

NOTICE OF PROPOSED DECISION
To Implement
Trout Creek Allotment Management Plan
Environmental Assessment
DOI-BLM-OR-B050-2009-0065-EA
and Renew Term Grazing Leases

A. BACKGROUND

The Trout Creek Allotment Management Plan/Environmental Assessment (AMP/EA) analyzed issues emerging from the 2006 Trout Creek Allotment Evaluation process to aid in accomplishing resource objectives and achieving Standards for Rangeland Health and Guidelines for Livestock Grazing Management in Trout Creek Allotment. The AMP/EA was also prepared to analyze the renewal of two term grazing leases.

B. PROPOSED DECISION

Having considered the Proposed Action, No Action Alternative, other alternatives and associated impacts and based on analysis in the Trout Creek AMP/EA and with consideration of public comments, it is my proposed decision to authorize implementation of the Proposed Action (Alternative B) which includes the following elements:

- Management Changes
- Season of Use Change
- Project Development
- Renewal of two 10-year term grazing leases
- Adaptive management and monitoring

Additionally, a Finding of No Significant Impact (FONSI) found the Proposed Action and alternatives analyzed in the Trout Creek AMP/EA did not constitute a major Federal action that will adversely impact the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) will not be prepared.

Implementation of the Proposed Action will provide measurable progress toward achieving Guidelines for Livestock Grazing Management (August 12, 1997) determined as not met in the 2006 Trout Creek Allotment Evaluation and demonstrate significant progress¹ toward fulfilling fundamentals of rangeland health. The Proposed Action was also designed to achieve Trout Creek Allotment resource objectives brought forth and revised from the 2006 Trout Creek Allotment Evaluation.

1. Proposed Management

a. Livestock Grazing Management:

To continue to achieve Standards for Rangeland Health, achieve resource objectives, and conform to the Guidelines for Livestock Grazing Management, management in detail is as follows:

- (1) Livestock grazing management is designed and will be authorized to provide periodic growing season rest for upland plant species. Grazing management in riparian areas will be designed to limit grazing intensity and support adequate vegetation to maintain channel and bank stability. Early grazing in the Lost Creek Pasture will allow for adequate regrowth of riparian species. Use periods per pasture may vary annually in order to provide for recommended rest periods (see Trout Creek AMP/EA Table 4: Proposed – General Livestock Grazing Management (2-Year Rotation) described in Table 4 below.

¹ **Significant Progress:** Used in reference to achieving a standard as outlined in the Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the BLM in the States of Oregon and Washington (1997). The use of the word "significant" in this document does not meet the Council on Environmental Quality's (CEQ's) definition of the word.

- (2) Current permitted season of use will be changed from April 1 through May 31 to April 1 through September 15 for lease #3602095. This extension in permitted season of use is necessary to carry out proposed grazing management to provide growing season rest specifically to Camp Creek Pasture every other year. The current permitted season of use for lease #3600066 will remain the same. Extending the permitted season of use will not increase the 421 AUMs of active use on public land. The extension will allow for increased flexibility in the timing of livestock grazing.

Camp Creek Pasture will receive growing season rest (in the form of a deferment grazing treatment) every other year. Maitland Spring Pasture will continue to receive growing season rest every other year, and Lost Creek will have an early-spring use period annually.

2. Lease Renewal

The Proposed Action also includes renewal of the existing livestock grazing leases (#3602095 and #3600066) in Trout Creek Allotment for the current lessees. Two 10-year term livestock grazing lease will be issued to continue 421 active use AUMs of livestock grazing on public land as outlined in Table 4 of the AMP/EA. No changes to AUM numbers will occur. The lease #3600066 will be issued with the same terms and conditions as the expiring lease, with the exception of encompassing all changes within this AMP as analyzed in the Proposed Action. The lease #3602095 will be issued with changes to the terms and conditions, encompassing the change in season of use from April 1 through May 31 to April 1 through September 15 for lease #3602095, and all other changes within this AMP.

