

## **PORTNEUF WESTBENCH FUELS MANAGEMENT PROJECT DECISION RECORD**

**Decision:** It is my decision to implement the Portneuf Westbench Fuels Management Project as described in the Portneuf Westbench Fuels Management Environmental Assessment Record proposed action (ID-075-2003-009). Project design specifications outlined in the description of the proposed action are included in this decision.

### **Decision Rationale:**

The hazardous fuels treatment action is needed to:

- ? Reduce the potential for loss of life, property, and natural resources to wild fires and enhance firefighter safety in the project area.
- ? Reduce wildfire suppression costs.
- ? Protect the long-term scenic quality of the area.
- ? Provide education and incentives for cooperative hazardous fuel management projects on private, county, state, and federal lands in the Pocatello (WUI) area.
- ? Meet natural resources goals and objectives described in the National Fire Plan, the BLM Pocatello RMP (1988) and the Caribou RFP (2003), the GIFF Charter (1987, as revised) and the Inkom Allotment Standards and Guidelines Assessment (2000).

Based on the Environmental Assessment, it was determined that this project would not have adverse environmental effects (see Finding of No Significant Impact signed August 20, 2003).

### **Project Design Specifications:**

All treatments will follow established agency management plans, policies and procedures, with these additional design criteria:

1. In perennial riparian areas, maintain a 200-foot buffer on either side of streams and springs. On intermittent or ephemeral streams and springs, maintain a 100-foot buffer. Only “lop and scatter” hand thinning would be permitted within these buffers.
2. All quaking aspen and big-tooth maple stands burned during prescribed fire operations will be fenced (using on-site materials where available) prior to livestock turnout.
3. Machine thinning will only be used on slopes less than 40 percent due to equipment limitations.
4. Machine thinning will be used only on snow pack, frozen, or dry ground to reduce soil disturbance.
5. All vehicles entering and leaving project areas will be washed and cleaned to reduce the spread of invasive species in treatment areas.
6. In any consecutive three-year period, no more than 30% of a unit’s total area will be treated on slopes that are 45 percent or greater.

7. Prescribed fire intensity level would be managed to minimize impact on root zones, retain 25 percent or greater ground cover.

**Effect of Decision:**

In accordance with 43 CFR 4190.1(a) for rangelands, published in the Federal Register Vol. 68, No.108 June 5, 2003, this decision is effective September 3, 2003. This action is being implemented immediately due to the substantial risk of hazardous fuels to life, property and natural resources.

**Appeal Procedures:**

If you wish to appeal, in accordance with 43 Code of Federal Regulation Part 4, you have within 30 days of the decision date to file a *Notice of Appeal*. Your *Notice of Appeal* must be filed with the office of the officer who made the decision. This is the Bureau of Land Management, Pocatello Field Office, 1111 N. Eighth Ave., Pocatello, ID. 83201. Your appeal must also be filed with the Office of the Solicitor, James A. McClure/U.S. Court House, 550 W. Fort St. MSC 020, Boise, 83724-0020.

Within 30 days of filing the *Notice of Appeal* a complete statement of the reasons why you are appealing must be filed with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington Virginia 22203. No additional statement is needed, if you fully stated the reasons for appealing the decision when filing the *Notice of Appeal*. A copy of the statement of reasons must also be filed with the Office of the Solicitor at the above address. Additional information about filing for an appeal can be found within Form 1842-1.

**Request for Stay:**

If you wish to file a petition (pursuant to regulation 43 CFR 4.21) (request) for a stay (suspension) 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*. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. 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 a 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 irreparable harm to the appellant or resources if the stay is not granted and,
- (4) Whether the public interest favors granting the stay.

Philip Damon  
Field Manager  
Pocatello Field Office

Date