

DECISION RECORD

Decision: I have reviewed the Determination of NEPA Adequacy (DNA), the accompanying Finding of No Significant Impact (FONSI), and the referenced Iron Mountain Prescribed Burn Environmental Assessment (EA) (DOI-BLM-WY-030-2009-0141-EA). It is my decision to implement the Proposed Action, which would be to authorize the implementation of prescribed burning and/or management of naturally-caused wildfire(s) for resource benefits on public lands administered by the Bureau of Land Management (BLM), Rawlins Field Office (RFO), in the following described location:

Township 26 North, Range 74 West, Sec(s) 4,5,6.
Township 27 North, Range 74 West, Sec(s) 31,32,33.
Albany and Laramie County, Wyoming

The project would cover the steep and broken terrain immediately north of Chugwater Creek and east of Limestone Ridge/Iron Mountain. The overall project boundary covers 11,100 acres of mixed deeded and public lands, with 3,015 acres of deeded and public lands specifically targeted for treatment within this boundary. Fire could be introduced into the target unit(s) by either ground or aerial ignition. Prescribed burning could occur during either the spring or fall seasons, approximately March through May, and/or late August through November. Implementation of the project would be subject to a prescribed burn plan, approved by the Agency Administrator, and would occur as per the environmental, weather, and fire behavior prescription developed and specified in the plan.

The site of the Proposed Action has been reviewed by the BLM archaeologist, hydrologist, soils and weeds specialist, reclamation specialist, wildlife biologist, and outdoor recreation planner, and the following stipulations have been added.

- Vehicles will be washed before and after any assignment.
- No heavy earth moving or construction equipment would be used, which decreases the potential for the introduction of invasive and noxious weeds.
- The area will be monitored for invasive and noxious weeds following the prescribed burn.
- Construction of firelines in Preble's Meadow Jumping Mouse (PMJM) and Ute's Ladies' Tresses habitat will be avoided.

- No vehicle traffic would occur in PMJM or Ute's Ladies' Tresses habitat, except on existing roads and two-tracks.
- Vehicles will remain on existing roads for ignition activities.
- Vehicles will be staged (parked) on existing roads and not be within identified PMJM and Ute's Ladies' Tresses habitat.
- Vehicles and equipment will avoid riparian habitat.
- The BLM would delineate the amount of suitable PMJM habitat burned as a result of this action and report it to the USFWS.
- If spraying of noxious weeds is necessary, pesticide use will comply with the RFO-RMP and all other applicable guidelines and regulations.
- Pesticides specific to dicots will be preferred within 0.25 miles of potential Ute's Ladies' Tresses habitat where these are adequate to control the noxious weed present.
- The BLM will notify the USFWS when PMJM habitat has recovered and returned to useable from the prescribed burn.
- READ protocol will be used to notify fire personnel of the species present and where they could be found.
- The BLM will reinitiate consultation if the prescribed burn is outside the described action.

Alternatives Considered:

Alternatives considered in the referenced EA included the No Action alternative and using only mechanical means to treat shrub stands in the project area. The No Action alternative would result in a continued evolution of vegetation stands towards and farther into decadency and conversion towards other, less natural states. Utilizing only mechanical methods to treat vegetation is unrealistic due to the steep terrain throughout much of the entire project area. Although it is a viable alternative for portions of the management unit, it would result in much higher costs and could not be utilized to target all of the proposed treatment area.

Plan Conformance and Consistency:

The Proposed Action and alternatives meet the standards and direction of the various guiding laws, regulations, and directives that apply, including the Federal Land Policy and Management Act of 1976 (FLPMA) (43 USC 1701). The Proposed Action was reviewed and found to be in conformance with the Bureau of Land Management (BLM), RFO Resource Management Plan (RMP) and Record of Decision (ROD), approved December 24, 2008. The Proposed Action is

in conformance with the High Desert District (HDD) Fire Management Plan (FMP) dated 2011, and the Healthy Forest Restoration Act 2003.

