



Blue Wing/Seven Troughs 9-27-99
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>

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In Reply Refer To:
4160
(NV-22.10) P

September 27, 1999

CERTIFIED MAIL NO. Z 416 353 350
RETURN RECEIPT REQUESTED

Notice of Final Decision

C-Punch Ranch, Inc.
c/o Larry Irvin
900 Industrial Way
Sparks, NV 89431

Dear Sirs:

In accordance with the Notice of Closure signed by the AFM, Renewable Resources, the burned portions of the Blue Wing/Seven Troughs, Majuba, and Ragged Top Allotments are closed to all livestock for two (2) growing seasons or until the rehabilitation objectives have been met.

The fires in your allotment were:

Poker Brown
Fairview (in the Seven Troughs Range near Vernon)
Kamma
Dead Horse (between the Lava Beds and Seven Trough Range in the valley bottom)

You are responsible for ensuring that your livestock do not use the burned areas. In the event that livestock use occurs in burned areas, further action will be considered to protect those areas.

Pre-burn 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 ground cover for the ecological site after two growing seasons. The Winnemucca District 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.

Since this is a common use allotment, I am showing the adjustments for all of the permittees:

C-Punch

Since you are taking substantial non-use for the next several years, no AUMs will be suspended. When livestock are in the north half of the allotment in 2000-2001, you must keep livestock off the burned areas through herding and water management.

Dufurrena Sheep

About 3,000 acres burned (Kamma) in your use area. Since your use area is so extensive between the Blue Wing/Seven Troughs and Majuba Allotments and the availability of forage in other areas, there will be no AUMs suspended. You must keep the sheep off the burned area through herding and water management.

Wes Cook

About 1,600 acres burned (Dead Horse) near your use area. Since your use area is so extensive and the availability of forage in other areas, there will be no AUMs suspended. You must keep the sheep off the burned area through herding.

John Espil

About 44,000 acres burned between the Blue Wing/Seven Troughs, Majuba, and Ragged Top Allotments within your use areas. Because you do not run full sheep numbers, there will be no AUMs suspended. Since the majority of your use area in the Majuba Allotment is burned, no sheep will be authorized in that allotment until the burned area is opened. After consulting with Mr. Dufurrena, you can graze on the west side of the Seven Troughs Range that the Dufurrena's use (near Mule and Juniper Canyons). You must keep the sheep off the burned areas through herding and water management.

Areas to be seeded lack perennial species for natural re-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 rehabilitation, will be invaded by less desirable annual plant species. Areas that are dominated by annual species have a high potential hazard for recurring wildfires and the competition of annuals reduces the chance of perennial species establishing.

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 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

These shall be filed within 30 days after receipt of the final decision.

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 yours,



Colin P. Christensen
Assistant Field Manager
Renewable Resources

cc: C-Punch Z416353350
Buster Dufurrena Z416353083
John Espil Z416353351
Wes Cook Z416353352
Bob Irvin Z416353353
Marlowe Jevning, Pershing Cty Sportsmen's Z416353354
Myron J. Goldsworthy Z416353355
NV Land & Res Co., LLC Z416353342
CPWH Z416353285
WHOA Z416353283
Honorable Harry Reid Z416353141
Hugh Montrose Z416353142

Marion McClellan, Pershing Cty Concerned Citizens Z416353143
Pershing Cty Commissioners Z416353346
NDOW Z416353275
Resource Concepts, Inc. Z416353277
Intermountain Range Consultants Z416353281
Wilderness Society Z416353144
Desert Bighorn Council Z416353145
NV Woolgrowers Z416353280
NV Cattlemens Z416353279
Humane Society of U.S. Z416353146
ISPMB Z416353147
Lassen PCA Z416353148
NRCS, Lovelock Z416353149
Joe Dahl Z416353150
Keith Guenther Z416353151
Sierra Club-Toiyabe Chap Z416353284
NRDC Z416353282
FLB of Sacramento Z416353152
Friends of NV Wilderness Z416353153
NRCS, Reno Z416353154
Intermountain PCA Z416353155