowed, thereby improving BLM’s ability to provide the public with a clear delineation of available routes through the publication of maps and installation of designated route markers and portal signs.

Alternative 1, Existing Management, does the least to limit the potential for impacts from increasing recreation use and provides the transportation system offering the greatest number of route miles for use by public land users. This Alternative does not reduce conflicts associated with private and public land interface.

Alternative 4, Minimum Access, does the most to limit potential for impacts from increasing recreation use and provides the transportation system offering the least number of route miles for use by public land users. This Alternative does not designate routes across public lands where no “legal” access across private land to get to those routes exists. This reduces conflicts by decreasing the incentive for users of public land route users to want to cross private lands where there is no “legal” access. The limited route network proposed under Alternative 4 would increase recreation based conflicts by concentrating multiple uses in areas with high recreation value and opportunity. This alternative provides the least amount of public access and recreation opportunity and would not be compatible with existing recreation demands.

Alternative 2, limits potential for impacts from increasing recreation use by not designating approximately 167 miles of routes that are currently available for public use. The majority of these routes were not designated due to:

- 1) Lack of legal public access to the routes;
- 2) Routes duplicated adjacent routes; or
- 3) Short user created routes not allowing public access to additional areas;

This alternative provides a transportation system of 366 miles of routes for public use. This Alternative does not designate any routes where there is no “legal” access across private land to

those routes. This reduces conflicts by decreasing the incentive for public land users to want to cross private lands where there is no “legal” access.

Alternative 3, limits potential for impacts from increasing recreation use by not designating 139 miles of routes currently available for public use. The majority of these routes were not designated due the routes duplicating adjacent routes or the routes were short user created routes not allowing public access to additional areas. This alternative provides a transportation system of approximately 394 miles of routes for public use. This alternative does designate routes on public land where there is no legal access across private land; however landowners are providing access across their private to all members of the public.

By deciding to implement Alternative 2 and the additional routes from Alternative 3 where access is being provided to all members of the public, the BLM can provide a transportation system that meets the needs of the public land users while reducing use conflicts associated with private and public lands interface. If, at any future time, the landowner ceases to allow verbal or written access across private lands to all members of the public to access BLM authorized routes, then the routes on BLM managed lands will be undesignated.

AUTHORITY

The authority for the Travel Management Plan (TMP designations is located in the Code of Federal Regulations (CFR). Designations of areas and trails as open, closed or limited to motorized use is required and authorized under 43 CFR §8342 Designation of Areas and Trails. These designations would be effective upon issuance of the Decision Record. Designation of areas open, closed or limited for motorized and other uses, or conditions of use, is authorized under 43 CFR §8364.1.

The Decision is in conformance with the current Lemhi Resource Management Plan, as amended.

The authority for which this Decision made is also found within the following 43 CFR §8340 citations:

Subpart 8340 – General

8340.0-3 Authority: The provisions of this part are issued under the federal Land Policy and Management Act of 1976 (43 U.S.C. 170 et seq.); The Taylor Grazing Act (43 U.S.C. 315a); the Endangered Species Act (16 U.S.C. 1531 et seq.); the Wild and Scenic Rivers Act (16 U.S.C. 1281c); the Act of September 15, 1960, as amended (16 U.S.C. 670 et seq.); the Land and Conservation Fund (16 U.S.C. 460 1-6a); The National Trails System Act (16 U.S.C. 1241 et seq.) and E.O. 11644 (Use of Off-Road Vehicles on the Public Lands), 37 FR2877, 3 CFR part 74, 332, as amended by E.O. 11989 42 FR 26959 (May 25, 1977).

Sec 8340.0-7 Penalties: Any person who violates or fails to comply with the regulations of subparts 8341 and 8343 is subject to arrest, conviction, and punishment pursuant to appropriate laws and regulations. Such punishment may be a fine of not more than \$1,000 or imprisonment for not longer than 12 months, or both.

Sec. 8340.0-8 Applicability: The regulations in this part apply to all public lands, roads and trails under administration of the Bureau.

Subpart 8341 – Conditions of Use (entire section)

Subpart 8343 – Vehicle Operations (entire section)

The Salmon Field Office Travel Management Plan would be in compliance with Executive Order 11644 (1972), which directed federal agencies “to establish policies and procedures that will ensure the use of off-road vehicles on public lands will be controlled and directed to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize the conflict among various users of those lands and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors.”

The Order also requires Federal agencies to designate specific areas where the use of off-road vehicles may or may not be permitted, and “to monitor the effects of off-road vehicles on public lands and amend or rescind management decisions in order to further the policy of this order.”

This TMP would be in compliance with Executive Order 11989 (1977), which directs federal land managers to immediately close areas or trails to off-road vehicles whenever the land manager determines that “the use of off-road vehicles will cause or is causing considerable adverse effects on the soil, vegetation, wildlife, wildlife habitats or cultural or historic resources of particular areas or trails until such adverse effects have been eliminated and that measures have been implemented to prevent further recurrence.”

APPEAL PROCEDURES

Comments received during this initial 30 day public comment period will be reviewed and considered for the Final Decision. The Final 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. Within 30 days of the Final Decision notification, a notice of appeal must be filed in the office of the authorized officer at the Bureau of Land Management, Salmon Field Office, 1206 South Challis Street, Salmon, ID 83467. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for stay pursuant to 43 CFR Part §4.21(b), the petition for stay should accompany your notice of appeal and 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 irreparable harm to the appellant or resource if the stay is not granted;
- and

(4) Whether the public interest favors granting the stay.

If the petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons, and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Boise Field Solicitors Office, U.S. Department of the Interior, University Plaze, 960 Broadway Avenue Suite 400, Boise ID 83706 not later than 15 days after filing the document with the authorized officer and/or IBLA.

Approved by: _____
Steven Hartmann, Salmon Field Manager
Idaho Falls District, Bureau of Land Management

Date: _____