

# Plumas Station Grazing Allotment Webber's Ivesia Exclosure

## Decision Memorandum

DOI-BLM-NV-C020-2013-0033-CX

February 2016



## **Introduction**

The Bureau of Land Management (BLM) proposes to protect a population of Webber's ivesia (*Ivesia webberi*) which was listed as a threatened species on the Endangered Species Act in 2014. The population is located within designated critical habitat in the Plumas Station Grazing Allotment (Allotment), in Lassen County, California (see Project Area Map). The identified threats to the plant include off-highway vehicle use, wildfire and grazing.

Under the Proposed Action, the BLM would install fencing that would tie into an existing Allotment boundary fence. The new fence would be approximately 3,220 feet in length. The fence would protect approximately 20 acres of designated critical habitat on BLM-managed lands (the units is approximately 122 acres).

The fence would be a 4-wire "Cattle with Antelope Fence" whose design would draw on both wildlife and engineering specification as authorized by BLM Fencing Handbook H-1741-1 page IV-1, which references "Fences" USDI/USDA and BLM's Engineering Standard Drawings. The fence would comply with Barbed Wire Fence Nevada (4-wire x 16 ½ feet) NV02834-(53) specifications with the following spacing as follows:

- Smooth bottom wire would be 18 inches from the ground to allow for antelope and fawn pass-through;
- At least 12 inches between the top two wires for deer pass through;
- Total height would be no more than 42 inches, with rationale provided, and would be based on the Engineering Guide Specifications and Engineering Standard Drawings.

Installation of the fencing is anticipated in 2016. The BLM would be responsible for the long-term maintenance of the fencing.

This project was reviewed by the BLM's interdisciplinary team on June 29, 2015. The BLM interdisciplinary team determined that no extraordinary circumstances are present and the project is categorically excluded under the NEPA.

## **Land Use Conformance**

The project is in conformance with the *Carson City Field Office Consolidated Resource Management Plan (2001)*. The applicable section is:

Implementation Level Decisions, SSS-3. "Use fencing, emergency OHV closure, no disposal of public lands, minerals coordination, or any other legal means necessary to protect identified T/E plant populations."

The project is also in conformance with the *Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment*. The project occurs in General Habitat Management Area (GHMA) for the greater sage-grouse (*Centrocercus urophasianus*). Projects in GHMA require they would not have direct or indirect effects to sage-grouse, and require the application of required design features (RDFs). The application of RDFs is to minimize to the extent practical, impacts to sage-grouse habitat. According to the Nevada Department of Wildlife, the Allotment is unoccupied by greater sage-grouse. The Allotment is

also within the boundary of the Virginia Pah Rah Population Management Unit for greater sage-grouse. There are no active or pending leks in the Allotment and there is no telemetry for greater sage-grouse in the Allotment. The nearest telemetry is approximately 20 miles northeast of the project area.

**Authority**

Implementation of the Proposed Action is under the authority of the Federal Land Policy and Management Act of 1976.

**Listed Species**

On February 2, 2016 the BLM concluded information consultation under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service concurred with the BLM's determination that the project is "not likely to adversely affect" the Webber's ivesia or its critical habitat.

**Decision**

It is my Decision to authorize the construction and maintenance of fencing to protect Webber's ivesia in the Allotment. This action will provide protection to the plant from off-highway vehicle use, and grazing.

Bryant D. Smith ACTING  
Acting Field Manager  
Sierra Front Field Office  
PRL

2-3-2016  
date

## **APPEAL PROCEDURES**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Bryant D. Smith  
Acting Field Manager  
BLM, Sierra Front Field Office  
5665 Morgan Mill Road  
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the 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:

Board of Land Appeals  
Dockets Attorney  
801 N. Quincy Street, Suite 300  
Arlington, VA 22203

A copy must also be sent to the appropriate Office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior  
Office of the Regional Solicitor  
Pacific Southwest Region  
2800 Cottage Way, Room E-1712  
Sacramento, CA 95825

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 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 appellants' 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.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals. Electronically filed appeals will therefore not be accepted.