Adaptive management is based upon achieving resource objectives (Allotment Specific Resource Objectives in Chapter I (b), Standards for Rangeland Health) highlighted in the Purpose and Need Section; and monitoring will be used to identify where adaptive measures are appropriate for grazing management. "Adaptive management ... is about taking action to improve progress toward desired outcomes." (www.doi.gov/initiatives, 2007). Knowing that uncertainties exist in managing for sustainable ecosystems, changes to the rotation may be authorized for reasons such as, but not limited to:

- Adjust the rotation/timing of grazing based on previous year's monitoring and current year's climatic conditions.
- Drought causing lack of available water in certain areas originally scheduled to be used.
- Changes in use periods to balance utilization levels per pasture.

Flexibility will be authorized and changes in rotations will continue to meet resource objectives. Flexibility is dependent upon the demonstrated stewardship and cooperation of the lessees. Rangeland monitoring is a key component of adaptive management. As monitoring indicates changes in grazing management are needed to achieve resource objectives, they are implemented annually working with the lessees.

3. Range Improvement Projects

Refer to Trout Creel AMP/EA, Map G: Proposed Rangeland Improvements.

- a. Spring Reconstruction: Two of the developed springs within this allotment, MP #2 and MP #3, will be reconstructed with a slightly different footprint than the prior spring developments.

MP Spring #2 is located within the Maitland Spring Pasture in T. 19 S., R. 32 E., Section 22, SWSE¹/₄. This spring was originally developed in 1975; however, the grazing enclosure around the spring and the pipeline that supplies water to the trough need to be replaced. The original enclosure was small and did not encompass the entire spring area. The proposed enclosure will encompass the entire spring and reduce heavy livestock pressure on the enclosure fence. A water trough will be installed outside of the enclosure to provide livestock and wildlife with water.

MP Spring #3 is also located within the Maitland Spring Pasture in T. 19 S., R. 32 E., Section 22, SWSW¹/₄. This spring was originally developed in 1975 and is in need of complete reconstruction including a new enclosure and trough. The original enclosure did not encompass the entire spring area. This proposed spring reconstruction will realign the enclosure to encompass the entire spring area and install a water trough outside the enclosure.

Reconstruction for both springs will be for a typical spring development with a collection box at the spring source and water piped to a trough within 100 feet of the spring. The spring source will be dug out using a backhoe to make a hole large enough for a collection box. From the collection box, a trench will be dug to bury a plastic pipe that will transport water to the new trough. A ripper tooth mounted to a dozer will most likely be used for digging a trench approximately 30 to 36 inches deep where 2-inch black PVC pipe will be buried. The disturbed ground along the pipeline will be seeded with an aggressive germinator, such as crested wheatgrass or western wheatgrass, to help prevent the establishment of noxious weeds.

b. General Project Design Elements for Range Improvements:

- (1) Proposed rangeland improvement sites will be surveyed for cultural values prior to implementation. Where cultural sites are found, their condition and National Register eligibility will be evaluated. If determined National Register eligible and under threat of continued trampling, mitigation measures to protect the remaining cultural materials will be determined. Mitigation plans will be developed in consultation with the State Historic Preservation Office if necessary. Mitigation measures can include protective fencing, surface collection and mapping of artifacts, subsurface testing and complete data recovery (full-scale excavation).
- (2) Proposed rangeland improvement sites will be surveyed for Special Status plant species prior to implementation. Special Status plant sites will be avoided.
- (3) Special Status wildlife species (terrestrial, avian, and aquatic) habitat will be protected during proposed range improvement project implementation.
- (4) No range improvement projects will be constructed within 0.6-mile of known sage-grouse lek sites.
- (5) Proposed range improvement sites will be surveyed for noxious weed populations prior to implementation. Weed populations identified in or adjacent to the proposed projects will be treated using the most appropriate methods in accordance with the Burns District Noxious Weed Management Program EA/Decision Record (DR) OR-020-98-05.

