

Environmental Assessment #OR-014-05-06
East Stukel Modified Competitive Land Sale
OR 62015

I. INTRODUCTION

Purpose and Need

The Klamath Falls Resource Area of the Lakeview BLM District received a request from Mr. Bob Stewart, of Klamath Cascade Group, in a letter dated May 26, 2005, to purchase at fair market value, 120 acres of BLM-administered public land; legally described as follows:

T. 40 S., R. 11 E., Sec. 9 N1/2NW1/4, SENW, Willamette Meridian, Klamath County, OR.
(See Appendix A – General Location Map).

This request is being considered to meet Congressional instructions to compensate Klamath County for the loss of local tax revenues associated with acquisition of the 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 Record of Decision and Resource Management Plan, approved June 2, 1995 (KFRA/RMP). The subject land is identified as Zone 3, land that is available for disposal by sale or exchange on page I-7 of Appendix I of the KFRA/RMP.

Public Involvement

A legal notice was published in the Klamath Falls Herald and News newspaper on July 2, 2005, notifying the public of the possible land sale and soliciting their participation. Also, notification was mailed to individuals and other local government offices (listed) who have expressed interest in the sale of public land. Mr. Stewart owns surrounding lands. No comments were received in response to either the public notice or the letters to individuals.

II. ALTERNATIVES INCLUDING THE PROPOSED ACTION

There are two alternatives: Alternative A - Proposed Action: Disposal of Public Lands by modified competitive sale, and Alternative B - No Action. No other alternatives are proposed because Mr. Stewart's original request is specific to those public lands surrounded by his private property.

Alternative A - Proposed Action: Disposal of Public Lands by Sale

The proposed action is to sell 120 isolated acres of BLM-administered public land by modified competitive sale to the highest bidder, allowing the proponent an option to exceed highest bid, for the appraised fair market value of the property. The sale would include the surface and mineral estates, except oil and gas and geothermal resources would be reserved to the United States. The sale would also include the value of ponderosa pine timber that is present on the 120 acres as determined through a separate timber cruise and appraisal. If the Proponent fails to purchase the

land, the land will be made available to the highest bidder that offers to pay the fair market value of the public lands.

Alternative B: No Action

Under the No Action Alternative, the subject 120 acres of public land administered by the BLM would be retained in public ownership. The BLM and the public would still not have access to this property.

III. AFFECTED ENVIRONMENT

The 120 acres of BLM-administered lands are located Northeast of Dodd's Hollow and East of Stukel Mountain. The property consists of 120 isolated acres. It is totally surrounded by property owned by the proponent; therefore there is no legal public access to this property. The proponent has a grazing lease on this parcel.

Geology and Mineral Resources

Locatable Minerals

The parcel is determined to have a low potential for locatable minerals. The geology is generally unfavorable. There is no current or historic record of mining claims in the area and a site visit revealed nothing of locatable potential. Potential for the occurrence of critical and strategic minerals was not observed.

Leasable Minerals

The parcel is determined to have low potential for oil, gas, coal and moderate potential for geothermal resources. There has been no prospecting or exploration for geothermal resources to date.

Salable Minerals

The parcel is determined to have a moderate potential for salable mineral materials. There is a rock pit in nearby similar terrain and geology. Soil greater than one meter thick obscures the bedrock over most of the parcel. One small outcrop of basalt was exposed in a roadcut but the quality is unknown and quantity exposed was too small to be considered a significant resource.

Soils

There are no prime or unique farmlands nor riparian/wetland areas on the subject property. It has two soil types Calimus-Capona loams and Lorella very stony loam.

Calimus-Capona loams, are 15-35 percent slopes and are typically dark brown loam about 14 inches thick. The subsoil is very dark brown heavy loam that extends to a depth of about 40 inches. Permeability is moderate in the Calimus soil. Roots commonly penetrate to a depth of more than 60 inches. Bedrock is at a depth of more than 60 inches. These well drained soils are on north-facing escarpments near the edge of warmer basins. They formed in alluvial and lacustrine sediment weathered mainly from diatomite, tuff, and basalt. The average slope is about 20 percent. Elevation ranges from 4,100 to 4,700 feet. The average annual precipitation is 10 to 14 inches, the average annual air temperature is 46 to 49 degrees F, and the frost free season is 90 to 120 days. This complex is about 55 percent Calimus loam, 15 to 35 percent slopes and about 35 percent Capona loam, 15 to 25 percent slopes. The rest of the complex consists of Stukel and Lorella soils and small areas of Rock outcrop. These soils are in capability subclass IVe.

