



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Burns District Office
28910 Hwy 20 West
Hines, OR 97738

IN REPLY REFER TO:
8300 (ORB060)

JAN 29 2015

CERTIFIED MAIL—7014-1200-0000-9403-5497
RETURN RECEIPT REQUESTED

Ed Shadle
North American Eagle
1317 208th Street East
Spanway, Washington 98387

Dear Mr. Shadle:

On January 15, 2015, I received two Special Recreation Permit (SRP) applications from you to conduct a group activity on the Alvord Desert Playa, Andrews Resource Area on April 26–May 8, 2015, and September 20–October 30, 2015. Enclosed with the applications were two checks, each for \$105.00. In the past we have collected these fees with applications. The Bureau of Land Management's (BLM) new procedure is to collect the "non-refundable permit fee" only if we are certain a permit will be issued for the dates and activities requested; therefore, these checks are being returned to you. Your application for the September 20–October 30, 2015, timeframe will be reviewed and when the permitting process is started, we will collect the non-refundable fee from you at that time.

In regards to your application for April 26–May 8, 2015, the North American Eagle Alvord Desert Speed Trials Environmental Assessment (DOI-BLM-OR-B060-2012) Decision Record states "...my decision is to select the Proposed Action with the operation dates from Alternative C, mid-September to end of November to protect nesting snowy plover....".

The snowy plover breeding season is from March to September, with nest initiation occurring as early as the first week of April. Snowy plover are sensitive to noise levels and will abandon nest sites in the case of increased noise levels. The speed test, even at three miles away, will be close to double the level of noise at ambient levels. The test applied for in April will not be in the best interest of nesting plovers or conducive to maintaining a steady, healthy population. For this reason, it is my decision to deny your SRP application for April 26–May 8, 2015, for land speed trials on the Alvord Desert Playa.

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and Form 1842-1 (enclosed). If an appeal is filed, your notice of appeal should be filed with the Andrews/Steens Resource Area Field Manager, Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 30 days following receipt of this letter. The appellant has the burden of showing the decision appealed is in error. A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to:

Regional Solicitor, Pacific Northwest Region
 U.S. Department of the Interior
 805 SW Broadway, Suite 600
 Portland, Oregon 97205

If the notice of appeal did not include a statement of reasons for the appeal, it must be sent to:

Interior Board of Land Appeals
 Office of Hearings and Appeals
 801 North Quincy Street
 Arlington, Virginia 22203

It is suggested appeals be sent certified mail, return receipt requested.

Request for Stay

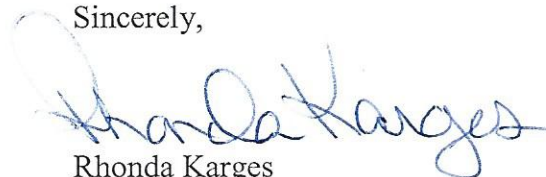
Should you wish to file a motion for stay pending the outcome of an appeal of this decision, you must show sufficient justification based on the following standards under 43 CFR 4.21:

- The relative harm to the parties if the stay is granted or denied,
- The likelihood of the appellant's success on the merits,
- The likelihood of immediate and irreparable harm if the stay is not granted,
- Or, whether or not the public interest favors granting the stay.

All decisions BLM makes under 43 CFR 2931 go into effect immediately and will remain in effect while appeals are pending unless a stay is granted under 43 CFR 4.21(b).

Please address any questions regarding the application process to Mandy DeCroo at (541) 573-4474.

Sincerely,



Rhonda Karges
 Andrews/Steens Resource Area Field Manager

Enclosure