



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Winnemucca Field Office
5100 East Winnemucca Boulevard
Winnemucca, Nevada 89445
(775) 623-1500
<http://www.nv.blm.gov/winnemucca>



In Reply Refer To:
(NV22.11)
4160.3(f)

CERTIFIED MAIL NO. 7000 1670 0007 8535 7831
RETURN RECEIPT REQUESTED

Notice of Final Decision

Pleasant Valley Ranch, Inc.
P.O. Box 1677
Winnemucca, NV 89446

SEP 28 2001

Dear Mr. Carter:

In accordance with the Notice of Closure signed by the AFM, Renewable Resources, the burned portion of the Pleasant Valley Allotment, is closed to all livestock for a minimum of two (2) growing seasons for new seedings and natural recovery. Pre burn management practices will resume when a minimum of two growing seasons of rest has been provided for native species. Seedings would also be protected from livestock grazing for a minimum of two growing seasons.

The emergency closure will be lifted when the vegetative cover meets or exceeds 50% of the minimum potential perennial ground cover for the ecological site after a minimum of two (2) growing seasons. The Winnemucca Field Office will monitor the recovery of the burned area to see if the objectives of the closure are being achieved. If the fire rehabilitation criteria for the new seeding is not met, additional rest may occur. Once the burned area is opened to authorized livestock grazing, a 50% utilization objective, for the seeded species, will be in effect.

The emergency closure will provide rest for surviving perennial species to regain vigor and will provide seedling establishment of native species. The rest will also benefit the native species by allowing sufficient time for germination of seed, development of adequate seedling root growth to prevent uprooting by grazing animals, and by allowing perennial seedlings to develop good vigor and produce viable seed.

A temporary fence is being proposed for this burn that will separate the burned lands from the unburned. Prior to fence construction, the permittee must keep livestock off the burned portions of the allotment, by implementing livestock management strategies, such as herding, riding, salting/mineral supplements, and controlling water sources.

Areas to be seeded lack perennial species for natural re vegetation. The burned area will not successfully reestablish itself to a native perennial plant community in a reasonable time frame of two (2) to three (3) growing seasons without seeding. These areas, if left to natural rehabilitation, will be invaded by less desirable annual species. Areas that become dominated by invasive annual plant species reduce the chance of perennial species becoming established.

A combined total of 999 AUM's for the Pleasant Valley Allotment will be suspended as a result of the Spaulding fire of 2001. The following table shows your percentage of this total.

Permittee	Permitted Use	% of total Permitted Use	X	Total fire suspended AUMs	=	Your portion of the 999 AUMs
Gary Takacs	2844	27.0%	X	999	=	269
Vesco Ranch	2682	25.5%	X	999	=	254
Pleasant Valley Ranch, Inc.	5027	47.7%	X	999	=	476
Totals	10,533	100.2%				999

We will be soliciting your participation in the selection of key areas and key species which will be the basis for reopening the closed portion of the allotment.

This final decision is **effective upon receipt** in accordance with 43 CFR 4110.3-3(b) and 4160.3(f) for the protection of the soil and vegetation due to fire.

Any applicant, permittee, lessee, or other person whose interest is adversely affected by this final decision may file an appeal and petition for stay of the decision pending final determination of the appeal under Sec. 43 CFR §4160.4 and §4.470. Appeals and petitions for a stay of the decision shall be filed within 30 days after receipt of the final decision, in person or in writing to:

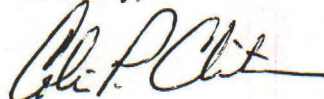
Colin P. Christensen, AFM Renewable Resources
Bureau of Land Management, Winnemucca Field Office
5100 E. Winnemucca Blvd.
Winnemucca, NV 89445

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error. Should you wish to file a motion for stay, the appellant shall show sufficient justification based on the following standards under Sec. 43 CFR §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.
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer.

Sincerely,



Colin P. Christensen
Assistant Field Manager
Renewable Resources