

DECISION MEMORANDUM
FT POWERSPORTS LLC,
SPECIAL RECREATION PERMIT

U.S. Department of the Interior
Bureau of Land Management
TUCSON FIELD OFFICE

Project Description

Approve Special Recreation Permit (AZA-036596) to authorize use of public land administered by the BLM in connection with all terrain vehicle (ATV) sightseeing tours along designated routes in the Middle Gila Canyons Area, for a one year term, as described in the operating plan, the use area map, and subject to the terms conditions and stipulations attached.

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and Tucson field office staff recommendations, I have determined that the project is in conformance with the *Phoenix* Resource Management Plan (approved Sep. 1989) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, as described in the operating plan and subject to the use area, and the terms, conditions and stipulations attached.

Administrative Review or Appeal Opportunities

This decision is in full force and effect as of the date signed by the Authorized Officer.

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 attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at Tucson Field Office, 3201 E Universal Way, Tucson AZ 85756 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 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, 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 the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (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 to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

Standards for Obtaining a Stay

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.

/s/ Viola Hillman
Viola Hillman, Field Manager
Tucson Field Office

10/23/2014
Date

Attachment: Form 1842-1