- (6) The risk of noxious weed introduction will be minimized by ensuring all equipment (including all machinery, 4-wheelers, and pickup trucks) is cleaned prior to entry to the sites, minimizing disturbance activities, and completing follow-up monitoring, to ensure no new noxious weed establishment. Should noxious weeds be found, appropriate control treatments will be performed in conformance with the Burns District Noxious Weed Program Management EA/DR OR-020-98-05.
- (7) All proposed fences will be constructed using BLM approved standards for four-strand fences.
- (8) All watering troughs installed will be equipped with escape ramps for birds and small mammals.
- (9) Reseeding will take place in areas disturbed by implementation of rangeland improvement projects. Soil displaced for pipeline installation will be pulled in and returned to original slope and grade then seeded with a whirly bird seeder and drag. The seed mix used for these rangeland improvement projects will be a mixture of native and nonnative species including crested wheatgrass, bluebunch wheatgrass, squirreltail, and native forbs. Crested wheatgrass will be used in the seed mix because it is drought tolerant, competitive with invasive species, has a long seed viability period, and aggressive germination characteristics, therefore reducing the chance of noxious weed establishment.

C. PUBLIC COMMENTS AND RESPONSES

A copy of the original EA and unsigned FONSI were mailed to Federal, State and County Agencies and other interested public on January 27, 2010. In addition, a public notice was posted in the *Burns Times-Herald* newspaper on February 3, 2010.

The Burns District BLM received public comments on the Trout Creek AMP EA. The BLM responses to public comments are discussed below.

1. Comment:

I note that the purpose and need statement generally provides that the purposes are threefold, namely: (1) modify current grazing management; (2) issue two term grazing leases; and, (3) to reconstruct two spring developments. While it is clear how the "need" identified for the second and third items are being met, it is confusing as to how the "need" for item (1) is actually being addressed by the action alternatives.

Response:

The need for item (1) is that Camp Creek Pasture is not currently conforming to Guidelines as the pasture receives continuous growing season use (EA p. 3). The purpose which addresses that need is to modify the current grazing management. This is described in the Proposed Action (EA p. 8).

2. Comment:

The "need" statement states that the Camp Creek Pasture is not currently conforming to the Guidelines in that it receives continuous growing season use and that "[c]urrently grazing management has lead (sic) to a downward trend in rangeland condition." (EA, p. 3). However, later in the EA it is referenced that within Camp Creek Pasture the standards are being achieved but that "they are at risk for not being achieved in the future due to the downward trend in range condition among upland plant communities in the Camp Creek Pasture." Similarly, the EA references that only one of the five standards was not being achieved (Watershed Function) thereby implying that Camp Creek Pasture was meeting the standards. It would be helpful to clarify whether the standard is currently not being achieved or is being achieved but on a downward trend.

Response:

While the Oregon and Washington Standards for Rangeland Health (Standards) and Guidelines for Livestock Grazing Management (Guidelines) were issued in a single document on August 12, 1997, they are two separate sets of direction.

EA p. 1 states that the Camp Creek Pasture is not currently conforming to the Guidelines by not providing periodic growing season rest to forage plant species. This does not conform to the Guideline under the *Livestock Grazing Management* section of the August 12, 1997 document, which states that livestock grazing management should "Provide periodic rest from grazing for rangeland vegetation during critical growth periods to promote plant vigor, reproduction, and productivity." Therefore, this pasture is not in conformance with the Guidelines.

Currently, within the allotment, only Standard 2 – Watershed Function – Riparian/Wetland Areas is currently not being met due to a headcut on Lost Creek, in the Lost Creek Pasture (EA p. 1). Since Lost Creek is not in Camp Creek Pasture, all five of the Standards are currently being achieved within that pasture. However, due to continuous growing season use by livestock, monitoring sites within that pasture suggest it has a downward trend in rangeland condition. Therefore, currently all Standards are achieved within Camp Creek Pasture, but the Standards may not be achieved in the future if the downward trend in rangeland condition continues (EA p. 2).

3. Comment:

While the Camp Creek Pasture is described as experiencing a downward trend due to the pasture being grazed during the active plant growth period and thereby not allowing opportunity for regrowth and the lack of periodic growing season rest (p. 2), it is noteworthy that Table 3, identifies the current livestock grazing management in Camp Creek as being both odd and even years during mid-April to the end of May. The EA does not describe whether the active growing season is over by the end of May nor does it explain the impacts of other ungulates on this pasture. Given the reference later in the EA that elk populations are at or above management objectives, it is unclear whether the cattle or the elk are the cause of the downward trend. If it is the elk, then the EA needs to clarify how this lack of grazing will provide the desired condition as opposed to other alternative courses of action.

