

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
LAKEVIEW DISTRICT
EA COVERSHEET

RESOURCE AREA: Klamath Falls

FY& EA #: OR-014-04-01

ACTION/TITLE: Pope-OR 53188 and Turner Land Sales- OR 59445

LOCATION: Klamath Falls Resource Area

FOR FURTHER INFORMATION CONTACT:

Linda Younger
Klamath Falls Resource Area, BLM
2795 Anderson Avenue, Bldg. 25
Klamath Falls, OR 97603
541-883-6916

FREEDOM OF INFORMATION ACT AND RESPONDENT'S PERSONAL PRIVACY INTERESTS: The Bureau of Land Management is soliciting comments on this Environmental Assessment. Comments, including names and street addresses of respondents, will be available for public review at the above address during regular business hours. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

ENVIRONMENTAL ASSESSMENT

OR-014-04-01

For

Land Sale

OR 53188

OR 59445

Purpose and Need

The Klamath Falls Resource Area of the Lakeview BLM District received a request from Lynn Pope (Pope Ranches, Inc.) in a letter dated June 25, 1996, to purchase at fair market value the following described BLM-administered public land:

T. 40 S., R. 11 E. W. M. Section 27 SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$; Section 33 E $\frac{1}{2}$ NE $\frac{1}{4}$; Section 34 N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, containing 560 acres, more or less. See Map 1.

During the investigating process for NEPA, it was discovered there were two trespasses on the southern most border of this land parcel. In the summer of 2003, BLM conducted a survey of this boundary. It was discovered that Mr. Joseph Thompson had a fence and a small out-building on BLM administrated property. Mr. Thompson has since removed this building and fence. Within the NESW section 34, T. 40S., R. 11E., Willamette Meridian, Klamath County, Mr. Randall Turner has a portion of Alfalfa field and a storage yard within the 40 acre parcel. Mr. Randall Turner has requested to purchase these 40 acres. BLM has issued a 2920 temporary permit to Mr. Turner to un-encumber this parcel.

This disposal request is being considered to meet Congressional instructions to compensate Klamath County for the loss of local tax revenues associated with acquisition of Wood River Ranch.

The purpose of this environmental assessment is to identify, analyze, and reduce, where possible, any potential impacts associated with sale of these public lands, if approved.

Conformance with Applicable Land Use Plan

Sale of this public land conforms to the Klamath Falls Resource Area Management Plan (approved June 2, 1995). The land is in Zone 3, land that is available for disposal by sale or exchange.

Public Involvement

A legal notice was published in the Klamath Falls Herald and News newspaper on August 30, September 6 and 13, 1996, notifying the public of the possible land sale and soliciting their participation. Also, notification was mailed to 20 neighboring landowners and individuals who have expressed interest in the sale of public land. No comments were received in response to either the public notice or the letters to individuals.

Proposed Action and Alternatives

There are three alternatives: Alternative A - Proposed Action: Disposal of 520 acres Public Lands by Competitive Sale and one 40 acre parcel by Direct Sale, Alternative B Disposal of 520 acres Public Lands by Modified Competitive Sale and one 40 acre parcel by Direct Sale and Alternative C - No Action.

Alternative A - Disposal of Public Lands by a split Competitive Sale and Direct Land Sale

Under Alternative A, 520 acres of BLM-administered public land would be offered for sale to the highest bidder. The property would be sold by competitive bid, with the minimum bid being the appraised fair market value for the public lands. Initial sealed bids would be submitted with oral bidding following the opening of sealed bids. The sale would include the surface and the mineral estates, except for oil and gas and geothermal resources which would be reserved to the United States (43 CFR 2711.3-1). Mr. Turner would be allowed to purchase 40 acres at direct sale (43 CFR 2711.3-3(5)). The sale would include the surface and the mineral estates, except for oil and gas and geothermal resources which would be reserved to the United States.

