

DECISION RECORD

DOI-BLM-NV-S010-2009-293-EA

P.L. 107-350, Enacted December 12, 2002

For

**The Conveyance of Property to Clark County, Nevada
For a Shooting Park**

**BUREAU OF LAND MANAGEMENT
LAS VEGAS FIELD OFFICE
DIVISION OF LANDS
LAS VEGAS, NV**

February 17, 2010

**DECISION RECORD
FOR
DOI-BLM-NV-S010-2009-0293-EA
February 17, 2009**

Decision:

The sale/conveyance of the 2,880 acres of public land was analyzed and assessed pursuant to the National Environmental Policy Act, 42 U.S.C. 4321 et seq., as reflected in the Environmental Assessment (EA) DOI-BLM-NV-S010 -2009-0293-EA (attached) and the Finding of No Significant Impact, dated December 15, 2009, available at the Las Vegas Field Office. As reflected in the FONSI, an Environmental Impact Statement is not required. Both documents are attached and hereby incorporated by reference.

It is the final decision of the Las Vegas Field Office Manager to authorize the sale/conveyance of the 2,880 acres of public land pursuant to Public Law #107-350, without any additional terms and conditions beyond the existing terms and conditions contained in the patent.

Conformance:

The proposed action is authorized by P.L. 107-350, enacted December 12, 2002, Federal Land Policy and Management Act of 1976, 43 U.S. C. 1701 et seq., and conforms to the Las Vegas Resource Management Plan (RMP), Lands Decision LD-1, approved October 5, 1998. I have determined that the proposed action, with the mitigation measures described in the attached EA, incorporated herein by this reference, will not have any significant impact on the human environment and that the action does not require the preparation of an Environmental Impact Statement.

Selected Alternative:

The proposed action is the sale/conveyance of 2,880 acres of public land to Clark County, Nevada for use as a shooting park, consistent with applicable laws, regulations and guidance.

Mitigation and Monitoring Measures: None

Public Involvement:

The FONSI and EA were made available for review and comment during two separate public comment periods. The BLM reviewed the comments filed during the first comment period and determined that a revised EA was needed with a wider range of alternatives.

The first EA and FONSI were released on August 3, 2009 for a 30-day public comment period, ending September 2, 2009. A total of 1,047 comments were received during the comment period. An additional 15 comments were received postmarked September 3, 2009 or later. Of the total comments that were timely filed, 991 comments expressed support for the sale/conveyance and requested that BLM approve the FONSI. Many of these supportive comments mentioned that BLM's approval of the FONSI would protect their 2nd Amendment rights. Comments were received from many different states within the U.S., including Alaska and Hawaii.

The revised EA and FONSI were released December 16, 2009, for a 45-day comment period that ended January 29, 2010. The revised EA comment period ended with a total of 372 comments received. Of the 372 comments received, 214 letters and emails supported the shooting park conveyance and development. The remaining 158 comments expressed various concerns or opinions regarding the EA. Most concerns raised on the revised EA were similar to those received during the first comment period. In addition, during both comment periods, many comments substantially duplicated other comments.

Both EAs were available for review by the public on BLM's website at: <http://www.blm.gov/nv/st/en/fo/lvfo.html>. Clark County also provided a link to BLM's EA on their shooting park website.

In addition to comments received by the BLM, Clark County received resolutions and letters of support for the land sale/conveyance from Senator Ensign; the Clark County Sheriff's Department; the State of Nevada; the Cities of Las Vegas, North Las Vegas, and Henderson; and 10 special interest groups.

Comments received during each comment period have been reviewed by BLM. We have summarized, consolidated, and responded to them in Attachment 1 of this Decision Record.

Rationale for Decision:

The decision to proceed with the proposed action is authorized by P.L. 107-350 and the Federal Land Policy and Management Act of 1976, as amended, and conforms to the RMP. In addition, the sale/conveyance will not result in any significant impacts to the environment.

Protest and/or Appeal:

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 receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

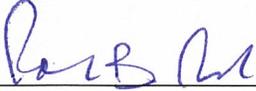
If you wish to file a petition pursuant to regulation 43 CFR 2710, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification 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, to the Interior Board of Land Appeals, and 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 in demonstrating that a stay should be granted.

Standards for obtaining a Stay

Except as otherwise provided for 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.



Robert B. Ross, Jr.
Field Manager

2/17/2010
Date