

## **Decision Record**

### **Determination of NEPA Adequacy (DNA)**

DOI-BLM-NV-W010-2013-0014-DNA

2013 Cheaters MC Race, Special Recreation Permit

I have reviewed this Documentation of Land Use Plan Conformance and Determination of NEPA Adequacy (DNA) and have determined that the proposed action is in conformance with the approved land use plan (Sonoma-Gerlach MFP III, approved on July 9, 1982).

On the basis of the information contained in the DNA Worksheet (attached), it is my determination that implementation of the proposed action will not have environmental impacts beyond those already addressed in Environmental Assessments: Fallon to Lovelock Motorcycle Race (NV-020-03-06, decision date, November 17, 1992); MRANN Desert Peak Race (NV-020-98-24, decision date June 4, 1998); 1999 MRANN Searle Race (NV-020-99-28, decision date October 1, 1999); Lovelock 250 Desert Four Wheel Drive Race (NV-020-00-17, decision date June 14, 2000); 2002 Lost Lama 100 (NV-020-02-14, decision date February 15, 2002); 2002 Tank Slappers Hare Scrambles (NV020-02-16, decision date May 8, 2002); 2004 Jessup Desert Motorcycle Race (NV-020-04-20, decision date May 5, 2004)

The attached Special Recreation Permit Stipulations for OHV Races are consistent with, and would apply to, the approval of this action.

Authorized Official:

\S\ Edward Seum

Edward Seum  
Humboldt River Field Office Manager

Date:

## Administrative Review or Appeal Opportunities

A person who wishes to appeal to the Interior Board of Land Appeals must do so under 43 CFR 4.411 and must file in the office of the officer who made the decision (not the board), in writing to Edward Seum, acting Field Manager, Humboldt River Field Office, 5100 East Winnemucca Boulevard, Winnemucca, Nevada 89445. A person served with the decision being appealed must transmit the notice of appeal in time to be filed in the office where it is required to be filed within thirty (30) days after the date of service.

The notice of appeal must give the serial number or other identification of the case and may include a statement of reasons for the appeal, a statement of standing if required by § 4.412(b), and any arguments the appellant wishes to make. Form 1842-1 provides additional information regarding filing an appeal.

No extension of time will be granted for filing a notice of appeal. If a notice of appeal is filed after the grace period provided in §4.401(a), the notice of appeal will not be considered and the case will be closed by the officer from whose decision the appeal is taken. If the appeal is filed during the grace period provided in §4.401(a) and the delay in filing is not waived, as provided in that section, the notice of appeal will not be considered and the appeal will be dismissed by the Board.

The appellant shall serve a copy of the notice of appeal and any statements of reason, written arguments, or briefs under §4.413 on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, Pacific Southwest Regional Solicitor, U.S. Department of the Interior, 2800 Cottage Way, Room E-2753, Sacramento, California 95825-1890. Service must be accompanied by personally serving a copy to the party or by sending the document by registered or certified mail, return receipt requested, to the address of record in the bureau, no later than 15 days after filing the document.

In addition, within thirty (30) days of receipt of this decision you have the right to file a petition for a stay together with your appeal in accordance with the regulations at 43 CFR 4.21. The petition must be served upon the same parties specified above.

Pursuant to 43 CFR 4.471(c), a petition for stay, if filed, must 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.

43 CFR 4.471 (d) provides that the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).

Attachments:

- DNA
- Special Recreation Permit Stipulations
- Map