

United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Southern Nevada District Office
Las Vegas Field Office
4701 N. Torrey Pines Drive
Las Vegas, Nevada 89130
<http://www.blm.gov/nevada>

In Reply Refer To:
NVN-099406
2800 (NVS0100)

AUG 25 2020

7020 0090 0001 0953 2149

CERTIFIED MAIL

DECISION

Candela Renewables LLC :
360 Pine St. Suite 500 : Right-of-Way
San Francisco, CA 94104-3231 :
:

Priority Determination

On November 14, 2019, the Bureau of Land Management (BLM) received an application for the Rough Hat-Clark solar power project on public lands. The application was filed by Candela Renewables, LLC. The application has been assigned the case number NVN-099406. Please refer to this number for all future correspondence relating to this case.

The BLM has reviewed and prioritized your application in accordance with the screening criteria in 43 CFR § 2804.35 and has determined your application to be a High priority. The rationale for the priority determination of your application is provided for in the enclosed Priority Determination Worksheet. The BLM may re-categorize your application based on new information received through surveys, public meetings, or other data collection, or after any changes to the application. The BLM may also re-categorize your application if you do not make the changes to the application as identified in the enclosed worksheet.

The BLM may require you to submit additional information necessary to process the application. This information may include a detailed construction, operation, rehabilitation, and environmental protection plan (i.e., a Plan of Development), and any needed cultural resource surveys or inventories for threatened or endangered species. If the BLM needs more information, the BLM will identify this information in a written deficiency notice asking you to provide the additional information within a specified period of time. For solar energy development projects, you must commence any required resource surveys or inventories within one year of the request date, unless otherwise specified by the BLM.

INTERIOR REGION 8 • LOWER COLORADO BASIN

ARIZONA, CALIFORNIA*, NEVADA*

* PARTIAL

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 (request) pursuant to regulation 43 CFR 2801.10 or 2881.10 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 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 to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

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:

- (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.



Shonna Dooman
Field Manager
Las Vegas Field Office

Enclosure

SNDO Renewable Energy Project Priority Determination Worksheet

Project Name: Rough Hat- Clark County
BLM Serial Number: N-99406

Date: 8/19/2020

Purpose: The purpose of this worksheet is to identify landscape level constraints for Solar and Wind project proposals in the Bureau of Land Management (BLM) Southern Nevada District Office (SNDO) and to prioritize the solar or wind proposal based on known resource conflicts.

This worksheet is divided into four sections. These sections evaluate each proposed solar or wind project submitted to the Southern Nevada District Office (SNDO). The sections in this worksheet are as follows:

- Section 1 identifies the prioritization of projects based on regulations (43 CFR §2804.35).
- Section 2 are local (SNDO) considerations.
- Section 3 identifies specific resources issues.
- Section 4 identifies the priority decision.

Section 1 – Regulation Compliance

The regulatory compliance criteria below come from 43 CFR §2804.35. When completing the following form, if something is marked present or further clarification is needed please note it in the table at the end of Section 2 or if resource specific within Section 3 notes.

Low-Priority Criteria ¹		Present	Not Present
1)	Lands near or adjacent to lands designated by Congress, the President, or the Secretary for the protection of sensitive viewsheds, resources, and values (e.g., units of the National Park System, Fish and Wildlife Service Refuge System, some National Forest System units, and the BLM National Landscape Conservation System), which may be adversely affected by development.		X
2)	Lands near or adjacent to Wild, Scenic, and Recreational Rivers and river segments determined suitable for Wild or Scenic River status, if project development may have significant adverse effects on sensitive viewsheds, resources, and values.		X
3)	Designated critical habitat for federally threatened or endangered species, if project development may result in the destruction or adverse modification of that critical habitat.		X
4)	Lands currently designated as Visual Resource Management Class I or Class II.		X
5)	Right-of-way exclusion areas.		X

¹ Lands currently designated as no surface occupancy for oil and gas development in BLM land use plans was removed from the low-priority criteria. This removal is due to the vagueness in the Las Vegas 1998 RMP.

Medium-Priority Criteria:		Present	Not Present
6)	BLM special management areas that provide for limited development, including recreation sites and facilities.		X
7)	Areas where a project may adversely affect conservation lands, including lands with wilderness characteristics that have been identified in an updated wilderness characteristics inventory.		X
8)	Right-of-way avoidance areas.	X	
9)	Areas where project development may adversely affect resources and properties listed nationally such as the National Register of Historic Places, National Natural Landmarks, or National Historic Landmarks.		X
10)	Sensitive habitat areas, including important species use areas, riparian areas, or areas of importance for Federal or State sensitive species.	X	
11)	Lands currently designated as Visual Resource Management Class III.	X	
12)	Department of Defense operating areas with land use or operational mission conflicts.		X
13)	Projects with proposed groundwater uses within groundwater basins that have been allocated by State water resource agencies.	X	

High-Priority Criteria:		Present	Not Present
14)	Lands specifically identified as appropriate for solar or wind energy development, other than designated leasing areas.		X
15)	Previously disturbed sites or areas adjacent to previously disturbed or developed sites.		X
16)	Lands currently designated as Visual Resource Management Class IV.		X
17)	Lands identified as suitable for disposal in BLM land use plans.		X

Section 2 – Local Considerations

The following considerations are specific to the Southern Nevada District. The selection of “present” for any of the local considerations can change the project priority. These local considerations take into account, but are not limited to, the following secretarial orders, policy, regulation, and laws, and BLM priorities.

