



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:
(NV-22.17)
4160.3(f)

SEP 27 1999

CERTIFIED MAIL NO. Z416353332
RETURN RECEIPT REQUESTED

Notice of Final Decision

Roger and Marsha Colby
HC 77 Box 127
Fields, OR 97710

Dear Mr. & Mrs. Colby:

In accordance with the Notice of Closure signed by the AFM, Renewable Resources, the burned portion of the North Wilder Use Area of the **Wilder-Quinn Allotment** is closed to all livestock for two (2) growing seasons or until the rehabilitation objectives have been met.

Preburn management practices will resume when a minimum of two growing seasons of rest have been provided for native species. Seedlings 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 two 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.

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.

The permit for the Wilder-Quinn Allotment will not have any AUMs suspended because of the diminutive size of the fire.

The permittee must keep livestock away from the burned portion of the allotment, by implementing livestock management strategies, such as herding, riding, salting/mineral supplements, and controlling water sources.

We will be soliciting your participation in the selection of key areas and key species which will be the basis for the re-opening of the closed portion(s) 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 Manger
Renewable Resources

cc: Humboldt County Commissioners	Z416353278
Nevada Division of Wildlife - Wmca	Z416353274
Nevada Division of Wildlife - Fallon	Z416353275
Resource Concepts, Inc.	Z416353277
NV. Com. for the Preservation of Wildhorses	Z416353285
Wild Horses Organized Assistance	Z416353283
Nevada Cattlemen's Assoc.	Z416353279
Nevada Woolgrowers Assoc.	Z416353280
Friends of Nevada Wilderness	Z416353081
Natural Resources Defense Council	Z416353282
Sierra Club	Z416353284
State of NV Dept. of Admin.	Z416353287
USFWS	Z416353276
USDA/NRCS	Z416353286
Tim Dufurrena	Z416353084
Bob de Braga	Z416353085
Denny Land & Cattle Co. LLL	Z416353331
Dufurrena Sheep Co.	Z416353083



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In Reply Refer To:
(NV-22.17)
4160.3(f)

SEP 27 1999

CERTIFIED MAIL NO. 416353083
RETURN RECEIPT REQUESTED

Notice of Final Decision

Dufurrena Sheep Co
Star Route Box 397
Winnemucca, NV 89445

Dear Mr. Dufurrena:

In accordance with the Notice of Closure signed by the AFM, Renewable Resources, the burned portion of the **Bilk Creek Allotment**, the burned portion of the **Quinn River**, Antelope and North Wilder Use Areas, and the entire Denio, Quinn River and Houghland Seedings, Sagehen/Shyster, South Lone Mtn. and Mahogany Mtn. Use Areas of the Wilder-Quinn Allotment are closed to all livestock for two (2) growing seasons or until the rehabilitation objectives have been met.

Preburn management practices will resume when a minimum of two growing seasons of rest have 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 two 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.

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.

Areas to be seeded lack perennial species for natural vegetation. The burn area will not successfully reestablish to a native perennial plant community in a reasonable time frame of two or three growing seasons. These areas, if left to natural vegetation, will be invaded by less desirable annual plant species. Areas that are dominated by annual species have a high potential hazard for recurring wildfire and the competition of annuals reduces the chance of perennial species establishing.

The burned portion of the Bilk Creek Allotment is closed to livestock grazing. Due to the impacts of the fire and proposed rehabilitation 200 AUMs are suspended from the cattle permit on the Bilk Creek Allotment.

The burned portion of the Quinn River, Antelope and North Wilder Use Areas, and the entire Denio, Quinn River and Houghland Seedings, Sagehen/Shyster, South Lone Mtn. and Mahogany Mtn. Use Areas of the Wilder-Quinn Allotment are closed to livestock grazing. The permit for the Wilder-Quinn Allotment will not have any AUMs suspended due to the availability of alternative lambing grounds.

The permittee must keep livestock away from the burned portion of the allotment, by implementing livestock management strategies, such as herding, riding, salting/mineral supplements, and controlling water sources.

We will be soliciting your participation in the selection of key areas and key species which will be the basis for the re-opening of the closed portion(s) 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

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- (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 Manger
Renewable Resources