Lorella very stony loam is a well-drained soil on escarpments at the edge of warmer basins that mostly face south. It formed in very cobbly and gravelly material weathered from tuff and basalt. Slopes are convex. The average slope is about 20 percent. Elevation ranges from 4,140 to 5,500 ft. the average annual precipitation is 12 to 16 inches, the average annual air temperature is 46 to 49 degrees F, and the frost free season is 90 to 120 days. Typically, the surface layer is about 5 inches thick. The upper part is very dark grayish brown, very stony loam about 2 inches thick, and the lower part is very dark grayish brown, very gravelly loam about 3 inches thick. The upper part of the subsoil is dark brown, very cobbly clay loam that extends to a depth of about 19 inches. The surface ranges from slightly stony to extremely stony and cobbly. This soil is in capability subclass IVe.

Hydrology

The proposed Stukel Land Sale (T40S-R11E Sec. 9 NW 1/4) is located in the Poe Valley Frontal 6th field sub watershed within the Poe Valley-Yonna Valley 5th field Watershed. The proposed Stukel Land Sale comprises 0.4% of the total land within the 6th field sub watershed. The proposed 120-acre parcel contains approximately 0.53 miles of ephemeral stream flowing North with a stream gradient averaging 5%. There are no other streams or any wetland areas within the proposed sale. There is 0.5 mile of native surfaced road roughly parallel to the ephemeral drainage. According to field observations, stream banks are stable. Vegetation adjacent to the drainage consists mostly of upland vegetation and substrate along the bed of the stream consists mostly of gravels and cobbles. The exception occurs at a road crossing and a watering hole where the bed is dominated by silt. Approximately 0.1 acre on the southern boundary contains riparian vegetation such as aspen and buttercup where the road crosses the stream. Approximately 0.25 mile down stream from the road crossing there is a man-made watering hole roughly 80 feet long and 40 feet wide. Based on field observations, this watering hole would not hold water year round due to the capacity of water that it could hold and the lack of water supplied by the ephemeral stream throughout the year.

The valley slope throughout the proposed parcel is generally between 20% and 30%. The road on the West slope varies in distance from the stream from 50 feet to 250 feet. Due to the steep slope and the lack of adequate road drainage, there is some evidence of potential sediment transfer extending from the road down toward the stream. There were two areas of bare ground where small, five to ten feet wide, washed out sections were observed.

Vegetation

Climax native vegetation is a plant community dominated by western juniper (*Juniperus occidentalis*) with about 15 percent canopy cover. Bluebunch wheatgrass (*Pseudoroegneria spicata*) and Thurber's needlegrass (*Achnatherum thurberianum*) are prominent understory grasses. A variety of perennial forbs grow throughout the stand. Antelope bitterbrush (*Purshia tridentata*) and big sagebrush (*Artemisia tridentata*) are dominant shrubs.

Timber

In August of 2007 the proposed sale area was surveyed for timber resources. As a minor vegetation component, ponderosa pine trees are widely scattered over the 120 acre area with one area of concentration in the drainage in the northeast portion of the tract. Of the 120 acres only about 1.5 acres (the area of pine concentration) would be considered ground capable of producing commercial timber. This area of approximately 1.5 acres showed evidence of continuous timber

production including large old stumps, currently standing merchantable sized trees and seedling to sapling sized regeneration. A total of 45 merchantable ponderosa pine trees ranging from 8 to 44 inches diameter at breast height (DBH) were located. The trees were cruised and determined to contain an approximate net volume of 21.2 thousand board feet (MBF).

Special Status Species

Botany Surveys were conducted in July 1997 and no special status species were found in the proposed sale area.

Noxious Weeds

Surveys were completed in 1997 and one site of spiny clotbur (*Xanthium spinosum*) was found around the stock pond in the SE of the NW of section 9. No other noxious weed populations were found.

Wildlife

The area is not classified as deer winter range but would have some year-round deer use excluded only during those winter months with high snow fall. Other species commonly associated with this habitat type would include landbirds, small mammals, and reptiles.

Special Status Species

The BLM policy on special status species is to ensure that actions requiring authorization or approval by the Bureau of Land Management (BLM) are consistent with the conservation needs of special status species and do not contribute to the need to list any special status species, either under provisions of the ESA or other provisions of this policy.