- 43 CFR §2804.35
- Approved Resource Management Plan Amendments/Record of Decision for Solar Energy Development in Six Southwestern Statesⁱ
- 1998 Las Vegas Resource Management Planⁱⁱ
- Department of the Interior Prioritiesⁱⁱⁱ
- Bureau of Land Management Leadership Priorities^{iv}
- United States Fish and Wildlife Species List^v
- Nevada State Species List^{vi}
- BLM Sensitive Species List^{vii}

Local Considerations		Present	Not Present
18)	Development is located in the Southern Nevada Public Land Management Area (SNPLMA) Boundary		X
19)	Development is located near the proposed Southern Nevada Supplemental Airport		X
20)	There is a Solar Energy Zone or Designated Leasing Area within the district that could be used.	X	
21)	Development is located in areas where project development may adversely affect lands acquired for conservation (e.g., SNPLMA Environmentally Sensitive Land Acquisitions such as the Perkins Ranch acquisition near the Moapa, Nevada).		X
22)	The proposed project supports economies of local Tribes		X
23)	The proposed project supports the economy of Nye County		X
24)	Development is located within an area identified for disposal		X
25)	Development is located within a utility corridor		X
26)	Development is located within lands withdrawn from ROW authorizations		X
27)	Development is located within lands segregated from ROW authorizations.		X

Local Considerations		Present	Not Present
28)	Development is located over another Solar or Wind Application	X	
29)	Development may not be compatible with an existing grant, easement, lease, license, or permit.	X	
30)	Development is located outside of BLM jurisdiction		X
31)	Development is located on private lands		X
32)	Development is located in a USFWS least cost desert tortoise corridor.		X
33)	Development is located in or adjacent to desert tortoise translocation areas	X	
34)	Development is located over existing or active mining claims or community pit		X
35)	Development is located over or within 1000 meters of natural surface water, springs, riparian areas or wetlands		X
36)	Development is located within a hydrogeographic basin where groundwater withdrawal could potentially impact groundwater dependent natural resources.	X	
37)	Development is located over lands containing sensitive soil resources.	X	

When completing Sections 1 and 2, if something is marked present or further clarification is needed please include here. Please place the number in the first column that corresponds to the number in Sections 1 and 2. If the presence or clarification is resource specific provide the justification or clarification in Section 3.

Clarifications/Justifications	
8	This project is located within Solar Avoidance/Variance areas. There are no other right of way avoidance areas.
10	The proposed project area is within sensitive habitats for Desert Tortoise. See Desert Tortoise section below for more information.
11	This project is located within an area currently managed as VRM Class III. An RMP amendment will most likely be needed to meet this VRM class. A Visual Contrast Rating Analysis should be completed prior to the NOI to determine if an RMP amendment is needed.
13	The Pahrump Valley Basin (Basin 162) is a NDWR designated basin. The perennial yield is 20,000 afa. Currently, there are water rights for over 60,000 afa. Until additional information is gathered on proposed ground water pumping, this information is not influencing the priority level. If the proponent decides to include ground water pumping in the plan of development, coordination with the State Water Engineer will be required.
15	This project is located adjacent to and overlaps the Yellow Pine Solar Project which is currently being analyzed in an Environmental Impact Statement (EIS). If the Yellow Pine project is approved then this project would meet this high priority criteria. The Draft EIS has disclosed that the Yellow Pine Solar Project has relatively low resource conflicts and the majority of the issues have been easily resolved through Best Management Practices and Mitigation Measures. It is anticipated that this project would fall into a similar circumstance.
28	This project directly overlaps portions of the Yellow Pine Solar Project which is currently being analyzed in an EIS. Proponent will need to adjust the right of way application area to avoid the overlap.
29	Application overlaps with Yellow Pine Solar Application N-90788 in section 33, 34 and sec 2. Proponent will need to adjust right of way application area to avoid the overlap.
29	Application overlaps with mineral material rights of ways issued to the Nevada Department of Transportation. The application will need to be amended to avoid these material sites.
29	Application overlaps with BLM interpretive signs depicting Old Spanish Trail (N-85012). Application will need to be amended to avoid this sign. Avoiding the material site described above will also avoid this sign.
33	The project as described is within the Trout Canyon Translocation Area and the Stump Springs Translocation Area. These translocation areas are the areas available to receive tortoises from solar projects. The application must be amended to avoid these areas.
36	The Pahrump Valley Basin is overallocated in the water use permits. Any additional pumping is likely to impact groundwater dependent natural resources within the valley and adjacent valley to the southeast, depending on the depth of the wells. Until additional information is gathered on proposed ground water pumping, this information is not influencing the priority level. If the proponent decides to include ground water pumping in the plan of development, coordination with the State Water Engineer will be required.
37	The area in general has potential to contain biological soil crust. Surveys would have to be conducted to determine the density of biocrust on the proposed project site.

Section 3 – Resource Considerations

This section identifies the proposed projects resources conflicts. This section is to be completed by BLM resource specialists using existing data and knowledge of the area. The resource conflicts identified in this section can change the priority of the project.