Alternative B - Disposal of Public Lands by Modified Competitive Sale and Direct Land Sale

Under this alternative, Lynn Pope, an adjoining land owner, grazing lessee and sale proponent, would be allowed to meet the high bid for 520 acres and purchase the property (43 CFR 2711.3-2). The sale would include the surface and the mineral estates, except for oil and gas and geothermal resources which would be reserved to the United States. Mr. Turner would be allowed to purchase 40 acres at direct sale (43 CFR 2711.3-3(5)). The sale would include the surface and the mineral estates, except for oil and gas and geothermal resources which would be reserved to the United States.

Alternative C - No Action

Under the No Action Alternative, the subject 560-acre parcel of public land administered by the BLM would not be sold, but would be retained in public ownership.

Affected Environment

The 560 acres of BLM-administered land are located approximately 12 air miles southeast of Klamath Falls between Merrill and Malin, Oregon. The property consists of one 560-acre parcel situated approximately 1.25 miles north of Adams Point. The property extends across the Adams Point plateau and has approximately 280 acres with a west facing aspect, slopes 2-60 percent, approximately 70 acres on the plateau and approximately 130 acres with a south-east facing aspect, slopes 8 to 35 percent. The property is bordered by private lands owned by Donald and Jan Pope, Randall and Bonnie Turner and Joseph Thompson on the south, and on the East by 80 acres that was public land and was sold by direct sale to the Rajnus Brothers. Asa Leekley and Carl Schwartz on the north and by Gary and Mary Wight, Martin J. Hicks and Lynn Pope on the West. Public access to the property is provided by the Dodds Hollow and Pope public roads. The western most 80 acres is in exclusive farm use zone C (EFU-C). The remaining 480 acres is zoned as forest-range. Minimum parcel size for the 560 acre parcel is 80 acres. Most of the level private land in the area is used for commercial farming and ranching. Rural residences are found on the edges of the valley above the farm ground

Soils

Seven soil types have been identified on the proposed sale area. Fifty-six percent of the property is composed of Lorella very stony loam. Harriman-Lorella complex comprises approximately 28 percent. Dehlinger very stony loam and Modoc fine sand represent 9 and 4 percent, respectively, of the total acreage. The remaining three percent is made up of Stukel-Capona loams, Modoc fine sandy loam and Calimus fine sandy loam. The Lorella very stony loams are well-drained soils found on escarpments at the edge of warmer basins and usually face south. The surface is extremely stony and cobbly. Surface layers average about 5 inches in depth with subsurface layers extending to 19 inches. According to the Soil Conservation Service, these soils are suitable for range and wildlife habitat.

The Harriman-Lorella complex is about 55 percent Harriman loam, 5-35 percent slopes and about 25 percent Lorella very stony loam. Included are small areas of Dodes and Calimus soils and spots of Rock outcrop. If water were available, these soils could be used for irrigated pasture.

The Dehlinger very stony loam is suitable for range and wildlife habitat. It is too stony and rocky and too steep to cultivate in nearly all places.

Stukel-Capona loams, Modoc fine sandy loam and Calimus fine sandy loam are nearly level soils that are adjacent to Pope road and are suitable for all types of irrigated agriculture.

For additional information see the Soil Survey of Klamath County, Southern Part, published by the Soil Conservation Service April 1985.

There are no prime or unique farm lands on the subject property. Three ephemeral streams flow during the spring snow melt period.

Special Status Species

Botanical surveys were conducted on August 1 through August 3, 1994 by Eagle Cap Consulting under contract to the BLM. The survey did not locate any populations of special status plant species or their habitats.

BLM personnel conducted the sensitive animal surveys. No sensitive animal species or their habitat were discovered on the property.

Vegetation

Major vegetative species on the property include big sagebrush, gray and green rabbitbrush, Thurber's needlegrass, squirreltail, and cheatgrass. There are minor components of western juniper, western service berry, bitter-brush, Columbia puccoon, Idaho fescue, Sandberg's bluegrass, salsify, thistle, Jim Hill mustard, and bulbous bluegrass. A complete plant list is available in the Klamath Falls Resource Area office.

