



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS

Interior Board of Land Appeals
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September 10, 2014

IBLA 2014-227)	DOI-BLM-MT-B010-2013-0017-EA
)	
NATIVE ECOSYSTEMS COUNCIL AND)	Forest Restoration Project
ALLIANCE FOR THE WILD ROCKIES)	
)	Vacated and Remanded

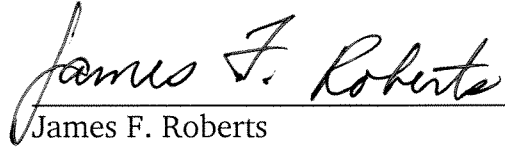
ORDER

On July 15, 2014, the Missoula (Montana) Field Office, Bureau of Land Management (BLM), received a Notice of Appeal (NOA) from Native Ecosystems Council (NEC) and Alliance for the Wild Rockies (AWR) (Appellants), signed by Sara Jane Johnson, the Director of NEC. NEC and AWR appeal BLM's May 7, 2014, Decision Record (DR), which approved a proposed project for timber harvest and thinning, prescribed burning, establishment of a helispot, and temporary road construction and rehabilitation (the Project). The Project is described as a "subset of actions" analyzed in Environmental Assessment (EA) DOI-BLM-MT-B010-2013-0017-EA, issued in May 2014. The EA was prepared to analyze the potential impacts of a variety of proposed forest vegetation treatments and road-related projects on public lands in and around Chamberlain Creek and Wales Creek near Ovano, Powell County, Montana. BLM Response at 2; EA at 6.

Certain forest management decisions included in the DR were subject to protest. Appellants filed a protest on May 22, 2014, which BLM denied by decision dated June 16, 2014. Appellants filed an appeal from and a petition for a stay of that portion of the DR which approved pre-commercial thinning of approximately 600 acres within the Project area.

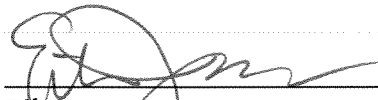
On September 8, 2014, BLM filed a Motion to Vacate and Remand Decision (Motion), stating: "BLM now seeks to vacate its pre-commercial thinning decision and have that matter remanded to BLM to engage in additional environmental review and issuance of a new decision on whether to authorize pre-commercial thinning of about 600 acres within the Project area." Motion at 2. We hereby grant BLM's Motion.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the portion of the DR subject to this appeal is vacated and the case is remanded to BLM for further action.



James F. Roberts
Administrative Judge

I concur:



Eileen Jones
Chief Administrative Judge