Desert Tortoise
<p><i>Considerations:</i></p> <ul style="list-style-type: none"> • Based on vegetation, soil type, and/or previous surveys, whether the project is proposed in areas expected to occur in low, medium or high-density tortoise habitat. • Whether the project is proposed in relatively undisturbed habitat. • Whether the project is located in a tortoise genetic connectivity corridor (least cost tortoise corridor) • The availability of an area to translocate desert tortoise within the same recovery unit from the proposed project site.
<p><i>Description of Issues:</i></p> <ul style="list-style-type: none"> • Desert tortoise (<i>Gopherus agassizii</i>) is a BLM sensitive species and classified as threatened by the USFWS. • Without new tortoise surveys, the density of tortoises within the project area is unknown. However, there are 10 historic tortoise surveys within 3 km of the project area that were conducted “prior to 1987” or “1987 to 1990”. The density results of those surveys vary but are classified as “very low” (3), “low” (6), and “very high” (1). • This project lies north of Yellow Pine Solar Project, and even overlaps the northern part of Yellow Pine, which after conducting tortoise surveys had an estimated adult tortoise density of 3.04 tortoises per km² which is low density habitat. • The project is proposed in relatively undisturbed habitat. • The project is located in desert tortoise high value contiguous habitat with the second highest conservation value in order to maintain desert tortoise connectivity on a landscape scale. Even though this project is located in high-quality habitat, the desert tortoise connectivity is being maintained in this area through limiting development north of State Route 160 and east of Tecopa Road, which are also the BLM’s regional tortoise augmentation areas (Stump Springs and Trout Canyon Translocation Areas). The project is not located in the priority tortoise connectivity area and is instead located just east of Pahrump, south of State Route 160, west of Tecopa Road, and west of the proposed Yellow Pine Solar Project. • The project is located in the Eastern Mojave Recovery Unit, and this recovery unit is estimated to have a decreasing tortoise density. Tortoise translocation can follow USFWS established protocols. No unique or novel translocation methodology would have to be used. This project is located near the approved Stump Springs Regional Translocation Area and the tortoises would be translocated there. The Stump Springs Regional Long-term Monitoring Plan has already been approved by the USFWS, and can be used by solar projects that translocate tortoises within the Eastern Mojave Recovery Unit.
Other Federally Listed, State Listed, and BLM Sensitive Species Constraints
<p><i>Considerations:</i></p> <ul style="list-style-type: none"> • Whether there are other Federally Listed, State Listed, and BLM Sensitive Species expected to occur at the site or have the potential to be directly or indirectly affected by the proposed project.
<p><i>Description of Issues:</i></p> <ul style="list-style-type: none"> • Besides Desert Tortoise, there are no other known endangered species in the project area.

- Other BLM sensitive species most likely occur within the project area including Phainopepla, Golden Eagle, LeConte’s Thrasher, Loggerhead Shrike, Prairie Falcon, Scott’s Oriole, Western Burrowing Owl, Desert Horned Lizard, Long-nosed Leopard Lizard, and Sidewinder. Impacts can be addressed through the normal NEPA process.

Botany

Considerations:

- Whether the project will occur in or adjacent to habitat for any sensitive or state or federally listed species or Clark County MSHCP protected plant species.
- Whether the project occurs in major portion (>10% of any population group) of habitat for BLM sensitive plant species or MSHCP protected plant species
- Whether the project occurs in any habitat for federally endangered plant species OR Project occurs in habitat (> 5% of any population group) for state endangered plant species.

Description of Issues:

- The project is not known to occur in or adjacent to habitat for any sensitive or state or federally listed species or Clark County MSHCP protected plant species.
- The project does not occur in a major portion (>10% of any population group) of habitat for BLM sensitive plant species or MSHCP protected plant species
- The project does not occur in any habitat for federally endangered plant species and the project does not occur in habitat (> 5% of any population group) for state endangered plant species.

Weed Constraints

Considerations:

- Whether there are non-native and/or noxious weed species present or adjacent to the project area.
- Whether the project activity is likely to result in the establishment of noxious/invasive weed species.
- Whether the spread of non-native and/or noxious weed species would result in impacts to the surrounding areas and whether that would have impacts to important areas such as Critical Habitat Units, ACECs, sensitive plant habitat, NCA’s, National Monuments, etc.

Description of Issues:

- There are some non-native species in the area, but primarily the widespread Mediterranean grass (*Schismus* sp.).
- The project may result in the establishment of noxious and invasive weed species, partially depending on construction methodology.
- There is a risk of new weeds introduced from the project spreading from the project area into the adjacent Stump Springs desert tortoise translocation area.
- Developing mitigation measures for weed control is a normal part of the NEPA process.

Cultural and Native American
<p><i>Considerations:</i></p> <ul style="list-style-type: none"> • Whether there are isolated documented sites and sites within 1000 meters of the project area. • Whether there are ineligible archaeological sites and possible Native American cultural or religious sites, including high potential areas like river terraces or springs. • Whether there are eligible archaeological resources that require treatment and known Native American Cultural or religious sites. • Whether there are significant eligible intact sites and undisturbed human burials.
<p><i>Description of Issues:</i></p> <ul style="list-style-type: none"> • A Class III Cultural Resource Inventory would be required for this project. If the results for this project are similar to the Yellow Pine Project which is adjacent to this project area, there is a very low probability of locating historic properties within the area. • There are no documented Isolated Objects within the project area nor within 1000 m of the project boundary. • There is one ineligible, unknown archaeological site within the project area. There are no known Native American Cultural or religious site within the project area. • There is an eligible Historic Road with the second segment not eligible located in the most northern part of the project area. It is not part of the Old Spanish Trail. • There are no documented eligible archaeological resources that require treatment or known American Cultural or religious sites in the area.

