



U.S. Department of the Interior  
Bureau of Land Management

# News Release

BLM Ely District

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July 6, 2020

## **BLM signs decision on Mt. Irish archaeological site improvements**

**ELY, Nev.** – The Bureau of Land Management Basin and Range National Monument Manager has issued a decision for the Mount Irish Cultural Resource Protection and Visitor Improvements Project. The BLM will construct four primitive campsites with picnic tables and fire rings and install a vault toilet in the vicinity of Paiute Rocks and Shaman Knob.

“These improvements will help to protect natural and significant cultural resources. They will enhance the recreational experience and provide for public safety,” Manager Alicia Styles said.

Styles said visitation to Mount Irish has increased from 100 people in 2006 to nearly 900 people in 2018, resulting in resource impacts and health and safety issues.

The Decision Record and Finding of No Significant Impact, and final environmental assessment are available online at <https://go.usa.gov/xwg5m>. For more information, contact Alicia Styles at (775) 726-8100.

-BLM-

*The BLM manages more than 245 million acres of public land located primarily in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the nation. In fiscal year 2018, the diverse activities authorized on BLM-managed lands generated \$105 billion in economic output across the country. This economic activity supported 471,000 jobs and contributed substantial revenue to the U.S. Treasury and state governments, mostly through royalties on minerals.*



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Basin and Range National Monument  
P.O. Box 237 (1400 South Front Street)  
Caliente, Nevada 89008-0237

<https://www.blm.gov/programs/national-conservation-lands/nevada/basin-and-range-national-monument>

In Reply Refer To:  
8100 (NVL05000)

## **DECISION RECORD**

Basin and Range National Monument	:	
Caliente Field Office	:	Decision Record
P.O. Box 237 (1400 South Front St.)	:	DOI-BLM-NV-L050-2020-0001-EA
Caliente, NV 89008	:	

## **DECISION**

I have reviewed the final Environmental Assessment (EA) for Mount Irish Cultural Resource Protection and Visitor Improvements (DOI-BLM-NV-L050-2020-0001-EA), and have issued a Finding of No Significant Impact (FONSI). It is my decision to approve the Proposed Action as described in the EA. This decision will become effective at the end of the 30-day appeal period described below.

## **RATIONALE FOR DECISION**

1. The Proposed Action is in conformance with the Ely District Record of Decision and Approved Resources Management Plan signed in August of 2008, as amended. Section 1.6 of the EA documents the conformance review.
2. The Proposed Action is consistent with all other federal, state, local, and tribal policies and plans to maximum extent possible. See Section 1.6 for a complete list of statutes and regulations.
3. Approval of Proposed Action meets the need of the BLM to respond to its mandate under the Federal Land Policy and Management Act of 1976, as amended that “public lands are to be managed under the principles of multiple use and sustained yield except that where a tract of such public land has been dedicated to specific uses according to any other provisions of law it will be managed in accordance with such law” under Section 302(a).
4. The Proposed Action is consistent with and implements the Presidential Proclamation Establishment of the Basin and Range National Monument of 2015. The Proclamation assigns the BLM to manage the area as part of the National Landscape Conservation System for proper care and management of monument objects, which includes the Mount Irish Archaeological Area.

## **BACKGROUND**

The Mt. Irish site is within the Mount Irish Area of Critical Environmental Concern (ACEC), which was designated for its cultural resource values. Mt. Irish is a unique collection of cultural resources that have drawn visitors to the area for many years. Due to the mild climate, the site remains relatively accessible throughout the year. Sometime between 1970 and 1990, a wooden pit toilet was installed at Shaman Knob. BLM removed the old pit toilet in February 2014 to comply with Environmental Protection Agency (EPA) rules.

In 2002, a visitor register was placed at Paiute Rocks, part of the recreation area, where one of the original wood signs is located. From 2002 to 2006, records from this register indicate that an average of 100 people per year visited the site. Between 2005 and 2006, BLM developed a new interpretive program, which resulted in the creation of three trails. These trails consist of small steel trail markers in the ground with numbers on them to guide visitors along the trail using an associated trail guide. In Fiscal Year 2018, 889 visitors were counted visiting the Mt. Irish Recreation Site. The increased visitation and lack of visitor amenities such as camp sites and a pit toilet has resulted in damage to the petroglyph panels and proliferation of human waste near the rock art.

## **PUBLIC INVOLVEMENT**

A 15-day public comment period for this project concluded June 16, 2020. During that time, the BLM received nine individual letters resulting in 17 unique comments. Changes were made to the EA based on some of these comments. Appendix B of the EA contains a complete summary of the comments and the BLM's responses.

The BLM Ely District Office, Caliente Field Office, reached out to federally recognized tribes, in compliance with EO 13175 Consultation and Coordination with Indian Tribal Governments, by sending consultation letters seeking input on May 04, 2020. Each tribe maintains a general concern for protection of and access to these resources, as well as the welfare of plants, animals, air, landforms, and water. Topics of concern consistently identified by tribes include access to natural, medicinal, cultural, and sacred resources, traditional use areas, and sacred sites. The Duckwater Shoshone and Ely Shoshone were formally consulted on the proposed action with a visit to the project location on May 27, 2020. No specific concerns were raised for the project.

## **APPEALS**

If you wish to appeal this decision, it may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR part 4 and Form 1842-1 (enclosed). If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

U.S. Department of the Interior Bureau of Land Management  
Ely District, Basin and Range National Monument  
P.O. Box 237 (1400 South Front Street)  
Caliente, Nevada 89008

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. You have 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 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals  
Dockets Attorney  
801 N. Quincy street, Suite 300  
Arlington, VA 22203

A copy must also be sent to the appropriate office of the Solicitor at the same time the original documents are filed with the above office.

US Department of the Interior  
Office of the Regional Solicitor  
Pacific Southwest Region  
2800 Cottage way, Room E-1712  
Sacramento, California 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to 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.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals, therefore they will not be accepted.

**ALICIA STYLES** Digitally signed by ALICIA STYLES  
Date: 2020.07.01 17:18:14 -07'00'

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Alicia Styles  
Monument Manager  
Basin and Range National Monument

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Date

Enclosure:  
Form 1842-1

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**

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- 1. NOTICE OF APPEAL**..... 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).
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- 2. WHERE TO FILE**
- NOTICE OF APPEAL..... U.S. Department of Interior, Bureau of Land Management, Caliente Field Office, 1400 South Front Street, Box 237, Caliente NV 89008
- WITH COPY TO SOLICITOR... U.S. Department of the Interior, Office of the Solicitor, Pacific Southwest Region, 2800 Cottage Way, Room E-2753, Sacramento, CA 95825-1890
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- 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..... U.S. Department of the Interior, Office of the Solicitor, Pacific Southwest Region, 2800 Cottage Way, Room E-2753, Sacramento, CA 95825-1890
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- 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).
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- 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)).
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- 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.

### 43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

#### STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska  
Arizona State Office ----- Arizona  
California State Office ----- California  
Colorado State Office ----- Colorado  
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri  
and, all States east of the Mississippi River  
Idaho State Office ----- Idaho  
Montana State Office ----- Montana, North Dakota and South Dakota  
Nevada State Office ----- Nevada  
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas  
Oregon State Office ----- Oregon and Washington  
Utah State Office ----- Utah  
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

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(Form 1842-1, September 2006)