Noxious Weeds

No noxious weeds were detected during botanical surveys.

Wildlife

Refer to the Final Klamath Falls Resource Area Resource Management Plan and Environmental Impact Statement, September 1994, for a discussion of wildlife species likely to occur on these public lands.

Grazing

The 560 acres proposed for sale includes all of the 160-acre Flesher (848) allotment, 320 acres of the Pope (820) allotment and 80 acres of the Rajnus Bros. (849) allotment. The permits allow 43 animal unit months (AUMs) of use between May 1 and June 15, annually. Boundary fences have been constructed by the grazing lessee.

Cultural Resources

A cultural resource inventory consisting of 520 acres was conducted by Rainshadow Research, Pullman, WA in June and July 1996. This 520 acre parcel coincides with the proposed land acquisition by Mr. Pope. Three historic refuse scatters dating to the 1920's-1940's are present. None of these sites are considered eligible for the National Register of Historic places. The 40 acre parcel that Mr. Turner is interested in purchasing was surveyed in 1998 by BLM archeologist. No cultural resources were encountered during that survey.

Land Use and Zoning

Currently, the public land is used for grazing and some recreation. Deer and squirrel hunting is the most common form of recreation, although some horse back riding and hiking does occur. The property is zoned Forest-Range and because of its size, may be subdivided into two parcels upon application to the Klamath County Planning

Department. The property can be used as a home site and half of the property can be sold and used as a home site by the new owner. The minimum parcel size is 80-acres. Approval from the Klamath County Planning Department is required before the property can be further subdivided.

Environmental Impacts

In addition to the following, see Exhibit A Tables 1 & 2 for summaries of other resource element impacts.

Positive or negative impacts could occur with any disposal of public land because the BLM would not have authority to control management of the lands and resources after the title passes into private ownership. Land and resource management on disposed lands would be at the discretion of the new owner, subject to reserved Federal interests, State laws, regulations, local zoning, and land use ordinances. For analysis purposes, it is reasonable to assume that the public lands would be converted to uses similar to those presently occurring on adjacent or nearby private lands. The method of sale, modified competitive or competitive, does not change the type or intensity of the resource impacts.

After the sale, use of the property would be subject to State and local laws and planning regulations. The property could be divided in half and used for two home sites, with additional acreage, without the need for a conditional use permit. The possibility of additional subdivision and home site development is considered speculative because of the number of variables involved and approval from Klamath County Planning Department is required.

Grazing

Grazing of the property, in some form, would likely continue. The duration and intensity of grazing use on the property could increase or decrease under private ownership. The grazing intensity would be influenced by the size of the parcels after sale. Intensity would be expected to decrease if the property was split and homes were constructed on the smaller parcels. If the property were purchased by Pope Ranches, grazing intensity would be expected to increase although not substantially, due to the low productivity of the land and lack of water.

Minerals

Leasable (oil, gas and geothermal) mineral resources would not be affected by the sale because the United States would retain ownership of them. The United States could issue leases to these resources, but the leases may contain no surface occupancy stipulations or conditions to require the lessee to complete cooperative agreement(s) with land owner(s) prior to activity on split estate leases. There is no known potential for precious or base metal resources on the lands affected by the sale. There is moderate potential for the occurrence of diatomite, but a very low likelihood that any development would occur. There is a high potential for the occurrence of basalt quarry rock, but in this area basalt of this type is widespread, and the demand is low

Soil and Vegetation

The duration and intensity of grazing use on the property could increase or decrease under private ownership. Any increase in grazing levels would increase the percentage of big sagebrush and western juniper in the plant community on the property. Further increases in grazing intensity would result in bare soil and resulting high erosion hazards. Any disturbance associated with intensive grazing practices could create conditions that favor noxious weeds over other species and increase the chances for establishment of noxious weeds. Home site development and construction could also create conditions that favor noxious weeds and could result in short term soil disturbances that may result in high erosion hazards.