Rationale for Decision:

The proposed action will benefit identified wild land urban interface issues presented in the Iron Mountain Prescribed Fire EA. The reduction in fuel loading to the immediate area will decrease the possibility of large scale wildfires to the Middle Canyon and Iron Mountain area, and provide an increase in natural fuel breaks should a wildfire occur. The proposed action will also increase vegetative health to the area's mixed mountain shrub/mountain mahogany range types and communities. The proposed action will help diversify the age-class and structure of the predominant vegetation types within the project area. Additionally, the proposed action will result in benefits to riparian area health and vigor. The proposed action will mitigate identified big game habitat concerns and increase habitat quality and quantity for established antelope, elk, mule deer, and bighorn sheep populations. The proposed action is in conformance with and will meet standards and guidelines for "Healthy Rangelands," in the Lower Laramie River watershed. Public safety will be addressed and a burn plan will be developed to identify project specific implementation requirements (i.e. logistical operations and environmental characteristics required for completing the proposed action.) Through formal consultation, an Incidental Take Statement was issued by the United States Fish and Wildlife Service (USFWS) for Preble's Meadow Jumping Mouse (PMJM), which determined that the anticipated level of take is not likely to result in jeopardy to the species. The implementation of the proposed action will have little impact on established Greater Sage Grouse populations, with no core habitat disturbance.

The Proposed Action will not have any significant adverse impacts to vegetation, wildlife, or other natural resources. Air quality, soils, vegetation, wildlife, recreation, cultural, and visual resources are described in the Affected Environment section and effects to these resources are analyzed in the Environmental Effects section of the referenced EA (#DOI-BLM-WY-030-2009-0141-EA).

Cultural resource determination and wildlife consultation forms have been completed and are contained in the project file. The proposed project would require adherence to the stipulations as stated for the Proposed Action. The project area was evaluated for Lands with Wilderness Characteristics, and the Outdoor Recreation Planner identified the project area as void of the required characteristics. The proposed action will not cause any undue or unnecessary environmental degradation and will provide for improvement to existing vegetation communities.

Mitigation and Monitoring:

No mitigation will be needed as a result of the Proposed Action. Currently there are established photo points on public lands within the project site and livestock grazing allotment, which would be continued.

Authority:

H. R. 1904 – The Healthy Forest Restoration Act, 2003. An Act to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to conduct hazardous fuels reduction projects on National Forest Systems lands and BLM lands aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfires, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, and for other purposes.

As per 43 CFR 5003.1(b) ... the BLM may make a wildfire management decision made under this part and parts 5400 through 5510 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).

In accordance with 43 CFR 5003.2 (a), this decision will be effective immediately following publication of a notice of decision in a newspaper of general circulation in the area were the lands affected by the decision are located.

This decision may be protested within 15 days of the publication of a notice of decision in a newspaper of general circulation (43 CFR 5003.3). Protests should be filed with the BLM Authorized Officer and shall contain a written statement of reasons for protesting the decision.

Field Manager
Bureau of Land Management
Rawlins Field Office
P.O. Box 2407
Rawlins, Wyoming 82301

Appeals:

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. If an appeal is taken (see 43 CFR 4.410), your notice of appeal must be filed within 30 days (see 43 CFR 4.411) from receipt of this decision to:

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Rawlins Field Office
P.O. Box 2407
Rawlins, Wyoming 82301

The appeal shall state the reasons, clearly and concisely, why you think the final decision is in error (see 43 CFR 4.412).

If you wish to file a petition pursuant to regulations at 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for

a stay must accompany your notice of appeal. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

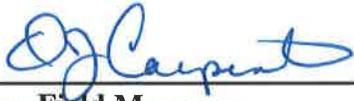
Standards for Obtaining a Stay:

Except as otherwise provided by law or other pertinent regulation, a petition for stay of a decision pending appeal shall 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 the public interest favors granting the stay.

If you decide to submit a petition for stay of the decision, a copy of the notice of appeal, statement of reasons, and petition for stay should be simultaneously filed with the Office of Regional Solicitor, Rocky Mountain Region, U.S. Department of the Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

If you have questions concerning this decision please contact Christopher Otto at the BLM, RFO at (307) 328-4250.



Rawlins Field Manager

FEB 11 2015

Date