

Decision Record

Determination of NEPA Adequacy (DNA) DOI-BLM-NV-W010-2014-0016-DNA Winnemucca District

September 2014 Competitive Geothermal Lease Sale Subject to the Sonoma-Gerlach MFP

I have reviewed the Determination of National Environmental Policy Act Adequacy (DNA), DOI-BLM-NV-W010-2014-0016-DNA, which evaluates one geothermal lease parcel, proposed for sale in September 2014. I have determined that the proposed action is in conformance with the BLM Winnemucca District Sonoma-Gerlach Management Framework Plan, approved 1982.

On the basis of the information contained in the DNA Worksheet, it has been determined that the lands nominated for geothermal leasing, which are identified on the attached parcel maps, are open for geothermal leasing, subject to the attached stipulations, and will not have environmental impacts beyond those already addressed in Environmental Assessment NV-020-02-029, "Geothermal Resources Leasing Programmatic Assessment" (Decision Record and Finding of No Significant Impact, September 10, 2002 and Modified Decision Record September 13, 2002) and the "Programmatic EIS for Geothermal Leasing in the Western United States" (Record of Decision, December 2008).

It is my decision to recommend that the parcel identified in the DNA, be offered subject to the attached stipulations, for a tentatively scheduled September 2014, competitive geothermal lease sale.

The parcel or parts thereof are subject to the attached site specific lease stipulations and the general lease stipulations. Parcel maps have been attached for spatial reference. Recognize that a good faith effort has been made to consult with Tribes and incorporate their concerns, as we know them, into our recommendations. Native American Consultation continues and future concerns may arise. Should these concerns become evident prior to the sale; this information will be made available to the BLM Nevada State Office.

AUTHORITY

- The Geothermal Steam Act of 1970, Title 30, United States Code (USC), Chapter 23, Sections 1001 et seq. (30 USC 1001 et seq.).
- 43 CFR 3200, Geothermal Resources Leasing and Operations; Final Rule, May 2, 2007.
- Energy Independence and Security Act of 2007 (Public Law 110-140).
- The 2005 Energy Policy Act; The National Energy Policy, Executive Order 13212.

APPEAL PROVISIONS

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 Gene Seidlitz, District Manager, Winnemucca District 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. Attached 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 § 4.21. The petition must be served upon the same parties specified above.

Pursuant to § 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)).

**Signature Page for
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Authorized Official: \S\ Gene Seidlitz _____ Date: 5/23/14 _____
District Manager, Winnemucca District Office

Attachments:

- Form 1842-1
- Parcel Legal Descriptions
- General Stipulations
- Site Specific Stipulations
- Individual Parcel Maps