Response:

Table 3: Current Livestock Grazing Management shows that Camp Creek Pasture is being grazed by livestock April 18 to May 31 on both odd and even years (EA p. 7). These dates correspond with a "graze" grazing treatment. As defined in Appendix A (EA p. 55) a "graze" treatment occurs from May 1 to July 1-15 (dates are approximate and vary with weather), and "allows for grazing during the critical growth period of most plants. Carbohydrate reserves are continually being utilized because the green parts of the plant are continuously being removed by livestock." Since livestock are generally removed by May 31, the grazed vegetation may exhibit some active growth during June. However, the amount of growth is variable depending on environmental conditions, and it is not likely all grazed plants will be able to regrow and complete a reproductive cycle within remaining growing season.

While elk populations within both Silvies and Malheur Hunt Units are at or above management objectives, distribution of elk is uneven across the units and is generally "concentrated in higher quality habitat and private agricultural land" (EA p. 48). It is also unlikely elk concentrate within Camp Creek Pasture during the critical growing season since that pasture is relatively small in size and cattle are also present during this period. Therefore, while elk do utilize available forage within Camp Creek Pasture, it is unlikely elk are responsible for the downward trend.

4. Comment:

To allow for the public to clearly review and knowingly comment on the proposed action, the EA should disclose the environmental impact of simply going to an odd or even grazing program. This disclosure is warranted given that the Camp Creek Pasture is currently not violating the standard, rather is described as having a downward trend.

Response:

Since Camp Creek Pasture is the only pasture within Trout Creek Allotment not conforming to Guidelines and is at risk for not achieving Standards in the future, it was the only pasture analyzed in Alternative D: Switch to Every Other Year Grazing in Camp Creek Pasture (EA p. 12). The environmental impacts are discussed in Chapter III of the EA in the "Environmental Consequences" section for each resource.

5. Comment:

When one compares Table 3 and 4, it is notable that the approximate use dates in Table 4 relative to Camp Creek have been modified to July 15 to August 31 with a "defer" status. If the pasture is being "deferred" from grazing, then the EA should discuss why the season of use was changed.

Response:

The season of use for Camp Creek Pasture in Table 4: Proposed General Livestock Grazing Management has been adjusted to allow the pasture to receive a "graze" grazing treatment in even years, and a "defer" grazing treatment in odd years (see Appendix A – Grazing Treatment Descriptions, EA p. 55 for definitions of these terms). This rotation will provide the pasture with periodic growing season rest (during the defer treatment) and will allow the pasture to conform to Guidelines (EA p. 8).

6. Comment:

The confusion relative to Camp Creek Pasture is further illustrated on page 8 wherein item (1)(a)(2) references that Camp Creek Pasture is proposed to be rested every other year rather than totally deferred. (See also page 9). This issue should be clarified.

Response:

This has been clarified within the EA (p. 8). The Proposed Action suggests grazing management that will provide growing season rest to Camp Creek Pasture every other year through a defer grazing treatment (EA p. 8). By not allowing grazing prior to July 1 in odd years (which is a "defer" treatment) the pasture will receive growing season rest; grazing within this pasture will still occur each year.

7. Comment:

If Camp Creek Pasture is being totally deferred, then the EA should provide some method to measure the progress and establish a target that when achieved will allow for the restoration of grazing on this pasture.

Response:

A "defer" grazing treatment, as planned for in the Proposed Action, is defined as grazing occurring after approximately July 1. Grazing during this treatment will not begin until after most plants have reached seed ripe and have stored adequate carbohydrate reserves (EA p. 55). Under the Proposed Action, grazing will not be removed from this pasture; removal of grazing for Camp Creek Pasture would only occur if Alternative C was selected.

8. Comment:

Water is a big issue for late season grazing on the Camp Creek Pasture. It needs more storage at the spring in the middle of the pasture. The addition of storage at this spring could support later season grazing.