No Threatened or Endangered wildlife species are known to occur within the proposed sale area. A field review was conducted in the summer of 2005 and it is unlikely that any ESA listed species occur within the proposed sale.

The bald eagle was delisted from the Endangered Species Act in 2007 but is still classified as a special status species by the BLM. There are a few larger ponderosa pine trees within the proposed sale area. No bald eagle use was noted or bald eagle sign was observed in or around the trees during the field review.

The only other BLM sensitive species that may occur within the project area is the Oregon Vesper Sparrow (*Pooecetes gramineus affinis*). The vesper sparrow occupies a broad range of grassland habitat types, including native prairie, semi-desert grasslands, montane and desert shrublands, sagebrush steppe, montane meadows, old fields, pastures, haylands, reclaimed surface mines, weedy fencelines, croplands, weedy roadsides, and woodland edges with scattered trees and shrubs. This species probably requires song perches, such as fences, shrubs, crop residue, tall weeds, woodlands bordering fields (Best and Rodenhouse 1984 as cited on Birds of North America Online). The Oregon vesper sparrow has been documented within the KFRA.

The area is outside of the Northwest Forest Plan Area therefore Survey and Manage species guidelines are not applicable.

Grazing

The 120 acre parcel is part of the Rodgers livestock grazing allotment, #00852. The allotment currently has approximately 2,549 acres of public land with an authorized use level of 235 AUMs of livestock grazing by cattle. There is also an Exchange of Use agreement that allows for 167 AUMs of livestock use on the intermingled private lands owned by Stewart and currently leased to Jake Northcutt. Northcutt is currently the authorized BLM grazing lessee for the Rodgers grazing allotment.

Cultural Resources

Native American use of the area spans many millennia. The project area was used by the Modoc though the Klamath were probably also present in the area. The Modoc lifestyle was semi-sedentary following an annual subsistence round based on local resource availability. The uplands, where the project area is located, typically received seasonal use associated with subsistence needs such as summer deer hunting, berry picking, and camas (*Camassia quamash*) root gathering. Subsistence resources harvested in the highlands were taken back to permanent villages located along Lost River.

John C. Fremont's 1846 Expedition was the first Euro-American party to travel close to Stukel Mountain. His party forded the Lost River near Olene Gap in May of 1846 and camped at the site of Olene. In 1864, the Klamath Tribes, which included the Klamath, Modoc, and Yahooskin Band of Snake Indians, ceded Stukel Mountain and adjacent areas to the United States government. This action opened the area to Euro-American homesteading and logging. Logging in the region began in the late 1860s. However, logging as an industrial affair, didn't start on Stukel Mountain until 1901 when W.P. Rhoads built a circular mill on the northeastern slope of the mountain. Currently, the proposed sale area is used for cattle grazing.

Fuels

A natural fire regime is a general classification of the role fire would play across a landscape in the absence of modern human mechanical intervention and domestic livestock, but including the influence of aboriginal burning. This property is in Fire Regime II, meaning that under a natural fire regime it would experience mixed and high severity fire with a mean fire return interval of less than 35 years. The Condition Class is based on a relative measure describing the degree of departure from the historical natural fire regime. It is currently in Condition Class III, meaning that it has high departure from the natural (historical) regime of vegetation characteristics; fuel composition; fire frequency, severity and pattern. This departure is a reflection of the invasion of western juniper which has significantly altered the fuel composition on the property.

The property is in the Schaupp Road Wildland Urban Interface. If a wildfire were to start in the vicinity of the property, it would likely burn away from the structures.

Air Quality

The area is designated as a Class II airshed.

Land Status

The resource area has a land tenure adjustments program outlined in the Klamath Falls Resource Area Resource Management Plan. Since completion of the RMP, 2,690 acres have been sold. This land was sold to offset losses to Klamath County's tax base that resulted from the 3,200 acre Wood River Wetland acquisition.

IV. ENVIRONMENTAL IMPACTS

In addition to the following, see Tables 1 and 2 in Appendix B for summaries of other resource element impacts.

Alternative A - Proposed Action

Positive or negative impacts could occur with any disposal of public land because the BLM would no longer 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, which is grazing and agriculture.