Recreation
<p><i>Considerations:</i></p> <ul style="list-style-type: none"> • The level of casual use recreation. • Types and numbers of special recreation permits in the area. • Whether the proposed project area occurs within a Special Recreation Management Area identified in a Land Use Plan that is managed specifically for recreation opportunities. • The proposed project area occurs within a Special Recreation Management Area identified in a Land Use Plan that is managed specifically for recreation opportunities, and has developed recreation facilities (trailheads, kiosks, staging areas), in addition to having special recreation permitted activities.
<p><i>Description of Issues:</i></p> <ul style="list-style-type: none"> • There is some casual recreation use occurring in the area, anticipated to be primarily the public accessing the area for motorized recreation and target shooting. • The LVFO has issued no Special Recreation Permits for activities in this area. • The proposed project area is not located within a Special Recreation Management Area. There are no developed recreation facilities or opportunities in the proposed project area.

Range / Grazing
<p><i>Considerations</i></p> <ul style="list-style-type: none"> • Whether the project area is located in any active grazing allotment. • Whether the development of the solar facility make grazing impossible within the active allotment (development of key forage areas or key water sites). • Whether the project is in an allotment where Clark County has purchased the grazing preference to protect desert tortoise under the MSHCP (Arrow Canyon, Arrow Canyon in Battleship Wash, Beacon, Bunkerville, Crescent Peak, Christmas Tree Pass, Gold Butte, Hen Springs, Ireteba Peaks, Jean Lake, McCullough Mountain, Mesa Cliff, Roach Lake, Table Mountain, Toquop Sheep, Upper Mormon Mesa, White Basin).
<p><i>Description of Issues:</i></p> <ul style="list-style-type: none"> • The project is located partially within an active grazing allotment (Wheeler Wash). This allotment does not have a current permittee; however, it is one of only five active allotments in BLM’s Southern Nevada District. • The development of the solar facility would not preclude grazing; this portion of the allotment does not have any known key forage area or water sites. • The project is not within an allotment where Clark County has purchased the grazing preference to protect desert tortoise under their MSHCP.

Section 4 - Priority Decision

Priority Decision	
Based on the BLM screening criteria found in 43 CFR 2804.35, and additional resource considerations, the project priority category has been determined to be:	High

Justification:

The Rough Hat Clark project is located in an area with relatively low resource conflicts. It is located near the Yellow Pine Solar Project for which the BLM is currently completing an EIS. Resource conflicts and impacts on the Yellow Pine Project have been minimized by mitigation measures and best management practices. There are two desert tortoise translocation areas available to accept tortoises from this project area.

After reviewing the information provided above, this project should have relatively low resource conflicts. The application will need to be adjusted to remove those portions of the project that overlap the Yellow Pine project and the material site. In addition, the portions of the project that are north of SR160 and east of Tecopa Road must be removed to protect the Stump Springs and Trout Canyon tortoise translocation areas.

With the changes made above, we will reduce or eliminate conflicts up front to further reduce impacts from the project. I have determined this project to be in a high priority location pending adjustments to the project by the applicant. The high priority level is based on the changes to the application being made as described above. If these changes are not made, the priority level would drop to medium.



Shonna Dooman
Field Manager
Las Vegas Field Office

8/19/2020
Date

Concurrence / Non-Concurrence



Angelita Bullets
District Manager
Southern Nevada District

8/19/2020
Date

ⁱ BLM. 2012a. "Approved Resource Management Plan Amendments/Record of Decision for Solar Energy Development in Six Southwestern States." October.

ⁱⁱ BLM. 1998. "Record of Decision for the Approved Las Vegas Resource Management Plan and Final Environmental Impact Statement." October.

ⁱⁱⁱ <https://www.doi.gov/ourpriorities>

^{iv} <https://blmspace.blm.doi.net/wo/600/commtools/SitePages/Leadership%20Priorities.aspx>

^v <https://ecos.fws.gov/ecp0/reports/species-listed-by-state-report?state=NV&status=listed>

