

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

**Decision Record
For the
Mud Flat Hill Bitterbrush Planting Project
NEPA No. DOI-BLM-ID-T010-2014-0009-DNA**

I. PROPOSED ACTION

The proposed action is to hand plant about 30,000 antelope bitterbrush (*Purshia tridentata*) seedlings over an area about 900 acres in size in spring and fall, beginning in April 2014. The proposed project area is located on Mud Flat Hill, about 3 miles east of Three Creek, Idaho. Idaho Department of Fish and Game volunteers would plant about 130 acres on the north side of the Three Creek highway in April 2014. The area south of the highway would be planted using contracted labor in fall 2014.

The objective of the proposed action is to re-establish bitterbrush cover in areas burned by the 2007 Murphy Complex Fire that are currently dominated by native perennial grasses, including bluebunch wheatgrass (*Pseudoroegneria spicata*) and Idaho fescue (*Festuca idahoensis*). This planting is proposed to enhance and accelerate recovery of brood-rearing habitat for sage-grouse, a candidate for listing under the Endangered Species Act (ESA), as well as crucial mule deer winter range. The attached Determination of NEPA Adequacy worksheet contains a full description of the proposed action and all associated design features.

II. PLAN CONFORMANCE REVIEW

The proposed action is in conformance with the Jarbidge Resource Management Plan and associated Record of Decision, signed March 23, 1987.

III. EXISTING NEPA REVIEW

The proposed action is addressed in the 2012 Jarbidge Field Office (JFO) Programmatic Shrub Planting EA (ID-210-2008-EA-359) and Decision Record signed February 2, 2012. The JFO Programmatic Shrub Planting EA analyzed the effects of hand and mechanical planting of shrub seedlings to mitigate loss of upland and riparian habitats due to recent and historic fire. Design features to protect planting areas and reduce or eliminate potential impacts to sensitive resources contained in the Programmatic EA were incorporated into the current proposed action.

The JFO Programmatic Shrub Planting EA has been reviewed against the following criteria to determine if it adequately addresses the proposed action. The Determination of

NEPA Adequacy worksheet contains a detailed discussion regarding each of the criteria relative to the proposed action.

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?
2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances?
3. Is the existing analysis valid in light of any new information or circumstances (such as rangeland health standard assessment, recent endangered species listings, or updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?
4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?
5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

IV. DECISION

I have decided to implement the Mud Flat Hill Bitterbrush Planting Project as described in the Determination of NEPA Adequacy worksheet (DOI-BLM-ID-T010-2014-0009-DNA). The project will include all design features described in the proposed action. I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required.

V. APPEALS

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Any appeal must be filed within 30 days of this decision. Any notice of appeal must be filed with the Jarbidge Field Office Manager, 2536 Kimberly Road, Twin Falls, Idaho 83301. The appellant shall serve a copy of the notice of appeal and any statement of reasons, written arguments, or briefs on each adverse party named in the decision, not later than 15 days after filing such document (see 43 CFR 4.413(a)). Failure to serve within the time required will subject the appeal to summary dismissal (see 43 CFR 4.413(b)). If a statement of reasons for the appeal is not included with the notice, it must be filed with the IBLA, Office of Hearings and Appeals, U. S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Jarbidge Field Office Manager.

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. If you wish to file a petition 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 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 the Office of the Field Solicitor, 960 Broadway Ave., Suite 400, Boise, ID 83706.

/s/ Brian Davis

Brian Davis
Jarbidge Field Office Manager

3/10/2014

Date