



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130
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In reply refer to:
8360 (P)
CA 350

NOTICE OF FIELD MANAGER'S DECISION
TEMPORARY LAND CLOSURE within the TWIN PEAKS
HERD MANAGEMENT AREA WILD HORSE and BURRO GATHER
DOI-BLM-CA-N050-2010-37-EA

INTRODUCTION

The purpose of the Proposed Action evaluated under EA# DOI-BLM-CA-N050-2010-37 is to limit public access through temporary closure of the public lands surrounding proposed gather and holding locations associated with the Twin Peaks Herd Management Area (HMA) Wild Horse and Burro Gather for the period of August 9, 2010 through September 30, 2010. The temporary closure would promote the safety and welfare of the wild horses and burros, and protect members of the public, as well as BLM and contractor personnel conducting gather operations.

DECISION

It is my decision to implement the actions described and analyzed in the Environmental Assessment (EA) for the Temporary Land Closure Within The Twin Peaks Herd Management Area Wild Horse And Burro Gather (EA# DOI-BLM-CA-N050-2010-37-EA). I have selected to implement Alternative A (Proposed Action): Implement a temporary closure of certain public lands located adjacent to and around the proposed gather and holding locations for the Twin Peaks Wild Horse and Burro Gather to all public entry. This decision is effective immediately, as pursuant to 43 CFR § 4.21(a) (1).

ALTERNATIVES CONSIDERED BUT NOT SELECTED

In addition to the selected alternative, the EA evaluated and analyzed one other alternative:

Alternative B. No Action Alternative: Do not implement a temporary closure on lands adjacent to and around the proposed locations for the Twin Peaks Wild Horse and Burro Gather.

RATIONALE FOR THE DECISION

EA# DOI-BLM-CA-N050-2010-37 was written analyzing the impacts of the Proposed Action on issues/resources that were determined through internal scoping. Based on the impact analysis there was a Finding of No Significant Impact.

My finding and decision to select Alternative A is based on the following:

1. Alternative A best meets the Purpose and Need of the proposed action.
2. Alternative A would have a beneficial effect on wild horses and burros, as the proposed temporary closure would eliminate the risk of potential stress and injury to wild horses and burros that could result from these animals trying to shy away or flee from individuals or groups of people.
3. Under Alternative A the temporary closure would protect members of the public from dangers caused by low-flying aircraft and wild horse herding and handling. In addition to reducing the potential for injury to the public, the proposed temporary closure would also protect the safety of BLM employees and contractors.
4. Alternative A would result in minor disturbances to recreational activities within the closure area, and may temporarily displace some recreationists. However, due to the vastness and size of the HMA and the dispersed nature of most recreation, there are other alternative access routes and open areas that the public could utilize for recreation activities.

I did not choose Alternative B (No Action Alternative): Do not implement a temporary closure on lands adjacent to and around the proposed locations for the Twin Peaks Wild Horse and Burro Gather because this alternative would not protect the health and safety of wild horses and burros, nor would it provide protection for members of the public, BLM staff, or contractors.

AUTHORITY

Authority for temporary land closure is found at Code of Federal Regulations (CFR) at 43 CFR §8364.1. Authority for public health, safety and comfort is found at 43 CFR §8365.1-4.

ADMINISTRATIVE REMEDIES

Within 30 days of receipt of this decision, you have the right to appeal to the Interior Board of Land Appeals, Office of the Secretary, in accordance with regulations at 43 CFR 4Subpart E 4.400, et seq. An appeal should be in writing and specify the reasons, clearly and concisely, as to why you think the decision is in error. The appellant has the burden of showing that the decision appealed from is in error.

The petition must be served upon the same parties identified below. Copies of the notice of appeal and petition for a stay must also be submitted to the Bureau of Land Management at the following address:

Kenneth R. Collum, Acting Field Manager
Eagle Lake Field Office
2950 Riverside Drive
Susanville, Ca 96130

The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon:

Regional Solicitor, Pacific Southwest Region
U.S. Department of Interior
2800 Cottage Way, E-1712
Sacramento, CA 95825.

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

APPROVAL



August 11, 2010

Kenneth R. Collum
Acting Field Manager

Date