^{vi} <http://heritage.nv.gov/species/process.php>

^{vii} <https://www.blm.gov/policy/nv-im-2018-003>

**Southern Nevada
District
Energy and Infrastructure
Team**

NVN-099406

**Project Prioritization
Proposed Project Area**




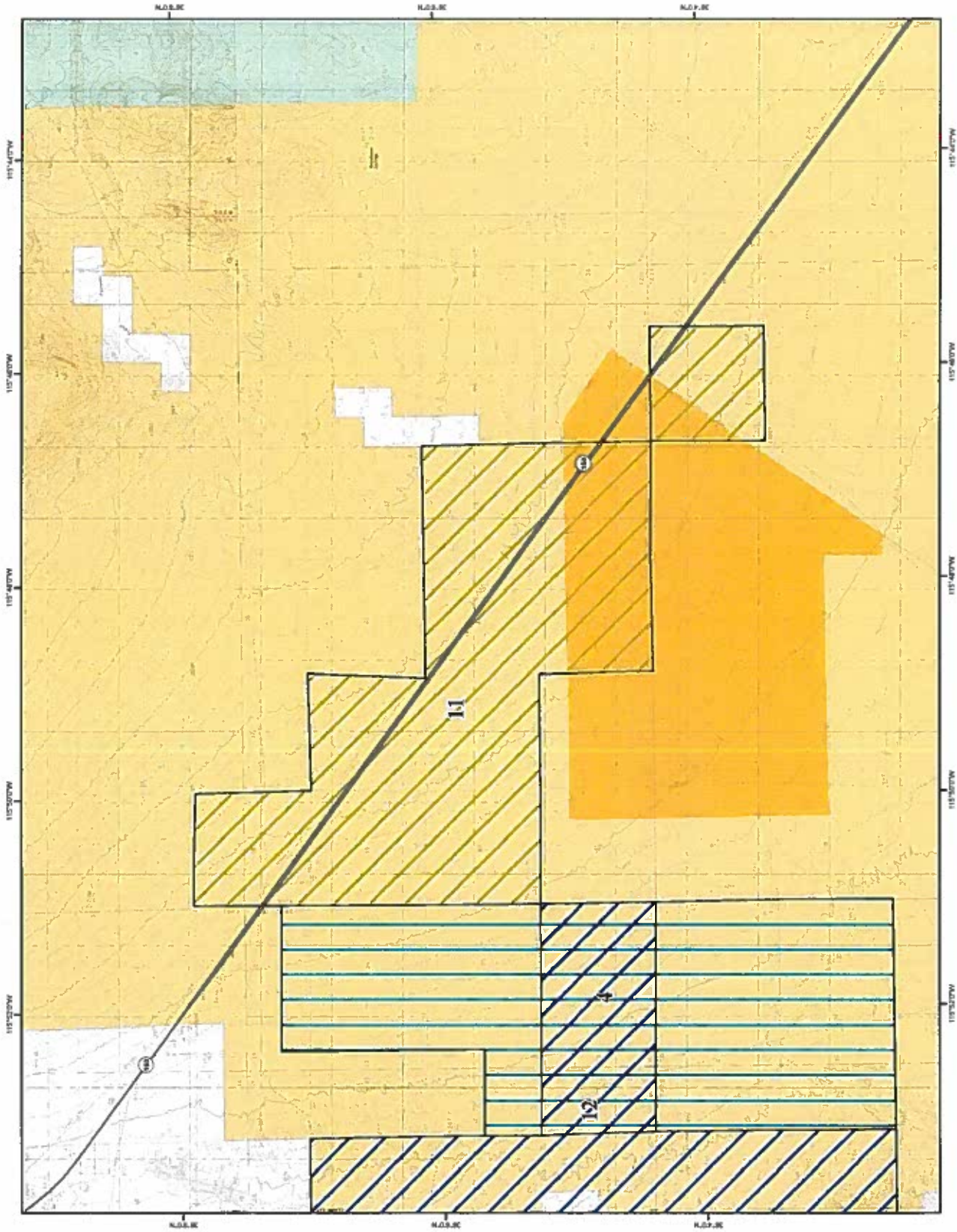
- Legend**
- Yellow Pine Solar Project
 - SNDD E&I - Proposed Project
 - Submission, Serial_Num, Project**
 - 4, NVN-089855, Copper Rays
 - 11, NVN-099406, Rough Hat Clark
 - 12, NVN-099407, Rough Hat Nye

- Land Status**
- Bureau of Land Management
 - Forest Service
 - Private

0 0.45 0.9 1.8
Miles

Lat Long Grid - UTM Zone 11, NAD 1983
Degrees Minutes Seconds
Prepared By: SNDD E&I Staff on 8/18/2020

No warranty is made by the BLM as to the accuracy, completeness, or reliability of the information for any purpose other than that for which it was prepared.