Wildlife

Conversion of the public lands to private holdings could lead to increased spring and/or fall grazing, which would reduce the amount of forage available to wintering deer on the subject 560 acres. The lack of forage would lead to increased movement of deer onto adjacent private agricultural lands, resulting in increased damage to the private lands. Similar impacts and dislocation of wildlife are expected if the property is developed for home sites. Should the new owner chose not to graze livestock on the property, none of the above impacts would occur and some gains in wildlife habitat would occur.

Cultural Resources

Three historic refuse scatters dating to the early 20th century are present on the property. Each site has been fully documented and none are considered to be eligible to the National Register of Historic places.

Consultation and Coordination

<u>Preparers</u>		<u>Resource Responsibility</u>
Don Hoffheins	-	Editor
Linda Younger	-	Realty
Andy Hamilton	-	Wildlife
Bill Lindsey	-	Range
Scott Senter	-	Recreation
Steve Hayner	-	Wildlife
Lou Whiteaker	-	Botany
Tim Canaday	-	Cultural Resources
Tom Cottingham	-	Hazardous Materials
Rebecca Lange	-	District Geologist

Agencies/Groups Contacted

Oregon State Government Offices
Oregon Department of Fish and Wildlife
State Historic Preservation Officer
Oregon Natural Resources Council
The Klamath Tribes
Klamath County

Individuals Contacted

Jeanne Roster	Glenn Barrett
William and Sandra DeJong	Robert and Winifred Parsons
Brett and Genine Johnson	Mike Davis
Mr. and Mrs. Dana Nelson	Randall and Bonnie Turner
Asa Leekley	Richard J. Abcunas
Rajnus Brothers	Dino Herrera
J-Spear Ranch	Donald and Susan Smith
Donald L. Pope	Gary and Mary Wight
Lloyd and Hazel Dyer	Joseph G. Thompson
William and Ann Fisher	Robert and Winifred Parsons
Thomas and Martha Schriener	

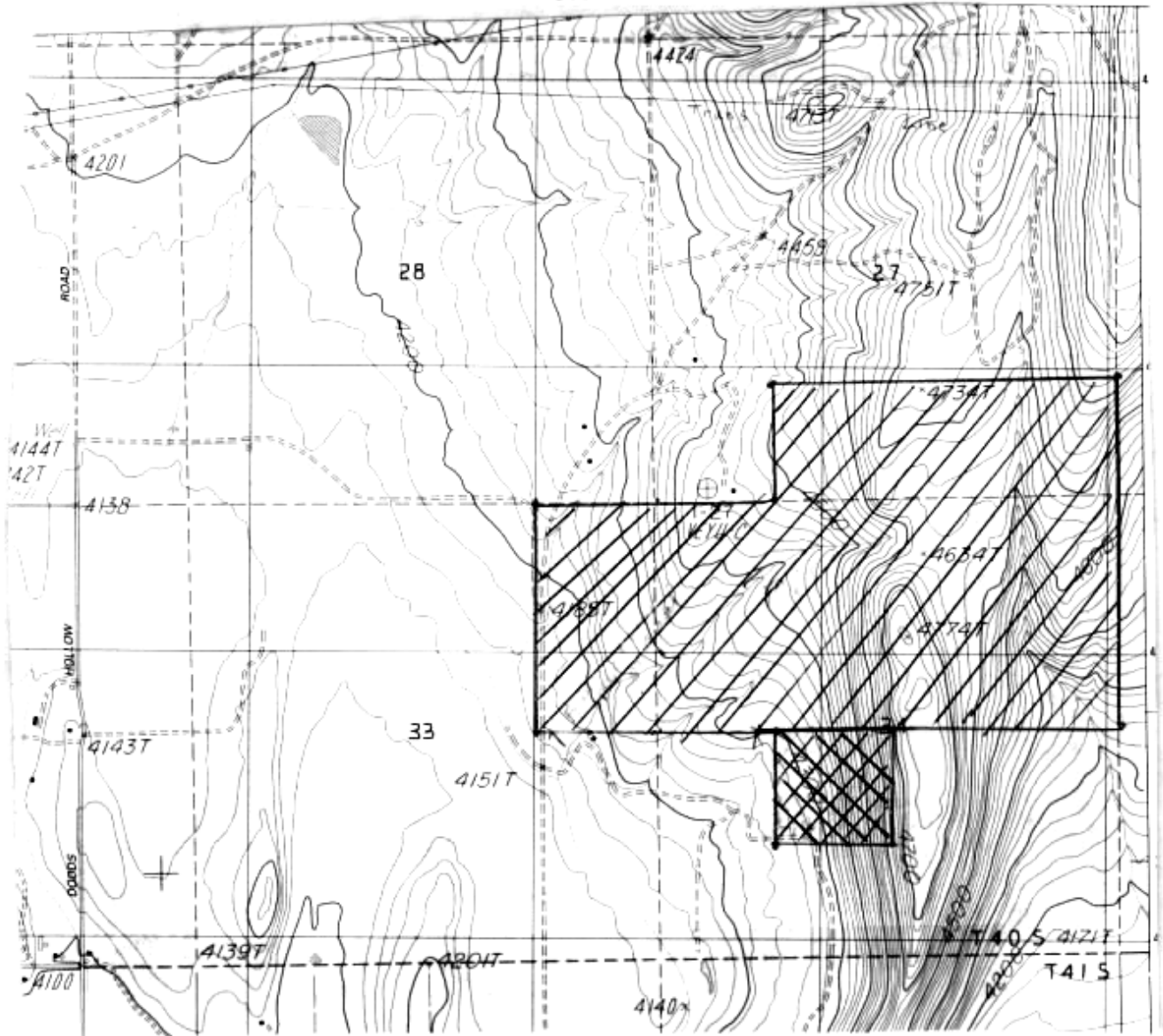
Exhibit A - Summary of Resource Elements and Impacts