The amount of surface rocks would likely preclude more intensive use than grazing. The property does not appear to be suitable for use as a home site after the sale. Shallow soil depth, slow permeability, and excessive slope can cause septic tank absorption fields placed in this soil to fail in a few years. BLM has no access to the parcel as the Klamath Cascade Group owns most of the surrounding acres, therefore the Klamath Cascade Group would have legal access after purchasing the property. Those resources that would have potential to be affected are discussed as the following:

Geology and Mineral Resources

Locatable Minerals

This resource would not be affected. Potential for locatable minerals is virtually non-existent.

Leasable Minerals

At this time there are no known proposals for geothermal prospecting or exploration on the parcels or any adjacent lands; however, given the current Presidential energy policy emphasis it is possible that exploration may occur. It is likely any future geothermal exploration or development would occur off-site by angle drilling. Therefore, the likelihood for conflict with any surface uses and possible mineral activity is low.

Salable Minerals

Although the basalt rock in the area of the proposed land sale could be exploited as an aggregate or sand and gravel resource if needed, it appears that there are other more desirable sources of material. This basalt rock unit is wide spread and is being exploited for gravel in a private pit approximately 0.8 miles to the northwest in similar terrain.

Soils

Soils could be affected under private ownership on this 120 acre parcel by increased levels of grazing, changes in agricultural practices and new buildings or roads. Both soil types found in this area are susceptible to erosion from overgrazing and function poorly as sites for buildings, homesites, or septic tanks. Grazing maintained at current or decreased levels will have equal or positive impacts on soil conditions on this parcel.

Hydrology

For the purposes of this analysis it is reasonable to assume that current grazing practices will continue in the event that the parcel becomes privately owned. There would be no measurable effects to the watershed anticipated within the proposed 120 acre parcel if these practices continue. The road within the proposed parcel receives minimal traffic, evident by lack of vehicle tracks and growth of vegetation on the road. If this continues, sediment transport from the road to the stream will gradually decrease over time. There is currently no major sediment transport throughout the proposed parcel evident by the absence of eroded banks, lack of road traffic, cobble/gravel armored stream bed, the short duration of flow in the ephemeral channel during the year, and that there is only one defined channel within the proposed 120-acre parcel.

Vegetation

The duration and intensity of grazing use on the property could, but is unlikely to, increase under private ownership. Any significant increase in grazing levels could 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 hazard.

Timber

In private hands the timber resources would likely be extensively logged as have adjacent private lands. Yearly production of timber on the proposed sale area is minimal and is not included as part of the harvest land base upon which Allowable Sale Quantity (ASQ) is calculated. The approximately 1.5 acres of Public Domain land with timber are not currently part of the BLM's commercial timber land or forest operations inventory and would not significantly impact future sale quantities. The entire 120 acres are managed under the requirements of Public Domain lands and are not subject to the requirements of the *Oregon Public Lands Transfer and Protection Act of 1998*.

Special Status Species

No impact to special status plant species would result from implementation of the proposed action.

Noxious Weeds

Any disturbance associated with intensive grazing practices could create conditions under which noxious weeds have a competitive advantage relative to other species and increase the chances for establishment of noxious weeds and an increase in the size of the documented population of spiny clotbur. If grazing decreased below current levels, these effects would not likely occur.

Wildlife

Special Status Species

The only special status species that would likely occur within the project area is the Oregon Vesper sparrow. It is associated with open grasslands and shrub steppe habitat. These small blocks of habitat may receive some use by this species. If transfer of ownership occurs, there is potential for positive and negative effects including the potential for conversion of habitat that could render it unsuitable for the Oregon vesper sparrow. Conservation strategies including the Coordinated Implementation Plan for Bird Conservation in Eastern Oregon (2005) and the Partners in Flight Conservation Strategy for Landbirds in the Columbia Plateau of Eastern Oregon and Washington (2000) emphasize maintaining or restoring large blocks to conserve this species. The proposed land sale is within small isolated parcels of habitat and would not impact larger blocks of habitat. Therefore the potential loss of habitat within these smaller parcels would not appreciably diminish

habitat for the Oregon vesper sparrow. The proposed land sale would meet the BLM special status species policy and not further the need to list the Oregon vesper sparrow.

Grazing

Sale of the parcel would decrease the authorized grazing use on the Rodgers allotment by 11 AUMs. Grazing of the property by proponent would likely continue. The duration and intensity of grazing use on the property could increase or decrease under private ownership. Due to the steepness of the property, an increase in use is not likely to happen.

