

States Department of the Interior
Bureau of Land Management
Lakeview District Office
1301 S. G. Street
Lakeview, Oregon 97630
(541) 947-2177

NOTICE OF FIELD MANAGERS PROPOSED DECISION
FOR
COLEMAN SEEDING ALLOTMENT SOUTH PASTURE DIVISION FENCE
ENVIRONMENTAL ASSESSMENT

INTRODUCTION & BACKGROUND INFORMATION

The Coleman Seeding Allotment (#0432) is located approximately 29 miles from Valley Falls, Oregon. The Coleman Seeding Allotment consists of approximately 5,839 acres of BLM administered land, currently divided into two pastures and administered under one grazing permit. The legal description of the area covered by the Environmental Assessment (EA) is T. 31 S., R. 23 E. Sections 29, 30, and 32.

The Lakeview Resource Area, Lakeview District of the Bureau of Land Management (BLM) has analyzed a proposed action and one alternative in the Coleman Seeding Allotment South Pasture Division Fence Environmental Assessment (EA).

PROPOSED DECISION

My proposed decision to implement the proposed action, which is described below:

The proposed action consists of building a three-strand barbed wire fence dividing the South Pasture of the Coleman Seeding Allotment. The fence would be built to standard BLM wildlife passage specifications. The bottom wire of the fence would be smooth wire at least 18 inches off the ground, and the top wire would be no higher than 42 inches. The posts would consist of 66-inch steel posts, and rock cribs would be constructed as braces. The fence would be approximately 3 miles in length, and would be located in T. 31 S., R. 23 E. Sections 29, 30, and 32 (see attached map). A small fence surrounding the trough and waterhole at the south east corner of the South Pasture would also be constructed. This small fence would allow the water to be accessed from each of the new pastures.

Once the fence is constructed, the Coleman Seeding Allotment would consist of three pastures which would be used under a rest-rotation grazing management system. The grazing system would be on a three-year rotation, where one of three pastures is rested and two are grazed every year. This grazing system would provide a portion of the Coleman Seeding Allotment with periodic rest as each pasture would be rested one year out of three.

RATIONALE

The purpose of the proposed action is to implement a rest-rotation grazing system in the allotment by dividing the South Pasture of the Coleman Seeding Allotment in half, creating three pastures within the allotment. Currently the Coleman Seeding Allotment is not being provided with adequate periods of rest. This proposed pasture division fence would allow a three-pasture rest rotation grazing management system to be implemented. Providing periods of rest would improve plant and overall rangeland health in the Coleman Seeding Allotment.

The proposed action conforms with the Lakeview RMP/ROD, Standards for Rangeland Health and Guidelines for Livestock Management for Oregon and Washington (2003), and other applicable management direction.

The Coleman Seeding South Pasture Division Fence EA/FONSI was made available for a 30 day public review period, and no comments were received.

AUTHORITY

The authority for this decision is contained in Title 43 of the Code of Federal Regulations (CFR), which states in pertinent parts: 4120.3-1(a) "Range improvements shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands, in a manner consistent with multiple-use management." In addition, 4120.3-1 (f) " Proposed range improvement projects shall be reviewed in accordance with the requirements of the National Environmental Policy Act of 1969 (42U.S.C. 4371 et seq.). The decision document following the environmental analysis shall be considered the proposed decision under 4160 of this part."

ADMINISTRATIVE REMEDIES

PROTEST

Any applicant, permittee, lessee or other person whose interest is adversely affected by the proposed decision may protest it in accordance with 43 CFR 4160.2 within 15 days from receipt of this decision. The protest should specify the reason(s), clearly and concisely, why the decision is in error. The protest should be submitted in writing to me at:

Bureau of Land Management
1301 South G Street
Lakeview, Oregon 97630

In accordance with 43 CFR 4160.3(b), in the absence of a protest, the proposed decision will become the final decision without further notice.

APPEAL

Anyone whose interest is adversely affected by the final decision may file an appeal and petition for stay of the decision pending final determination on appeal for the purpose of a hearing before an Administrative Law Judge in accordance with 43 CFR 4160.3(c), 4160.4, 4.21, 4.470, and 4.471. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above, within 30 days following receipt of the final decision, or 30 days after the date the

proposed decision becomes final. The petition for a stay and a copy of the appeal must also be filed with the Office of Hearings and Appeals at the following address:

U.S. Department of Interior
Office of Hearings and Appeals
Departmental Hearings Division
405 South Main Street, Suite 400
Salt Lake City, UT 84111

The appeal must be in writing and state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and also must comply with the provisions of 43 CFR 4.470. It is suggested that any notice of appeal be sent certified mail, return receipt requested.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471, a petition for a stay must show sufficient justification based on the following standards under 43 CFR 4.21:

- (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.

Any person named in the decision that receives a copy of a petition for a stay and/or an appeal should refer to 43 CFR 4.472(b) for procedures to follow if you wish to respond.


Thomas E. Rasmussen, Manager
Lakeview Resource Area

2/22/08
Date

Cc: Peter Lacy
Oregon Natural Desert Association
917 SW Oak Street, Suite 409
Portland, OR 97205

