

## **DECISION RECORD**

### *2013 Post Fire Emergency Stabilization and Rehabilitation*

DOI-BLM-OR-134-2014-0001

Bureau of Land Management

Wenatchee Field Office

915 Walla Walla Avenue

Wenatchee, Washington 98801

### **1. Background**

The Burbank Creek and Colockum-Tarps fires occurred in the summer of 2013. The Burbank Creek fire burned approximately 202 acres (all Bureau of Land Management (BLM) administered) in Kittitas and Yakima Counties. The Colockum-Tarps Fire burned approximately 80,408 acres south of Wenatchee and northeast of Ellensburg in Chelan and Kittitas Counties, consisting of approximately 1,667 acres of BLM administered lands; 6,890 acres of private land; 26,687 acres of Washington Department of Natural Resources (WDNR) land and 45,164 acres of Washington Department of Fish and Wildlife lands in the Colockum Wildlife Area. Fire severity was moderate to high in some of the burned areas, resulting in increased recovery time of native species and susceptibility to the expansion of invasive species. High severity burn areas are unlikely to fully recover naturally due to soil erosion, the presence of invasive species in the area, and the slow recovery time for some plant species, such as sagebrush. Proposed vegetation treatments are designed to target areas where fire severity was high in order to re-establish native vegetation for wildlife habitat, prevent soil erosion, and limit expansion of noxious weeds and other invasive species that occur in the area.

### **2. Decision**

It is my decision to implement the *2013 Post Fire Emergency Stabilization and Rehabilitation* projects as described in the attached document, DOI-BLM-OR-134-2014-0001-CX, and shown on attached maps & drawings.

This wildfire management decision is issued under 43 CFR 4190.1 and is effective immediately. The BLM has made the determination that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire. Thus, notwithstanding the provisions of 43 CFR 4.21(a)(1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision. Appeal of this decision may be made to the Interior Board of Land Appeals in accordance with 43 CFR 4.410. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed as contained in 43 CFR 4.416.

### **3. Authority**

The following authority is applicable to this decision: Code of Federal Regulations Subpart 4190.1 - Effect of wildfire management decisions.

(a) Notwithstanding the provisions of 43 CFR 4.21(a)(1), when BLM determines that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire, BLM may make a rangeland wildfire management decision effective immediately or on a date established in the decision. Wildfire management includes but is not limited to: (1) Fuel reduction or fuel treatment such as prescribed burns and mechanical, chemical, and biological thinning methods (with or without removal of thinned materials); and (2) Projects to stabilize and rehabilitate lands affected by wildfire.

#### **4. Rationale**

Changes caused by the fires have reduced habitat value for wildlife and have increased the burned areas' susceptibility to non-native species invasion and has resulted in unstable soils in some areas. Proposed treatments will help to quickly re-establish native vegetation to provide habitat value for wildlife species, reduce the spread of invasive species, and stabilize soils.

#### **5. Coordination and Consultation**

Grazing Lease Permit Holders  
Washington Department of Fish and Wildlife  
Natural Resource Conservation Services

#### **6. Protest and Appeal**

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. Appeal of this decision may be made to the Interior Board of Land Appeals in accordance with 43 CFR § 4.410. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed as contained in 43 CFR § 4.416. Any appeal should state clearly and concisely as to why the final decision is in error. If an appeal is taken, notice of appeal must be filed in the office of the authorized officer at the following address within 30 days from receipt of the decision. All grounds of error not stated shall be considered waived and no such waived ground of error may be presented at the hearing unless ordered or permitted by the administrative law judge. Any appeal should be submitted in writing to:

Field Manager, Wenatchee Field Office  
Spokane District Bureau of Land Management  
915 Walla Walla Ave  
Wenatchee, WA 98801

Filing an appeal does not by itself stay the effectiveness of the final BLM decision. The appeal may be accompanied by a petition for a stay of the decision pending final determination on appeal, in accordance with 43 CFR § 4.471 and 4.479. Any request for a stay of the final decision in accordance with 43 CFR § 4.21 must be filed with the appeal. In accordance with 43 CFR § 4.21 (b)(1), a petition for a stay must show sufficient justification based on the following: 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, and Whether the public interest favors granting the stay. Additionally, in accordance with 43 CFR § 4.471(b), within 15 days after filing an appeal and petition for a stay with the authorized officer, the appellant must serve copies on: 1) All other person(s) named in the address heading of this decision; and 2) The appropriate office of the Office of the Solicitor as follows, in accordance with 43 CFR § 4.413(a) and (c): Office of the Solicitor, US Department of the Interior, Pacific NW Region, 805 SW Broadway, Suite 600, Portland, OR 97205

Finally, in accordance with 43 CFR § 4.472(b), any person named in the decision from which an appeal is taken (other than the appellant), who wishes to file a response to the petition for a stay, may file with the Hearings Division a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and respond, the person must serve copies on the appellant, the appropriate office of the Office of the Solicitor in accordance with Sec. 4.413(a) and (c), and any other person named in the decision.