Cultural Resources

Cultural resource surveys have been completed for the anticipated land sale. No prehistoric sites were encountered during survey, however, two historic sites and one historic bottle isolate were found. One of the historic sites was a 1931 cadastral marker. The other site was a small can dump. The can dump was evaluated for eligibility to the National Register and found not eligible. This evaluation has been submitted to the State Historic Preservation Office.

Fuels

Any significant increase in grazing levels could decrease the risk of wildfire to the neighboring subdivision. If grazing decreased below current levels, risk of wildfire to the subdivision would likely increase. Condition Class would likely remain unchanged unless a significant portion of the western juniper was removed from the site. Such activity would likely improve the Condition Class.

Air Quality

No measurable impacts to air quality are expected under the anticipated use.

Land Status

There are a total of three land sale projects being analyzed by the resource area, these 120 acres, the Happy Hollow project for 120 acres and the Nancy Charlie Trust project for 3 acres. If all three of these sales were authorized then an additional 243 acres of public lands would be sold. This would bring the cumulative total of land sales for the Klamath Falls Resource Area to 2,933 since 1995.

Alternative B: No Action

Under this alternative the public lands would remain in public ownership and the above impacts would not occur. BLM would still not have access to this parcel. The opportunity to generate tax revenue for the county by putting these lands in private ownership would be forgone. Wildlife habitat would be managed as directed by the current Resource Management Plan (RMP).

V. CONSULTATION AND COORDINATION

A “No Effect” determination has been made for all Federally Listed species for the proposed actions. There are currently no listed species or Designated Critical Habitat present and no federally listed species would be affected from the proposed action.

Preparers - Resource Responsibility

Don Hoffheins - Planner
Linda Younger - Realty/Author
Dana Eckard - Range
Scott Senter - Recreation
Steve Hayner - Wildlife
Lou Whiteaker - Botany
Tim Canaday - Cultural Resources
Rebecca Lange - Geologist
Tom Cottingham - Safety/Hazardous materials
Molly Juillerat - Soils/Vegetation
Eric Johnson - Fire/Air Quality
Andy Hamilton - Hydrology
Shane Durant – Forestry