Response:

Adaptive Management and Flexibility written into this EA provides for the adjustment of grazing management in response to specific issues, one of which is drought (EA p. 5). In years where drought occurs, the BLM will work with the permittee to adjust livestock grazing during those years. If water within this pasture becomes a repeating issue, additional storage at Camp Creek Spring could be provided by additional troughs or improvement of the existing overflow pond. Opportunities for new water developments within the pasture are limited and would be analyzed in a separate EA.

D. RATIONALE

Having considered the comments contained within and the BLM responses, it is my proposed decision the comments did not reveal the need for additional analysis or content revisions of the Trout Creek AMP/EA or the FONSI. The BLM specialists reviewed the comments and provided detailed responses to the relevant comments in Section 3 (Public Comments Received and Responses) of this document.

This Proposed Decision best meets the Purpose and Need for the Action because it allows implementation to continue to achieve Standards and provides growing season rest on upland forage species to allow for conformance to Grazing Guidelines; 2) it implements rangeland improvement projects to provide for better cattle distribution and utilization; 3) provides protection for springs and associated riparian vegetation; 4) will stabilize streambanks and capture sediment during high flow periods along Lost Creek, which will allow for the allotment to continue to move toward meeting Standard 2 – Watershed Function – Riparian; and 5) provides flexibility for annual variation in environmental conditions, including drought. In addition the Proposed Decision was based on consultation with affected grazing lessees, local Harney County Government, public comments, and conformance with applicable laws and regulations.

I also selected the Proposed Action (Alternative B) based on the following decision factors (outside laws and regulations). Decision factors are additional questions or statements used by the decision maker to choose between alternatives that best meet project goals and resource objectives. These factors generally do not include satisfying legal mandates, which must occur under all alternatives. Rather decision factors assess, for example, the comparative cost, applicability, or adaptability of the alternatives considered.

I did not select the No Action Alternative because the continuation of current management under the No Action Alternative will not (1) conform to the Guidelines for Livestock Grazing Management; (2) ensure livestock grazing management continues to achieve the Standards for Rangeland Health; and (3) address the goals and objectives of the AMP and the Purpose and Need.

Will the Proposed Decision to implement the Proposed Action:

1. Provide for multiple-use of public lands as outlined in the Three Rivers RMP/Record of Decision/Rangeland Program Summary (ROD/RPS)?

Yes, the AMP/EA provides for multiple use in many ways. Healthier vegetative communities allow for improved habitat for migratory birds and wildlife, and are more resistant to invasion by noxious weeds. The improved habitat also improves recreational opportunities such as hunting and wildlife viewing within the allotment. By allowing grazing within the allotment, we are allowing economic stability for the associated permittees and those who work for them, as well as keeping the tradition of ranching within the Harney County community.

2. Improve livestock distribution across the allotment and encourage more uniform utilization patterns?

Yes, proposed spring reconstructions will improve distribution of livestock across Maitland Spring Pasture, which will result in more even utilization patterns.

3. Provide for the establishment and growth of habitat components needed by sensitive species?

Yes, the Proposed Action will implement livestock grazing rotations providing periodic growing season rest to key forage plant species on all pastures within Trout Creek Allotment. Herbaceous plants are expected to improve in vigor and productivity. Healthier, more robust plant communities provide better insect habitat, and improve foraging opportunities for bats and migratory birds. Reconstructing two springs in the southern half of Maitland Spring Pasture will benefit bats and other Special Status Species by protecting the water sources and adjacent vegetation from trampling and grazing by livestock. Large, open ponderosa pine habitat preferred by white-headed and Lewis' woodpeckers will likely remain in stable condition.

4. Maintain adequate cover and plant community structure to promote streambank stability, debris and sediment capture, and floodwater energy dissipation in riparian areas?

Yes, the Proposed Action will not change use along the portion of Lost Creek in this allotment. Riparian condition will either be maintained or continue to improve under this alternative as monitoring shows has happened under the current grazing system. The riparian graze treatment will allow for hydric herbaceous regrowth to stabilize streambanks and capture sediment during high flow periods along Lost Creek. The gather date is early enough that cattle are expected to make no to slight utilization of deciduous woody riparian species within the pasture. This will continue to move the allotment toward meeting Standard 2 – Watershed Function – Riparian.

