



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Four Rivers Field Office
3948 Development Avenue
Boise, Idaho 83705-5339



AUTHORIZATION OF TEMPORARY FENCES IN RATTLESNAKE
SEEDING ALLOTMENT

CX No: DOI-BLM-ID-B011-2014-0003-CX

Decision and Rationale: I have decided to authorize the construction of 4 miles of non-continuous, temporary fences in the Rattlesnake Seeding allotment (00827) in the Morley Nelson Snake River Birds of Prey National Conservation Area. The Rattlesnake Allotment encompasses approximately 17,383 acres of public land, 501 acres of state land, and 1,024 acres of private land, for a total of 18,908 acres. Elevations in the allotment vary from approximately 3,000 to 3,200 feet.

BLM will construct six segments of temporary fence to divide the following pastures: East Lamberton, West Lamberton, Middle Lamberton, Rattlesnake Seeding 1, Rattlesnake Seeding 2, and Rattlesnake Seeding 4 to create replicates for a scientific study designed by the USDA Agricultural Research Services (ARS). The proposed fences are needed to implement a study of high intensity, low frequency grazing. All fencing will be removed at the completion of the 10-year study. My decision will allow for needed research on the role that livestock can play in fuels reduction while meeting rangeland health standards.

I have reviewed CX DOI-BLM-ID-B011-2014-0003 and found no extraordinary circumstances apply to this proposal and there are no significant impacts from this temporary fencing project; therefore, an Environmental Impact Statement is not required.

Compliance with Applicable Land Use Plans: This decision is in compliance with the Snake River Birds of Prey Land Use Plan (LUP) approved in September 2008. Upland Vegetation Management Action 2.6- states, "Designate up to 5,000 acres for research purposes." The proposed fences are needed to implement a study of high intensity, short duration grazing. All fencing would be removed at the completion of the 10-year study.

Appeal

This decision may be appealed to the Interior Board of Land Appeals, in accordance with 43 CFR, Part 4. Your appeal must be filed with the Bureau of Land Management at the following address within thirty (30) days from receipt of this decision: *James Fincher, District Manager, Boise District Office, 3948 S Development Ave, Boise, ID 83702.*

The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition for a stay of the decision during the time that your appeal is being reviewed by the Board pursuant to 43 CFR 4.21 (as amended at 58 FR 4942, January 19, 1993) , a petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for

a stay must also be submitted to: *Interior Board of Land Appeals, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA, 22203.*

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is 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.

A copy of the appeal documents and petition for stay must be sent to the Office of the Solicitor at the same time the original documents are filed with the above office. The address is *Office of the Solicitor, Boise Field Solicitor's Office, University Plaza, 960 Broadway Ave., Suite 400, Boise, ID, 83706.*

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals; therefore, they will not be accepted.

If you have any questions regarding this decision or your appeal rights, please contact Steve Leonard, Prescriptive Grazing Project Lead, at 208-384-3454, or e-mail him at sleonard@blm.gov.

/s/ Patricia Roller

August 8,2014

Patricia Roller
Filed Manager
Morley Nelson Snake River Birds of Prey NCS

Date