Table 1. Summary of Critical Elements of the Human Environment		
Critical Element	Environmental Impact	Remarks
Air Quality	None	Private ownership would be increased by approximately 560 acres.
Areas of Critical Environmental Concern (ACEC)	None	The lands proposed for sale are not within an existing or proposed ACEC
Prime or Unique Farmlands	None	This resource does not occur within the land proposed for sale.
Flood Plains	None	Property proposed for sale is located outside the 500-year flood plain.
Native American Religious Concerns	None Known	A cultural survey of the property has been completed & no Native American sites were encountered.
Threatened or Endangered Species, Special Status Species	None Known	Plant and animal surveys have been conducted on the property proposed for sale and on adjacent and nearby public lands for other activities. No Threatened or Endangered Species or Special Status Species have been found on the property proposed for sale.
Hazardous or Solid Wastes	None Known	A thorough search of available records, including BLM, Federal and State lists of potential sites, BLM land status records (Historical Index/Master title Plat), mining claim records, and case records for the Cain occupancy lease land sale did not reveal any potential for contamination by hazardous materials on said lands. A physical inspection of the property showed no evidence of disposal of hazardous materials on the ground (see the Hazardous material report in the land sale case file).
Water Quality	None	There are no surface waters on the subject property.
Wetland/Riparian Zones	None	Several ephemeral stream occurs on the property. This stream flows only when the spring snows melt.
Wild and Scenic River	None	Property is outside the Klamath River corridor, the only designated river segment within the Klamath Falls Resource Area.
Cultural Resources	None anticipated	A cultural resource survey was conducted and three historic refuse scatters were found. None of these sites are considered eligible for the National Register of historic places.
Wilderness Areas	None	None