The riparian areas surrounding a headwater spring of North Fork Trout Creek (MP Spring #3) and of MP Spring #2 should improve under the Proposed Action, which calls to maintain or reconstruct these spring developments. Reconstruction and maintenance at the spring sources will allow for the improvement/growth of riparian vegetation and eliminate the trampling and shearing effects of livestock around the spring sources and will perpetuate healthy watershed conditions.

5. Maintain adequate cover (live plants, plant litter, and residue) to promote infiltration, conserve soil moisture, and maintain soil stability in upland areas?

Yes, the Proposed Action will facilitate grazing management which should promote upland plant communities, and improve watershed stability and function. Overall health of rangelands within the allotment will be improved by encouraging productivity, vigor, and diversity of plant communities. Key forage species will be provided with periodic growing season rest from livestock use within Trout Creek Allotment. This will allow plants to store carbohydrates, complete a reproduction cycle, maintain or improve vigor, composition, age class distribution and overall production within the allotment. By maintaining utilization levels at or below target utilization levels, plant litter accumulation will occur.

6. Promote economic stability for the local and rural economy dependent upon public land grazing and public lands uses?

Yes, the proposed grazing management will provide economic benefits to the Harney County economy through the purchase of supplies and equipment to reconstruct the two springs, and through taxes and goods and services purchased by the ranches and employees. The Proposed Action is designed to improve conditions for uplands and riparian areas, which could maintain or increase forage production for livestock and wildlife, and provide improved water sources for wildlife and livestock. In addition, providing sustainable grazing management that improves habitat conditions for wildlife will in turn increase economic opportunities for recreational activities such as hunting.

Renewing the current 10-year term leases, with the Proposed Action of this AMP as a term and condition of the leases, will provide for a continued viable ranching livelihood for the livestock operators and employees of these ranches.

E. AUTHORITY

The enclosed Trout Creek AMP/EA DOI-BLM-OR-B050-2009-0065-EA is tiered to the September 1991 Three Rivers PRMP/FEIS. Relevant information contained within this document is incorporated by reference. The Proposed Action has been designed to conform to the following documents, which direct and provide the framework for management of BLM lands within Burns District:

- Taylor Grazing Act (43 U.S.C. 315), 1934
- The National Environmental Policy Act (42 U.S.C. 4321-4347), 1970
- Federal Land Policy and Management Act (43 U.S.C. 1701), 1976
- Endangered Species Act (16 U.S.C. 1544), 1973
- Public Rangelands Improvement Act (43 U.S.C. 1901), 1978
- 1992 Three Rivers RMP/ROD/RPS
- August 12, 1997 Standards for Rangeland Health and Guidelines for Livestock Management for Public Lands Administered by the BLM in the States of Oregon and Washington
- 1998 Burns District Noxious Weed Management Program EA (OR-020-98-05)
- BLM National Sage-grouse Habitat Conservation Strategy (2004)
- Greater Sage-grouse Conservation Assessment and Strategy for Oregon, August 2005
- State, local, and Tribal laws, regulations, and land use plans

F. RIGHT OF PROTEST AND/OR APPEAL

Any applicant, permittee, lessee or other interested public may protest a proposed decision under Section 43 CFR 4160.1 and 4160.2, in person or in writing to the Three Rivers Resource Area, Burns District Office, 28910 Hwy 20 West, Hines, Oregon 97738, within 15 days after receipt of such decision. The protest, if filed should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision. Any protest received will be carefully considered and then a final decision will be issued.

Any applicant or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.3(a) and 4160.4.

The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.21, pending final determination on appeal. 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 within 30 days after the date the proposed decision becomes final.

This appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise comply with the provisions of 43 CFR 4.470 which is available at the BLM office. 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:

United States Department of the Interior
Office of Hearings and Appeals
405 South Main Street, Suite 400
Salt Lake City, Utah 84111

Should you wish to file a petition for a stay, you must file within the appeal period. In accordance with 43 CFR 4.21(b)(1), a petition for a stay must 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 or not the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer.

Sincerely,

/signature on file/

Richard Roy
Three Rivers Resource Area Field Manager