/s/ Linda Coates-Markle

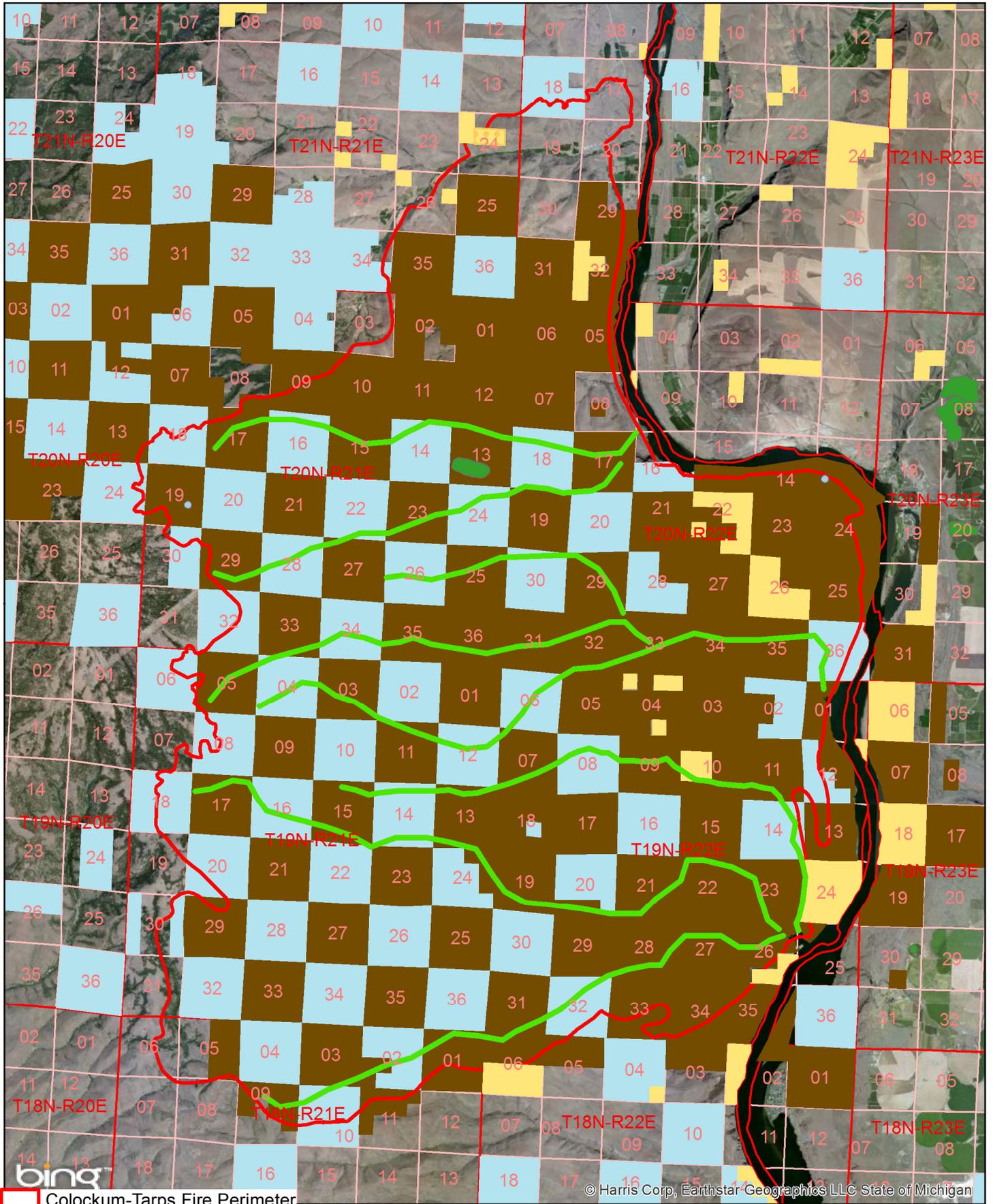
November 12, 2013

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Linda Coates-Markle  
Field Manager

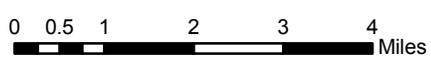
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Date