Table 2. Summary of Elements of Other Resources


Resource	Remarks
Wild Horse and Burro Management Area	The property proposed for sale is not within a Wild Horse and Burro Management Area.
Mineral Resources	There is moderate potential for Oil, Gas and Geothermal resources. Those mineral resources will be reserved to the United States. All other mineral resources will be sold. Reference Mineral Report in the sale file.
Water Resources	No municipal watersheds are involved in the sale.
Rangeland Resources	Three grazing allotments could be impacted by the proposed sale. One allotment would be eliminated. One would be reduced by 320 acres and the other reduced by 80 acres. Depending of the purchaser, grazing use would not change, could increase or could be eliminated on the property.
Visual Resources	No Class I or Class II VRM issues. Property proposed for sale inventoried as VRM Class III.
Recreation Resources	Recreational uses would be eliminated if the property was sold.
Existing Land Uses	The property is used for grazing. The existing grazing use is expected to continue regardless of the purchaser of the property. The property could be divided in half and resold.

United States
Department of the Interior
Bureau of Land Management

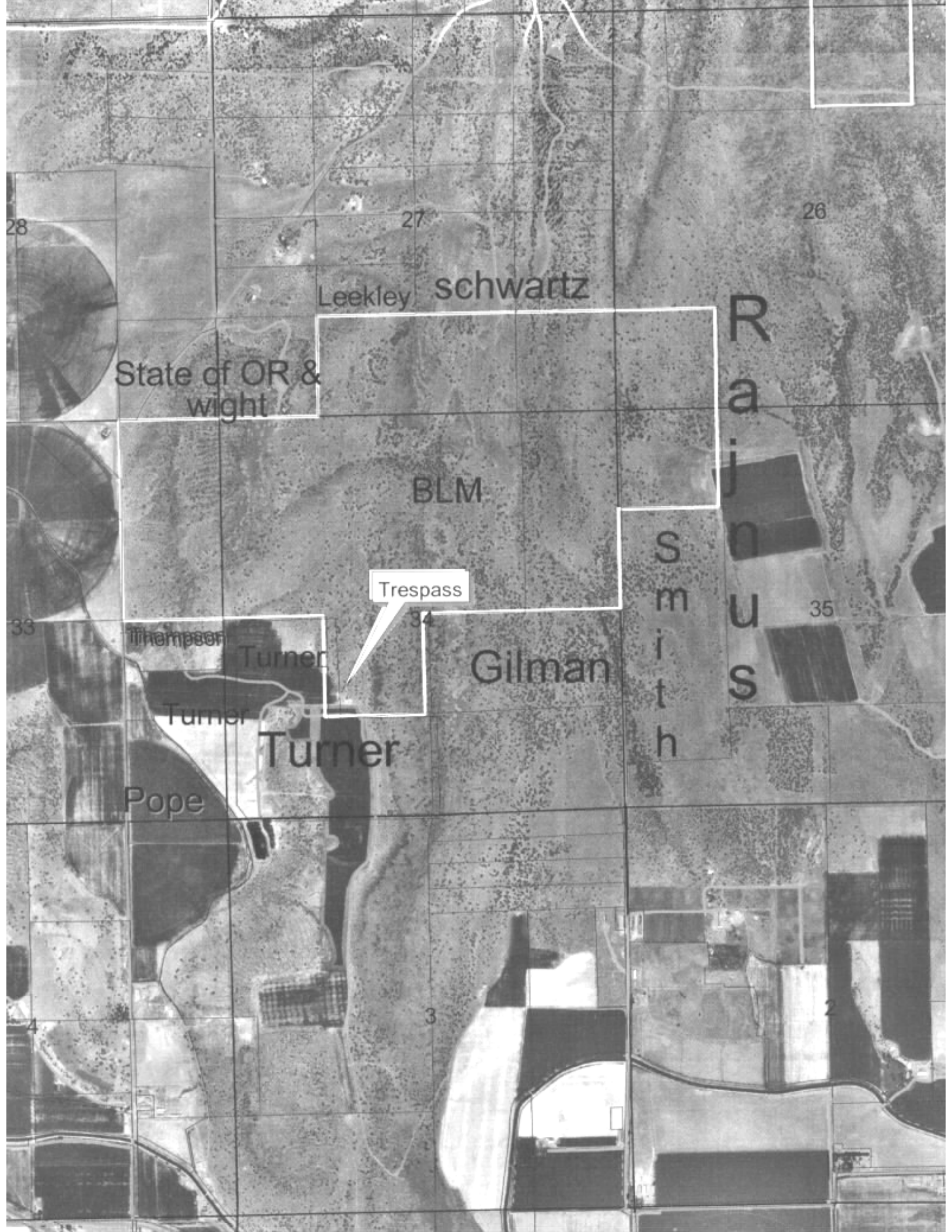


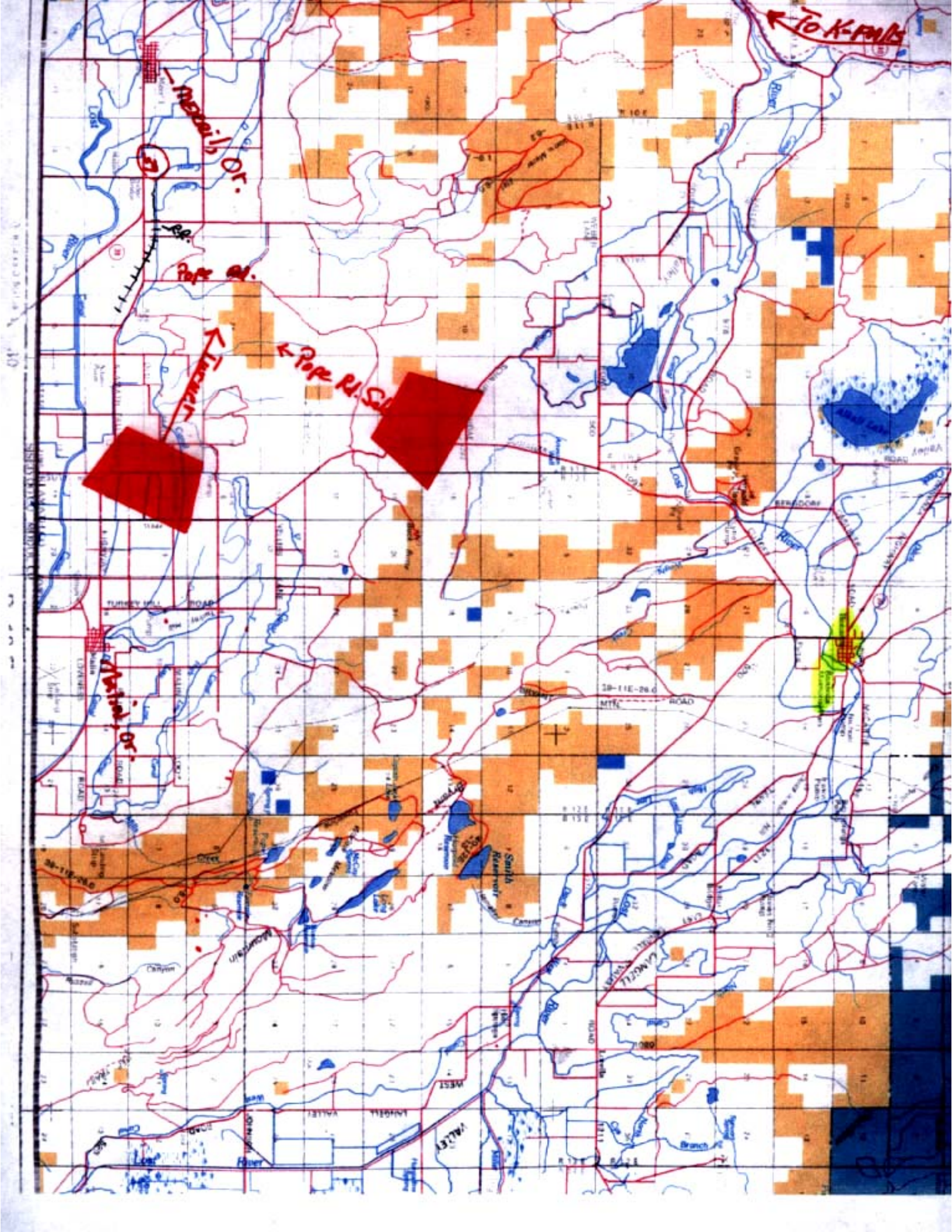
T. 40 S., R. 11 E., Sections 27,34, Willamette Meridian

Scale 1"=24,000

 Public Land Proposed for sale by Competitive Bid

 Public Land Proposed for sale by Direct Sale





TO K-FALLS

Merrill Or.

