

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CENTRAL COAST FIELD OFFICE**

**DECISION RECORD
DOI-BLM-CA-C090-2016-0025-EA
FLPMA Lands Sale (Smith Mountain)**

Introduction

The Bureau of Land Management proposes to sell approximately 40 acres of public lands in Monterey County, California. Based on information in the EA and Finding of No Significant Impact, the following constitutes my decision.

Decision

It is my decision to approve the proposed sale of 40 acres of BLM public lands located atop Smith Mountain, as described in Environmental Assessment DOI-BLM-CA-C090-2016-0025-EA. The adjacent property owner would purchase the parcel from the United States (U.S.) for not less than the appraised fair market value of the land. The sale would include the conveyance of both the surface and mineral estate, although, the U.S. would retain reservation for ditches and canals. The subject parcel would also be sold subject to an existing right-of-way that exists for a communication facility operated by the California Department of Forestry and Fire Protection (CALFIRE).

Alternatives Considered but not Selected

Pursuant to 40 CFR 1502, BLM also analyzed the no action alternative.

Decision Rationale

Based on information in the EA and after consultation with my staff, I have decided to approve the proposed action in the EA. The disposal of 40 acres of public lands is expected to have no adverse impacts on the human environment, and if the lands are sold through non-competitive bidding, lands that are difficult and uneconomic to manage would be transferred into private ownership. Funds from the sale of these lands would be deposited directly to the U.S. Treasury.

Consultation and Coordination

The BLM determined the sale would have “no effect” on special status species because the existing resources conditions would be maintained. There will be no effect on historic properties therefore, no consultation with SHPO is necessary.

Public Involvement

In August of 2015, the proposed sale was listed as an action for which BLM was preparing an EA on the BLM’s ePlanning website (Environmental Assessment: [DOI-BLM-CA-C090-2016-0025-EA \(Smith Mountain Land Sale \(Disposal\)\)](#)). A Notice of Realty Action (NORA) describing the proposed sale and soliciting public comments was published in the Federal Register on June 8, 3016. The NORA was also published in the Monterey Weekly newspaper on June 16, June 23, and June 30, 2016 and sent to interested parties of record. BLM did not receive comments from the public in response to the publication of the NORA in the Federal Register, and based on the minimal public interest, additional public outreach efforts are not considered necessary.

Plan Consistency

Based on information in the EA, the project record, and recommendations from BLM specialists, I conclude that this decision is consistent with the Record of Decision and Approved Resource Management Plan for the Southern Diablo Mountain Range and Central Coast of California (BLM 2007), the Endangered Species Act; the Native American Religious Freedom Act; other cultural resource management laws and regulations; Executive Order 12898 regarding Environmental Justice; and Executive Order 13212 regarding potential adverse impacts to energy development, production, supply and/or distribution.

Administrative Remedies

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served to the Bureau of Land Management, Central Coast Field Office, 940 2nd Ave, California 93933.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on the BLM's ePlanning website.



Rick Cooper, Central Coast Field Office
Manager



Date