



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Pocatello Field Office
4350 Cliffs Drive
Pocatello, Idaho 83204-2105
(208) 478-6340



In Reply Refer To:
2 ½ Mile Fire ES&R

December 12, 2013

NOTICE OF

2 ½ Mile Fire Emergency Stabilization & Rehabilitation Plan Implementation

Introduction:

This decision implements the emergency stabilization and rehabilitation treatments associated with the 2 ½ Mile Fire. The 2 ½ Mile Fire started on August 21, 2011, and burned approximately 432 acres of which 133 acres were public land. An Emergency Stabilization and Rehabilitation Plan was developed for the public lands that were burned in cooperation with the permittees, local users and the Idaho Department of Fish and Game. The plan was approved on September 14, 2011.

A review of the Normal Fire Rehab Plan (NFRP) (EA# ID-320-2005-003) was conducted to determine if the proposed actions were adequately analyzed in conformance with the National Environmental Policy Act (NEPA). Based on a review of the existing Environmental Assessment (EA) and Land Use Plan, a Determination of NEPA Adequacy (DNA) (DOI-BLM-ID-ID-I020-2012-0001) was completed and signed on December 12, 2013.

Decision:

It is my decision to implement the following actions outlined in the 2 ½ Mile Fire Emergency Stabilization and Rehabilitation Plan (pages 6-9). This includes:

1. Noxious weed inventory, control and monitoring within the burn area.
2. Re-construction of existing fence to close the burned area to livestock grazing.

Rational for Decision:

Approval of the proposed action will help to ensure that the natural resources within the burned area are not permanently degraded. This decision is in conformance with the Pocatello Resource Management Plan (Approved April 2012).

A review was conducted of the Idaho Falls District BLM's Normal Fire Rehabilitation Plan (NFRP) (EA# ID-320-2005-001). It was determined that the NFRP adequately analyzed the actions proposed in the 2 ½ Mile ES&R Plan and a DNA was completed.

The burned area currently has an increased susceptibility of new weed establishment. The treatment of weeds will reduce the potential for new weed infestations until native vegetation can become established.

An existing fence was burned by the fire serving as a physical barrier to keep livestock in the BLM pasture and/or livestock on the adjacent private land. There are no BLM records of the fence, however

the fence will serve to control livestock and replacing it will have minimal disturbance. A portion of the fence that was burned may be moved along the property boundary located parallel to the fence and within 100 meters of the existing fence. Replacing this fence along the boundary will serve to keep livestock out of the burned area on public land.

Appeals

A person who wishes to appeal to the Interior Board of Land Appeals must do so under 43 CFR 4.411 and must file in the office of the officer who made the decision (not the Board). If you wish to appeal, please send your appeal document in writing to David A. Pacioretty, Field Manager, Pocatello Field Office, 4350 Cliffs Drive, Pocatello, Idaho 83204. A person served with the decision being appealed must transmit the notice of appeal in time to be filed in the office where it is required to be filed within 30 days after the date of service. No extension of time may be granted for filing the notice of appeal.

The notice of appeal must give the serial number or other identification of the case and may include a statement of reasons for the appeal, a statement of standing if required by §4.412 (b), and any arguments the appellant wishes to make. Form 1842-1(attached) provides additional information regarding filing an appeal.

The appellant shall serve a copy of the notice of appeal and any statement of reasons, written arguments, or briefs under § 4.413 on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, (Boise Field Solicitor's Office, University Plaza, 960 Broadway Avenue, Suite 400, Boise, ID 83706). Service must be accomplished as prescribed by regulation (43 CFR 4.401(c)), no later than 15 days after filing the document.

In addition, within 15 days of receipt of this decision, you have the right to file a petition for a stay of the decision together with your notice of appeal in accordance with the regulations at 43 CFR 4.21. Should you wish to file a petition for stay, the appellant shall show sufficient justification based on the following standards (4.21):

- (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,

/s/ David A Pacioretty

David A. Pacioretty
Field Manager