

PROPOSED DECISION RECORD
for
Packsaddle Allotment Management Plan/Agreement
Environment Assessment
OR-025-02-048

DECISION: Having considered a range of alternatives and associated impacts within the analysis of the Packsaddle Allotment Management Plan (AMP)/Agreement Environmental Assessment (EA), OR-025-02-048, it is my proposed decision to implement the proposed action alternative which proposes to construct new fences, relocate fences, remove fences, maintain fences, construct spring developments, incorporate acquired lands into the Packsaddle Allotment, and implement the Packsaddle AMP.

Rationale for Decision: I have selected the proposed action for the following reasons:

The proposed action would improve upland condition, riparian condition, water quality, wildlife habitat, and fish habitat due to improved livestock management throughout the allotment.

The Packsaddle AMP promotes and sustains healthy ecosystems.

It is in compliance with Federal laws that mandate the management of public land resources (Federal Land Policy and Management Act of 1976).

It is in conformance with the August 12, 1997 Standards for Rangeland Health and Guidelines for Livestock Management for Public Lands Administered by the Bureau of Land Management (BLM) in the States of Oregon and Washington.

This project is in conformance with Section 7(a)1 of the Endangered Species Act.

It is in conformance with objectives and land use allocations in the 1992 Three Rivers Resource Management Plan and Environmental Impact Statement.

It includes coordination with local government, tribal entities, private landowners, and other State and Federal agencies.

Public involvement consisted of the EA and a draft Finding of No Significant Impact (FONSI) being posted for public viewing on the Burns District Web site during the 1-month long comment period. A notice of availability of the EA and draft FONSI was posted in the local newspaper for a 1-week period. A copy of the EA and draft FONSI was hand delivered to the grazing permittee in the allotment. There were no comments received by this agency during the EA/FONSI review period.

The decision does not result in any undue or unnecessary environmental degradation.

I have also considered the following alternatives to the proposed action:

1. Alternative A - Fence Realignment Only: This alternative does not provide for protection of spring sources within the Packsaddle Allotment. Livestock could continue to have a negative impact through trampling and defoliation at spring sources within the allotment.
2. Alternative B - No Action: Under this alternative no changes would be made to the allotment. Fences would remain in poor condition and in locations that could lead to unauthorized livestock use. Riparian conditions along Wickiup and Mineral Creeks would continue to be very slow to improve.

Any applicant, permittee, lessee, or other interested public may protest a proposed decision under Sections 43 CFR 4160.1 and 4160.2, in person or in writing to Joan M. Suther, Three Rivers Resource Area Field Manager, within 15 days from receipt of this proposed decision at the following address:

Bureau of Land Management
Burns District Office
28910 Hwy 20 West
Hines, Oregon 97738

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 shall become my final decision of the authorized officer without further notice unless otherwise provided in the proposed decision. Any protest received will be carefully considered and then a final decision will be issued.

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 4160.3 and 4160.4. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.21, pending final determination on appeal. The appeal and petition for a 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 at the BLM office.

Should you wish to file a petition for a stay, you must file within the appeal period. In accordance with 43 CFR 4.21(b) (1), a petition for a stay 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.
4. Whether or not the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer.

If you have any questions, feel free to contact Willie Street at (541) 573-4459 or me at (541) 573-4445.

Signature on file

Jim Buchanan Acting for
Joan M. Suther
Three Rivers Resource Area Field Manager

10/26/2004

Date