**Southern Nevada
District
Energy and Infrastructure
Team**

NVN-099406

**Project Prioritization
High Priority Criteria**

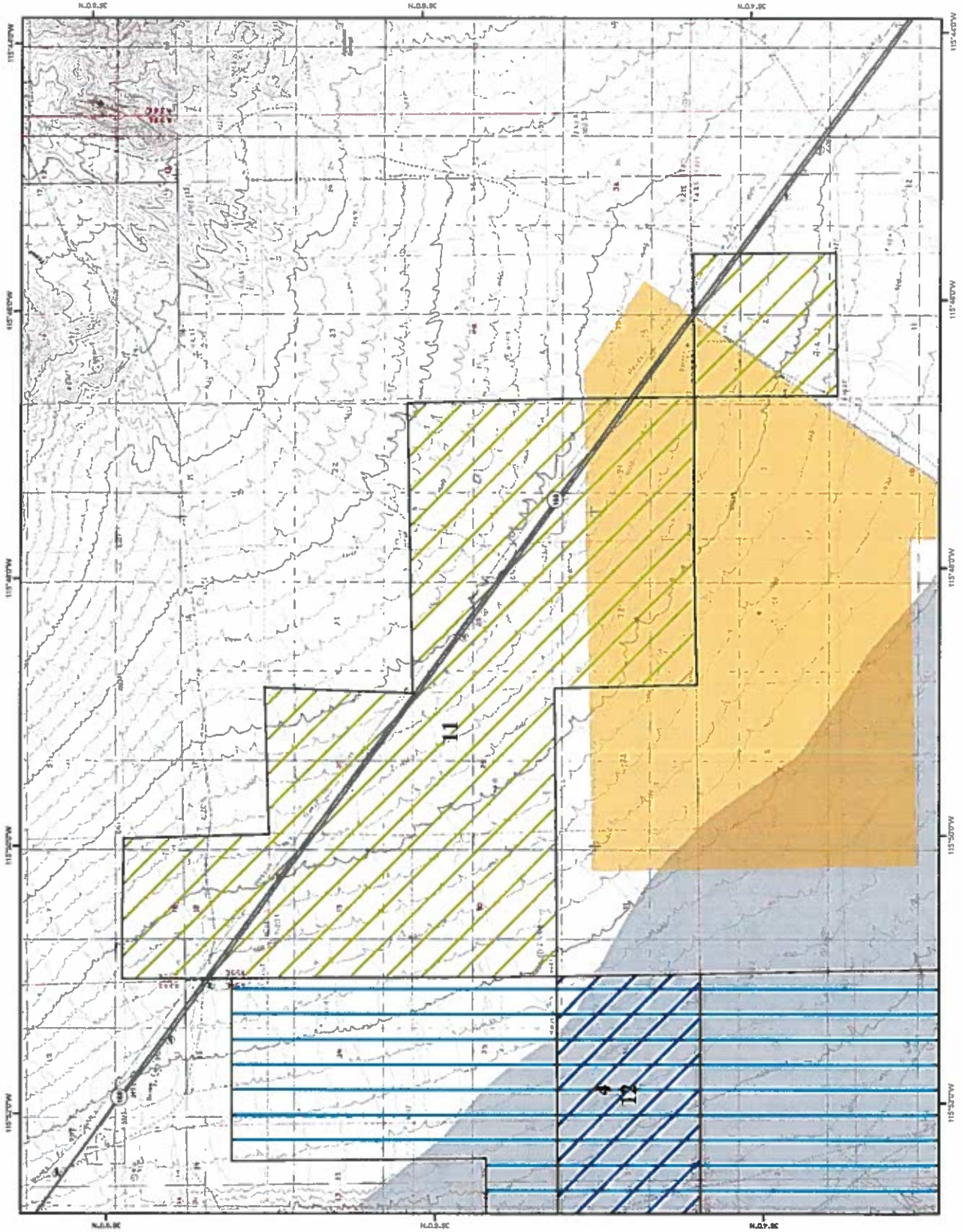
Legend

- SNDD E&I - Proposed Project**
- Submission, Serial_Num, Project
- 4, NVN-089855, Copper Rays
- 11, NVN-099406, Rough Hat Clark
- 12, NVN-099407, Rough Hat Nye
- Yellow Pine Solar Project
- Solar Energy Zone
- Dry Lake East Designated Lease Area
- VRM Class 4
- SNDD Disposal Boundary
- Amerogosa Valley
- Glendale
- Goodsprings
- Indian Springs
- Lathrop Wells
- Laughlin
- Mesquite Bunkerville
- Moapa
- Moapa Valley
- Nelson
- Pahrump
- Sandy Valley
- Searchlight
- Valley West
- landcover - Potentially Disturbed
- DESCRIP TO
- Barren Lands, Non-specific
- Developed, Medium - High Intensity
- Developed, Open Space - Low Intensity
- Recently Mined or Quarried



Miles
0 0.35 0.7 1.4
N
S

Lat Long Grid - UTM Zone 11, NAD 1983
Degrees Minutes Seconds
Prepared By: SNDD E&I Back on 8/20/2020
No warranty is made by the BLM as to the accuracy
and/or appropriateness of the information
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**Southern Nevada
District
Energy and Infrastructure
Team**

NVN-099406

**Project Prioritization
High Priority Criteria**

Legend

- SNDO E&I - Proposed Project**
- Submission, Serial_Num, Project
- 4 NVN-098655, Copper Rays
- 11 NVN-099406, Rough Hat Clark
- 12 NVN-099407, Rough Hat Nye
- Yellow Pine Solar Project
- Solar Energy Zone
- Solar Exclusion Area
- Biological ACEC
- Cultural ACEC
- Cultural/Biological ACEC
- Desert Tortoise ACEC
- Geologic ACEC
- USFWS Wildlife Refuge Boundaries
- NHT High Potential Site (NPS)
- NHT High Potential Segment (NPS)
- Old Spanish Trail NHT
- BLM Wilderness
- BLM Wilderness Study Area
- National Monuments
- Forest Service Special Management Areas
- Forest Service Wilderness
- National Conservation Areas



Miles

0 0.35 0.7 1.4

N S

Lat Long Grid - UTM Zone 11, NAD 1983
Degrees Minutes Seconds

Prepared By: SNDO E&I Staff on 8/27/2020

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**Southern Nevada
District
Energy and Infrastructure
Team**