Pop. Or.

TINNETT

Pop. RISE

Merrill Or.

30-11E-20 d
MTFC ROAD

MERRILL VALLEY

WEST VALLEY

30-11E-20 d
MTFC ROAD

South River

WEST VALLEY

WEST VALLEY

WEST VALLEY

Finding of No Significant Impact:

I have reviewed this environmental assessment (OR-014-04-01), including the explanation and resolution of any significant impacts, and have determined that the proposed action will not have any significant impact on the human environment and that an EIS is not required. In my review, I also determined that the proposed project is in conformance with the approved land use plan.

Mitigation Measures/Remarks: None



Jon Raby, Manager
Klamath Falls Resource Area



Date

Klamath Falls Resource Area NEPA Document Routing Slip for Internal Review

Project Name: Pope Road Land Sale - ^{former} OR-014-99-01 OR-014-04-1
 Date Initiated: 10/7/03

Resource or Staff Responsible	Review Priority	Preliminary Review Date/Initials	Comments Attached/Incorporated	Final Review Date/Initials
Manager: Jon Raby ✓	Last		Good job!	JR 2/26/04
Branch Chief: Barbara Ditman	Second to Last			
Branch Chief: Larry Frazier	Second to Last			
Branch Chief: Rod Johnson ✓	Second to Last			RJ 2/12/04
Planner/EC: Don Hoffmann Kathy Lindsey ✓	Third from Last	KL 12/22		KL 2/17/04
Range: Bill Lindsey, Dana Eckard ✓		DZE 10/7/03	N/A	DZE 10/7/03
Wild Horses: Tonya Pinckney				
Fire/Air Quality: Joe Foran				
Silviculture: Bill Johnson, Gabi Sommerauer ✓		BS 10/15/03		BS 10/15/03
Timber: Mike Bechdolt ✓		MB 10/17/03		MB 10/17/03
Botany/ACEC/Noxious Weeds: Lou Whiteaker ✓		JW 10/7/03	None	JW 10/7/03
Soils: ✓				
Cultural: Tim Canaday ✓		TC 12/17/03	incorporated	TC 12/17/03
Minerals/HazMat: Tom Cottingham ✓				
Lands/Realty: Linda Younger		LY 10/7/03		LY 10/7/03
Recreation/Visual/Wilderness: Scott Senter ✓		VSS 10/15/03		VSS 10/15/03
Hydrology/Riparian: Mike Turaski, Andy Hamilton		MRT 10/8/03	MINOR PAGE 6.	MRT 10/8/03
Wildlife/T&E: Steve Hayner ✓		SH 12/5/04	None	SH 11/27/04
Fisheries/T&E: Scott Snedaker ✓		SS 12/23/03		SS 12/23/03
W/S Rivers: Grant Weidenbach				
Engineering: Brian McCarty				
Survey/Manage: Molly Juillerat				
Clearances/Surveys	Needed	Done/Attached	*This document will not sit on your desk for more than 8 hours. Please check on calendar to make sure that the next person will be available to review the document. **Some resource areas may not apply for all projects. If so, just mark "N/A" in "Review Priority" column.	
Cultural		TC 12/17/03		
Botanical		JW 10/7/03		
T&E, BA & or Consultation	N/A 1/5/04			
R-O-W Permits				

This EA was started by Tom C. Discovery of Trespasser had stopped its progress. Original EA is attached to updated EA.