



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Surprise Field Office
P. O. Box 460
Cedarville, CA 96104
www.ca.blm.gov/surprise

In Reply Refer To:
4160 (LLCAN0700) P

February 12, 2010

NOTICE OF FIELD MANAGER'S PROPOSED DECISION Sand Spring and Lone Spring Resource Protection and Enhancement Project

The Bureau of Land Management (BLM) is proposing to construct two resource protection exclosures; the redevelopment of two livestock watering sites which includes the relocation of existing troughs and installation of underground pipelines; realignment of an allotment boundary fence; and rerouting current access roads to reduce or eliminate impacts to these resources. The proposed projects are scheduled for construction in 2010, and would be located in Washoe County, Nevada, T42N, R21E, sections 18, 19, and 31. The proposed projects are shown on attached maps.

BACKGROUND

An environmental assessment was prepared for the proposed Sand Spring and Lone Spring Resource Protection and Enhancement Project: DOI-BLM-CA-N070-2010-0002 EA. The EA analyzed the Proposed Action and the No Action Alternatives. These alternatives were developed as result of internal and external scoping.

Based on those determinations, the Surprise Field Office is proposing to implement the EA's proposed action which would allow for construction of approximately 14,000 feet (2.65 miles) of barbed wire fence (built to BLM standards); removal of approximately 4,150 feet of existing fence; installation of 2,935 feet of pipeline and one new valve box (Lone Spring); relocation of six livestock water troughs; and the closure of approximately 0.88 miles of existing roads and creation of approximately 1.6 miles of new road.

Interested publics were notified of the proposal to construct the projects through a scoping letter on March 26, 2009. A letter of response was received from the Nevada State Historic Preservation Office in support of the project. No other comments were received in response to the scoping letter. The Northeast California Resource Advisory Council (RAC) visited Sand Spring during summer of 2008, and was informed of resources issues associated with the site. Several meetings were held with permittees from the Long Valley and Massacre Lakes Allotments. Issues discussed were project design to ensure that cattle from both allotments would be able to access water and the placement of watering troughs.

FIELD MANAGER'S PROPOSED DECISION

It is my proposed decision to implement the EA's Proposed Action, the construction of the Sand Spring and Lone Spring Resource Protection and Enhancement Project. The project would be constructed to specifications indentified in the EA. The Proposed Decision was developed after a review of resource issues, and conditions found on Massacre Lakes and Long Valley Allotments. Environmental Assessment NEPA # DOI-BLM-CA-N070-2010-0002-EA was prepared to analyze the alternatives in consultation with the permittees, state agencies and interested publics.

RATIONALE

Based on the review of resources issues indentified during field visits and analysis in the EA, environmental effects of the proposed actions were found to be minimal. The proposed action would eliminate impacts to cultural resources at Sand Spring and restore riparian habitat at Lone Spring, while still providing water to livestock, wildlife and wild horses.

The realignment of the allotment fences at Sand Spring will become the official boundary between the Massacre Lakes and Long Valley Allotments. Due to the slight changes in acreage, as a whole, no adjustments in authorized use or other terms and conditions of grazing permits is warranted.

This decision conforms to the Surprise Resource Management Plan (RMP) and Record of Decision, April 2008, and is consistent with federal, state and local laws, regulations, and plans to the maximum extent consistent with federal law.

FUTURE MONITORING

The Surprise Field Office will conduct field inspections in the future to ensure projects are constructed and maintained to Bureau standards, and to ensure water is made available on yearlong basis. Allotment resource monitoring will continue as indentified in the applicable decision or activity plan.

AUTHORITY

The authority for this decision is contained in Title 43 of the Code of Federal Regulations, which states in pertinent parts:

§4100.0-8 "The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans."

§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."

§4120.3-4 "Range improvement permits and cooperative range improvement agreements shall specify the standards, design, construction and maintenance criteria for the range improvements and other additional conditions and stipulations or modifications deemed necessary by the authorized officer."

RIGHT OF PROTEST AND/OR APPEAL

Any applicant, permittee, lessee or other affected interest may protest a proposed decision under Sec. 43 CFR 4160.1, in person or in writing to Shane DeForest, Surprise Field Manager, PO Box 460, 602 Cressler Street, Cedarville, California 96104 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. In the event a protest is received, the authorized officer will consider the protest points and issue a final decision.

Any applicant, permittee, lessee 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 4160.1-4. The appeal may be accompanied by a petition for stay of the decision in accordance with 43 CFR 4.21, pending final determination on appeal. The appeal and petition for 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.

The 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 from the BLM office for your use in a BLM office.

In accordance with 43 CFR 4.21(b) (1), a petition for stay, if filed, 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, and
- (4) Whether the public interest favors granting the stay.