NVN-099406

**Project Prioritization
Medium Priority Criteria**

Legend

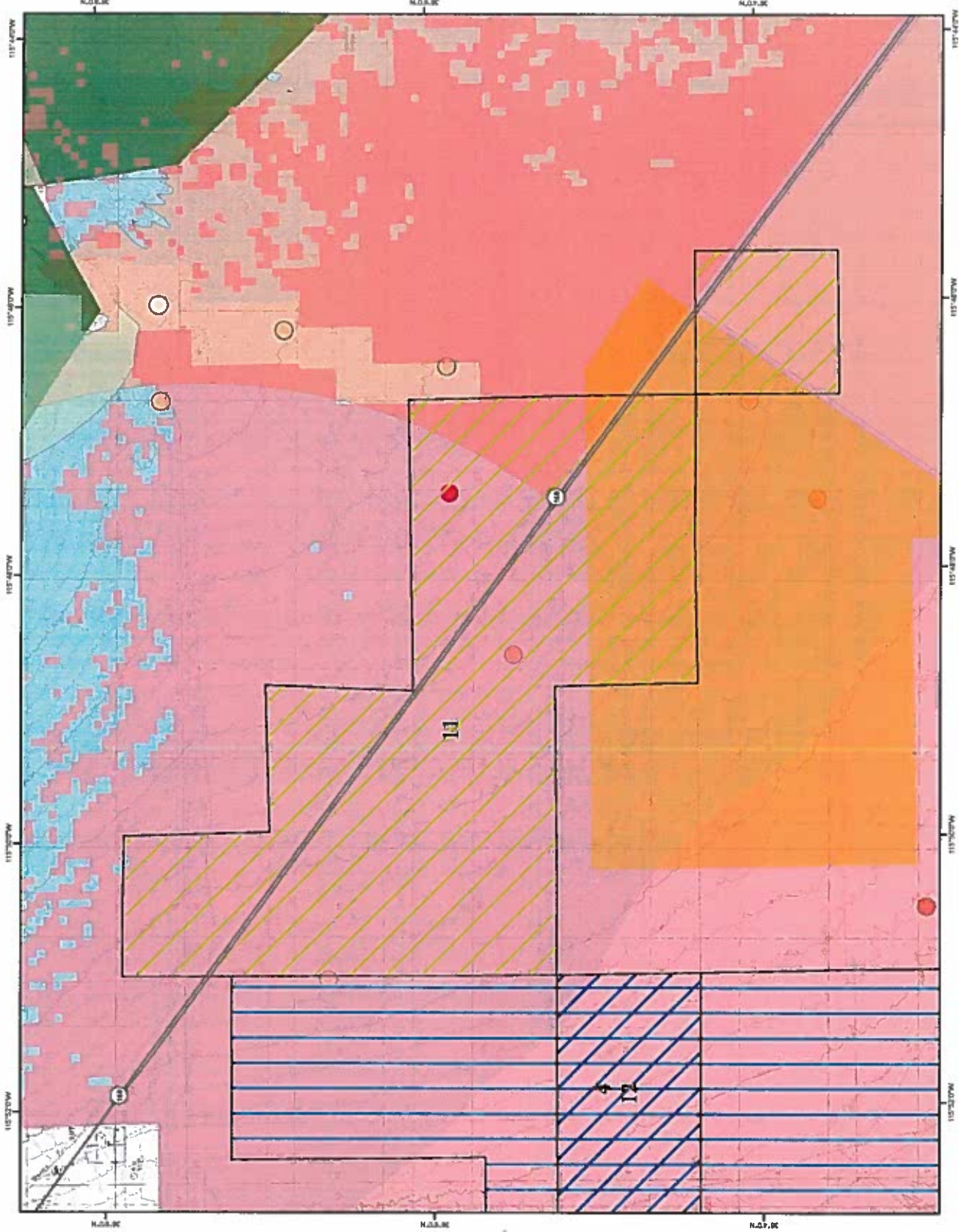
- SNDD E&I - Proposed Project Submission, Serial_Num, Project
- 4, NVN-089655, Copper Rays
- 11, NVN-099406, Rough Hat Clark
- 12, NVN-099407, Rough Hat Nye
- Yellow Pine Solar Project
- Lands with Wilderness Character
- Solar Avoidance / Variance Area
- Desert Tortoise Relative Density
- Desert Tortoise Relative Density
- Very Low
- Low
- Moderate
- Very High
- Potential Bighorn Sheep Habitat
- SlumpSprings_updated_area
- Trout Canyon Release Area
- Eastern Mojave Recovery Unit
- VRM Class 3



Let Living Good - Utah Zone 11, NAD 1983
Degrees Minutes Seconds

Prepared By: SNDD E&I Staff on 8/20/2020

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District
Energy and Infrastructure
Team**

