

**DEPARTMENT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
TWIN FALLS DISTRICT  
JARBIDGE FIELD OFFICE  
2536 Kimberly Road  
Twin Falls, ID 83301**

**Full Force and Effect  
Decision Record  
For the Grindstone Fire (GHX2)  
Emergency Stabilization and Burned Area Rehabilitation (ES&BAR) Project  
NEPA No. DOI-BLM-ID-T010-2012-0001-DNA**

**I. DECISION**

I have decided to implement the Grindstone (GHX2) ES&BAR Plan. I have reviewed the Grindstone ES&BAR Plan for conformance with the Jarbidge Resource Management Plan (RMP) and NEPA compliance record. I have determined that this project is in conformance with the Jarbidge RMP and that no further environmental analysis is required.

The Grindstone ES&BAR Plan includes noxious weed inventory and treatment, burned livestock management fence repair, construction of temporary protection fence, and livestock grazing closure within the burned area.

**II. PLAN CONFORMANCE REVIEW**

The Proposed Action is subject to, and in conformance with, the Jarbidge RMP approved in 1987. The Proposed Action has been reviewed for conformance with the plan (43 CFR 1610.5). The Proposed Action was designed in conformance with all Bureau standards and incorporates appropriate guidelines for specific required and desired conditions relevant to project activities.

**III. EXISTING NEPA REVIEW**

The proposed actions are addressed in the Boise District and Jarbidge Field Office Normal Fire Emergency Stabilization and Rehabilitation Plan (NFRP), Boise District Office and Jarbidge Field Office (EA# ID-090-2004-050) and Boise District and Jarbidge Field Office Noxious and Invasive Weed Treatment (EA #ID-100-2005-265).

The following criteria have been reviewed and determined to adequately address the proposed action as described in the Determination of NEPA Adequacy for the Grindstone ES&BAR Plan:

1. The proposed action is a feature of, or essentially the same as, the alternative selected and analyzed in the existing documents.
2. The range of alternatives analyzed in the existing EAs is appropriate to this project.

3. The existing analysis is still valid and there has been no new information or circumstances that would substantially change the analysis.
4. The direct, indirect, and cumulative impacts of the proposed action are similar to those identified in the existing documents.
5. Public involvement in the previous analysis is adequate for the proposed action.

#### **IV. APPEALS**

This wildland fire management decision is issued using Full Force and Effect (FFE) authority granted under 43 CFR 4190.1 and is effective immediately. The BLM has made the determination that vegetation, soil, or other resources on public lands are at immediate risk of erosion or other damage due to wildfire. Thus, notwithstanding the provisions of 43 CFR 4.21 (a) (1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed (43 CFR 4.416).

My rationale for issuing this decision under the FFE authority is that the treatments outlined in the Grindstone ES&BAR plan require immediate implementation to mitigate the effects of wildland fire on the soil and vegetation resources.

If an appeal is made, your notice of appeal must be filed in writing as a hard copy via United States Postal Service or other recognized letter carrier. The appeal must arrive within 30 days of the date of service of this decision and be addressed to the Jarbidge Field Office, 2536 Kimberly Road, Twin Falls, ID 83301. The appellant has the burden of showing that the decision is adverse to you and is in error.

If you wish to file a petition pursuant to regulation 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. A petition for a stay is required to show sufficient justification based on the standards listed below. 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 immediate and irreparable harm if the stay is not granted; and
4. Whether the public interest favors granting the stay.

In the event a request for stay or an appeal is filed, the person/party requesting the stay or filing the appeal must serve a copy of the appeal on any person named [43 CFR 4.421 (h)] in the decision and the Office of the Solicitor, University Plaza, 960 Broadway Avenue, Suite 400, Boise, ID 83706.

/s/ Codie Martin, Acting for  
Brian Davis  
Jarbidge Field Office Manager

10/27/2011  
Date

cc:

Goodtime Grazing Association, 1989 S. 1875 E., Gooding, ID 83330  
Blue Butte Grazing Association, 1743 E. 3000 S., Wendell, ID 83355  
Hammett Livestock, Box 33, Hammett, ID 83627  
Jerome Hansen, Idaho Department of Fish and Game, 324 S. 417 E., Ste. 1, Hwy 93  
Business Park, Jerome, ID 83338  
Area Supervisor, Idaho Department of Lands, South Central Supervisory Area, 324 S.  
417 E., Ste. 2, Jerome, ID 83338  
Jon Marvel, Western Watersheds Project, P.O. Box 1770, Hailey, ID 83333  
Katie Fite, Western Watersheds Project, P.O. Box 1612, Boise, ID 83701  
Stan T. Boyd, Boise District Grazing Board, P.O. Box 2596, Boise, ID 83701  
Owyhee Cattlemen's Association, P.O. Box 400, Marsing, ID 83639  
Michael E. Stanford, 3581 Cliffs Road, Jordan Valley, OR 97910  
Ted Hoffman, High Desert Coalition, Inc., 220 Elmcrest St., Mountain Home, ID 83647-  
2467  
Lloyd L. Knight, DVM; 220 Elmcrest St., Mountain Home, ID 83647  
Sabrina Leonard, Friends of the Mustang, 8699 Gantz Avenue, Boise, ID 83709  
Robert G. Amidon, 8699 S. Gantz Avenue, Boise, ID 83709  
D. J. Schubert, Animal Welfare Institute, P. O. Box 3650, Washington, DC 20027-0150  
Terry Gibson, Tribal Chairman; Shoshone-Paiute Tribes, P.O. Box 219, Owyhee, NV  
89832-0219  
John Robison, Idaho Conservation League, P.O. Box 844, Boise, ID 83701  
Lin Kincannon or Tim Foster, Idaho Conservation League, P.O. Box 2671, Ketchum, ID  
83340  
Sean Woodhead, Idaho Department of Environmental Quality, 1363 Fillmore Street,  
Twin Falls, ID 83301  
Steve Jakubowics, Committee for the High Desert, P.O. Box 2863, Boise, ID 83701  
Jim Desmond, Owyhee County Board of Commissioners, P.O. Box 128, Murphy, ID  
83650  
Ron Kay, Idaho Department of Agriculture, 2270 Old Penitentiary Rd., Boise, ID 83701  
Jeff Cook, Idaho Department of Parks and Recreation, P.O. Box 83720, Boise, ID 83720-  
0065  
Nevada Cattlemen's Association, P.O. Box 310, Elko, NV 89803-0310  
Chet Brackett, Friends of the Jarbidge, Box 111, Rogerson, ID 83302