Sincerely,

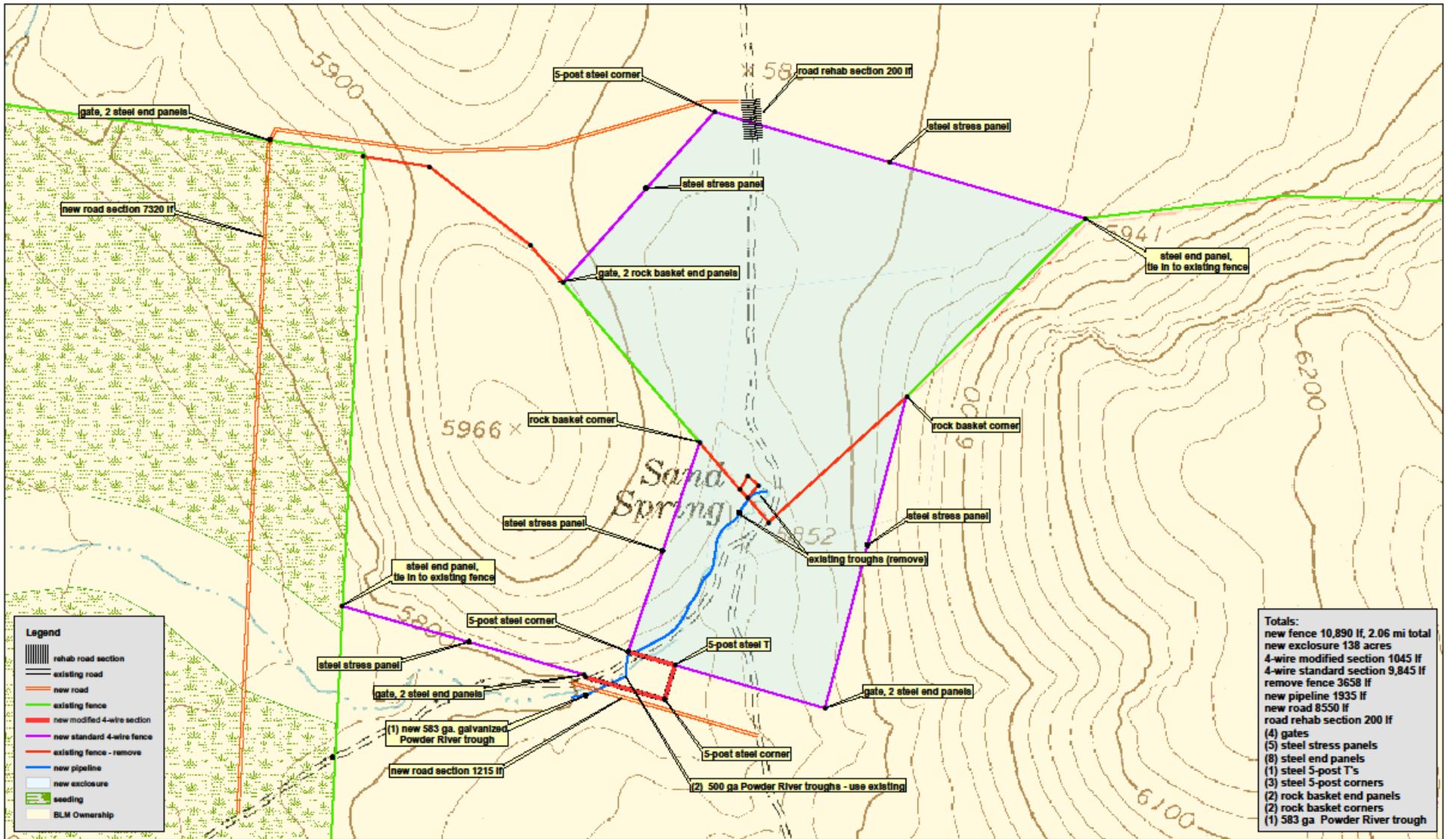
Shane DeForest,
Surprise Field Manager

Attachments:
Project maps (3)

Cc: (
See attached mailing list)

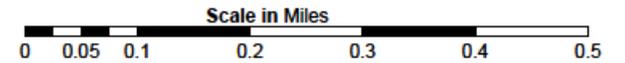
Sand Spring/Lone Spring Project Proposed Decision mailing list:

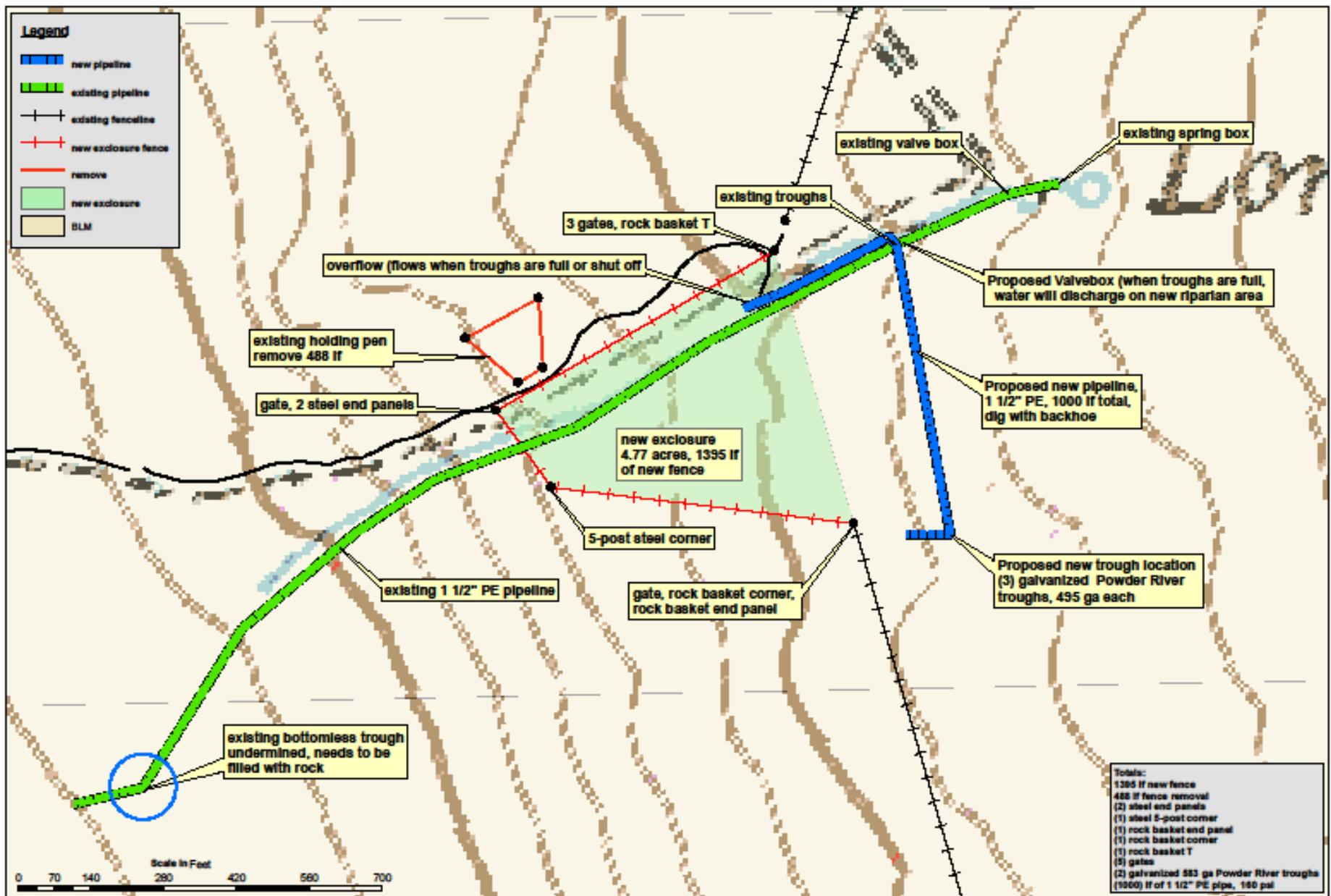
Joe Stevenson, Permittee, Long Valley Allotment (Cert. Mail #7160 3901 9846 2318 4211)
Hicks Bros., Permittee Long Valley Allotment (Cert. Mail #7160 3901 9846 2318 4228)
Alex Erquiaga, Permittee, Massacre Lakes Allotment (Cert. Mail #7160 3901 9846 2318 4235)
Todd Degarmo, Chair, Ft. Bidwell Tribal Council (Cert. Mail #7160 3901 9846 2318 4204)
Cherie Rhoades, Chair, Cedarville Rancheria (Cert. Mail #7160 3901 9846 2318 4259)
Center for Biological Diversity, Grazing Reform Program (Cert. Mail #7160 3901 9846 2318 4266)
Roy Leach, Nevada Division of Wildlife (Cert. Mail #7160 3901 9846 2318 4273)
Chris Hampson, Nevada Division of Wildlife (Cert. Mail #7160 3901 9846 2318 4396)
Michael Connor, Western Watersheds Project (Cert. Mail #7160 3901 9846 2318 4280)
Cindy McDonald (Cert. Mail #7160 3901 9846 2318 4242)
Craig Downer (Cert. Mail #7160 3901 9846 2318 4297)
Jim Gifford, USDA NRCS (First Class Mail)
Nancy Huffman, Chair, Northeastern California RAC (First Class Mail)
Jesse Harris, Nevada Cattlemen's Association, North Washoe Unit (First Class Mail)
Jim Irvin, Modoc-Washoe Experimental Stewardship Committee (First Class Mail)
Norvie Enns, CA & NV Rockhounds (First Class Mail)
NV Clearinghouse (email)



Sand Spring Project

Map 1





Lone Spring Project

Map 2

