NOTE: This disposition is nonprecedential.

United States Department of the Interior
Office of Hearings and Appeals
Interior Board of Land Appeals
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Arlington, VA 22203

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January 5, 2016

IBLA 2016-45	)	DOI-BLM-OR-V000-2016-0001
	)	
BLUE MOUNTAINS BIODIVERSITY PROJECT	)	Wildfire Management
	)	
	)	Motion to Vacate and Remand
	)	Granted; Appeal Dismissed

ORDER

Appellant has appealed from, and petitioned for the stay of the effect of, the October 27, 2015, Final Decision issued by the Vale District Office (Oregon), Bureau of Land Management (BLM). In its Decision, BLM approved the immediate implementation of vegetation treatments listed in the agency's Bendire Emergency Stabilization and Rehabilitation Plan. To date, the Board has not ruled on appellant's stay petition.

On December 18, 2015, counsel for BLM requested the Board to vacate and remand the Final Decision at issue in this appeal. Counsel states that, following an internal review, the agency wishes to reconsider its Final Decision. Counsel did not indicate that he conferred with appellant to determine whether appellant opposed the request. Appellant did not file a response to BLM's request. 43 C.F.R. § 4.407(b).

Based on counsel's representations, the request is granted. 43 C.F.R. § 4.407(c).

Accordingly, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, BLM's request to vacate and remand the Final Decision is granted and the appeal is dismissed.

/s/
Christina S. Kalavritinos
Administrative Judge

I concur:

/s/
Amy B. Sosin
Administrative Judge