NVN-099406

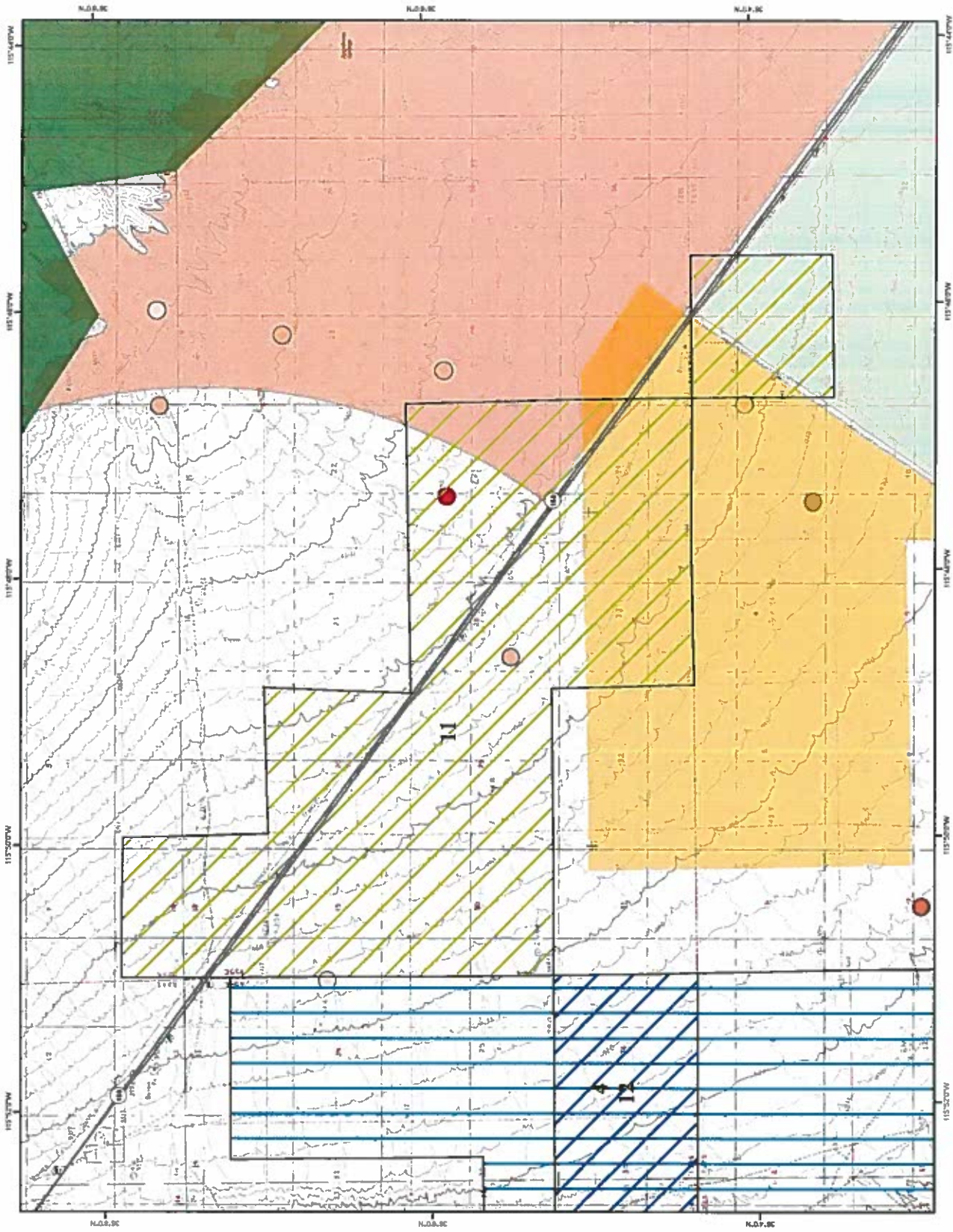
**Project Prioritization
Wildlife Criteria**

- Legend**
- SNDO E&I - Proposed Project
 - Submission, Serial_Num, Project
 - 4, NVN-099406, Copper Rays
 - 11, NVN-099406, Rough Hat Clark
 - 12, NVN-099407, Rough Hat Nye
 - Yellow Pine Solar Project
 - Desert Tortoise
 - Desert Tortoise
 - Desert Tortoise
 - Relative Density
 - Relative Density
 - Very Low
 - Low
 - Moderate
 - Very High
 - Potential Bighorn Sheep Habitat
 - StumpSprings_updated_area
 - Troft Canyon Release Area
 - Eastern Mojave Recovery Unit

0 0.35 0.7 1.4
Miles

Let Long O&I - UTM Zone 11, NAD 1983
Designers: Shimmy Stevens
Prepared By: SNDO E&I GIS on 8/21/2020

No warranty is made by the BLM as to the accuracy
of the information shown on this product
use at appropriate risk with other data.



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the **FEDERAL REGISTER**, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

1. NOTICE OF APPEAL.....

2. WHERE TO FILE

NOTICE OF APPEAL..... Department of the Interior, Bureau of Land Management, 4701 N. Torrey Pines, Las Vegas, Nevada 89130

WITH COPY TO SOLICITOR...

DOI Office of the Solicitor, Pacific Southwest Region, 2800 Cottage Way, Room E-1712, Sacramento CA 95825-1890

3. STATEMENT OF REASONS

Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO SOLICITOR.....

DOI Office of the Solicitor, Pacific Southwest Region, 2800 Cottage Way, Room E-1712, Sacramento CA 95825-1890

4. ADVERSE PARTIES.....

Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).

5. PROOF OF SERVICE.....

Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY.....

Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). 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 appropriate Office of the Solicitor (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.

Standards for Obtaining a Stay. Except as otherwise provided 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.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.