Attachments:  
Categorical Exclusion  
Project Area Maps and Drawings

# Colockum-Tarps Aerial Seeding Areas



- ▬ Colockum-Tarps Fire Perimeter
- ▬ Aerial Seeding Areas
- Bureau of Land Management
- WDFW
- WDNR



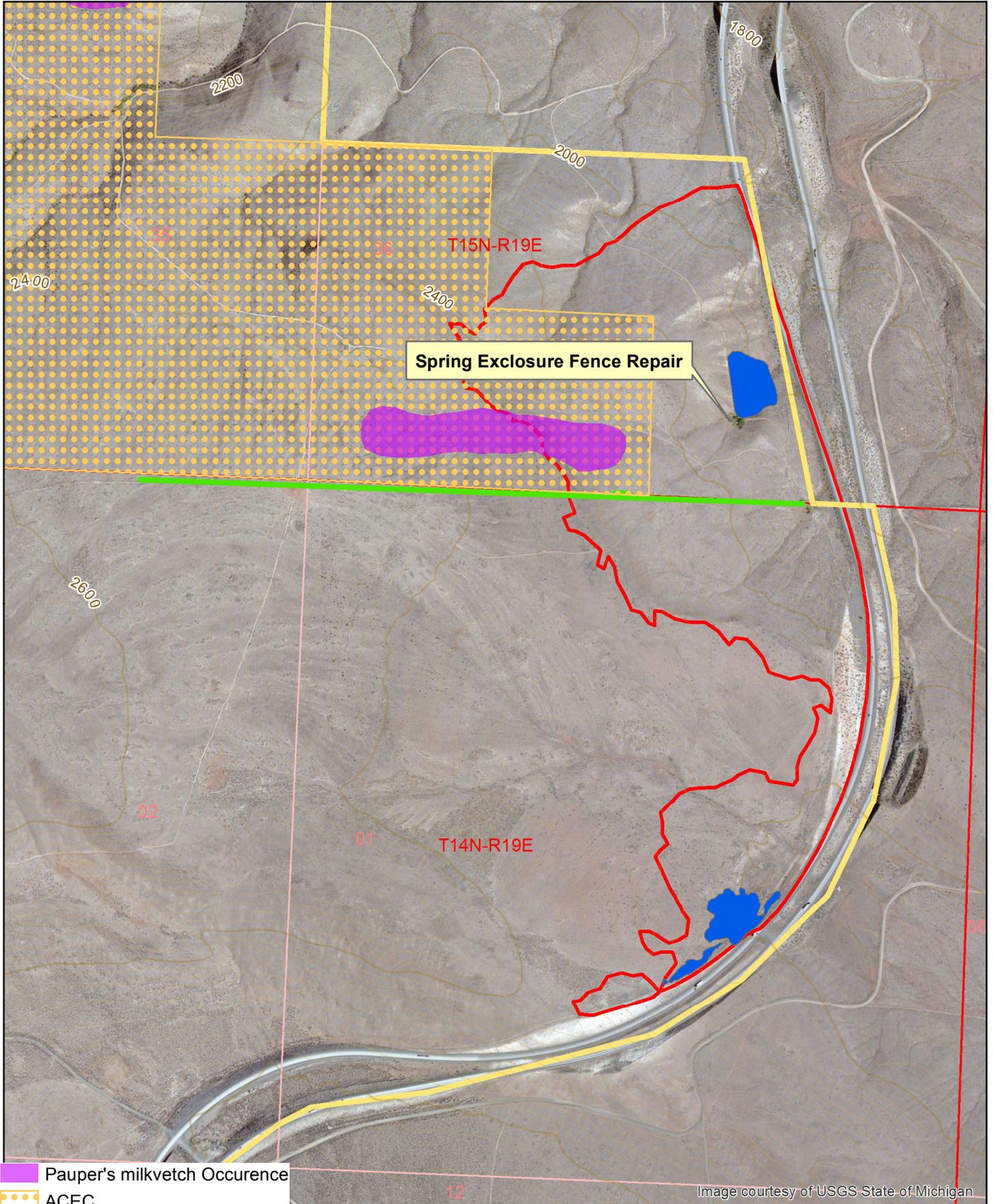
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5 November 2013

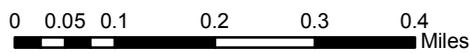


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# Burbank Creek Fire Area



-  Pauper's milkvetch Occurrence
-  ACEC
-  Fence Removal
-  Seeding and Planting Areas
-  Bureau of Land Management
-  Burbank Creek Fire Perimeter



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5 November 2013



Image courtesy of USGS State of Michigan