

Decision Record - Memorandum

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

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**Chapter 1. Lone Mountain Community Pit
Competitive Sale**

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1.1. Compliance

The proposed action is in conformance with federal regulations and BLM policies. The action is in conformance with the Las Vegas Resource Management Plan (RMP) and Final Environmental Impact Statement (October, 1998), Minerals Management Section, Code MN. Detailed descriptions of the living and nonliving environment can also be found in this document. The proposed action is in accordance with Standard Operating Procedures found in Appendix M Volume II for saleable minerals (Mineral Materials) Noncompetitive Mineral Material Contracts.

1.2. Selected Action

The selected action is to continue extraction of saleable mineral materials from the LMCP in the current contract areas and to begin sales on new contract areas as needed within the defined area.

1.3. Compliance with NEPA:

An Environmental Assessment (DOI-BLM-NV-S010-2014-0066-EA) was prepared for the issuance of mineral materials sales contract in Lone Mountain Community Pit. The action has been analyzed and found to have no significant impacts, thus an EIS is not required.

1.4. Public Involvement:

The Environmental Assessment (DOI-BLM-NV-S010-2014-0066-EA) for the issuance of mineral materials sales contract in Lone Mountain Community Pit underwent and internal review in the BLM Las Vegas Field Office. To support preparation of this Environmental Assessment, the BLM solicited input from the public by publishing this project on the BLMs Land Use Planning and NEPA Registry web page. No public comments were received. The BLM also solicited input from the City of Las Vegas, the Clark County Department of Public Works and the Nevada State Clearing house. We received comments from the City of Las Vegas, the Clark County Department of Public Works and the Nevada Department of Wildlife.

1.5. Rationale:

The decision to proceed with the proposed action is authorized by the Act of July 31, 1947 (30 U.S.C. 601 et seq.) commonly known as the Materials Act, FLPMA, and conforms to the LVRMP. In addition, the EA evidences that the proposed action will not result in any significant impacts to the environment.

1.6. Appeal or Protest Opportunities:

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 3601.80, 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 and to 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 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.

1.7. Authorizing Official:



Mark Slaughter
Assistant Field Manager
Non-Renewable Resources

1/10/15
Date

1.8. Contact Person

For additional information concerning this Finding, contact.

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