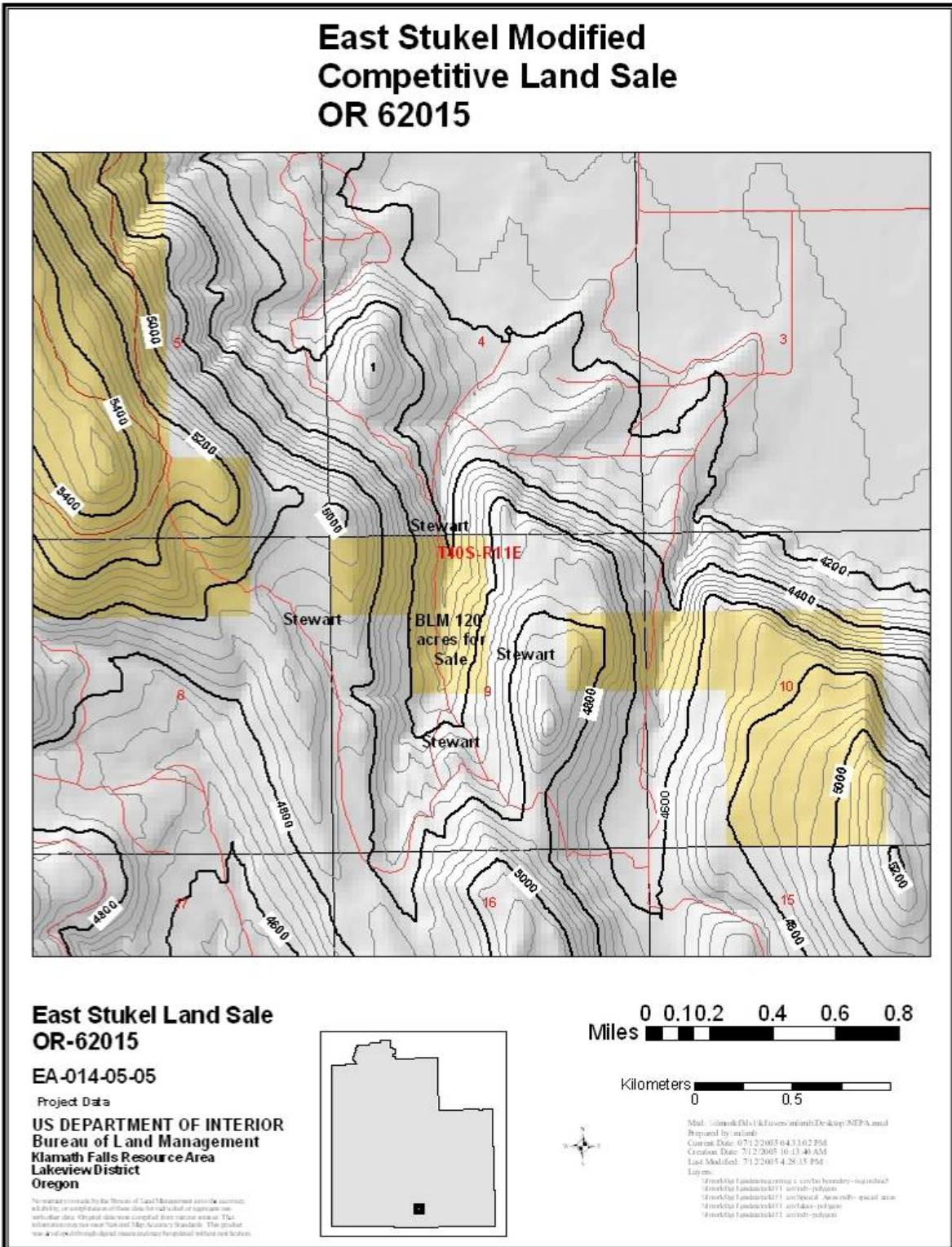
Agencies/Groups Contacted

Oregon Department of Fish and Wildlife
Oregon Department of Environmental Quality
Oregon State Historic Preservation Officer
Oregon Natural Resources Council
The Klamath Tribes
Boise Building Solutions Manuf., LLDC
Friends of Greensprings
Klamath Forest Alliance
Timber Resources Services, LLC
Four Runners of Klamath Falls
JELD-WEN Timber & Ranches
Klamath Basin Audubon Society

Individuals Contacted

Adjacent Land Owners
Land Sale Public Listing
Individuals identified as interested parties on the KFRA mailing list

APPENDIX A – GENERAL LOCATION MAP



APPENDIX B - SUMMARY OF RESOURCE ELEMENTS AND IMPACTS

Table 1 - Summary of Potential Impacts to Critical Elements of the Human Environment (For Alternative A- Proposed Action only)

| Critical Element | Environmental Impact | Remarks |
|--|----------------------|--|
| Air Quality | None | No change in use is anticipated; therefore no air quality impacts are expected. |
| 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 & two historic cultural sites were found. The Klamath Tribes were sent a letter giving them notice of potential sale. No comments were received from the Tribes. |
| Threatened or Endangered Species, Special Status Species | None Known | A field review of the habitat was conducted in 2005. No Threatened or Endangered Species or Special Status Species have been found on the property proposed for sale. Special Status plant surveys were completed in 1997 and no sites were found. |
| 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), and mining claim records 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 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 | The property proposed for sale is not within a wetland or riparian area. |
| 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 | A cultural resource survey was conducted. No prehistoric sites were found. Two historic sites were found. |
| Wilderness Areas | None | No wilderness areas are on or adjacent to this property. |
| Environmental Justice | None | No disproportionately high or adverse human health or environmental effects to low income or minority populations are expected to result from the proposed sale of the 120 acres of public land. |

Table 2 - Summary of Elements of Other Resources

| Resource | Environmental Impact | Remarks |
|---------------------------------|-----------------------------|--|
| Wild Horse and Burro Management | None | The property proposed for sale is not within a Wild Horse and Burro Management Area. |
| Mineral Resources | None | There is little 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 | None | No municipal watersheds are involved in the sale. |
| Rangeland Resources | None | The property proposed for sale is within the I F Rodgers allotment. The allotment will be reduced by approximately 120 acres by the sale. However, there would be no short- or long-term loss of livestock forage as the property is being sold to the grazing lessee. |
| Visual Resources | None | No Class I or Class II VRM issues. The property proposed for sale is inventoried as VRM Class III. |
| Recreation Resources | None | Minimal recreation potential exists on these 120 acres of land proposed for sale as the land does not have public access. |
| Fire and Fuels | None | None |

APPENDIX C - LITERATURE CITED

Altman, Bob and Aaron Holmes (2000). Partners in Flight Conservation Strategy for Landbirds in the Columbia Plateau of Eastern Oregon and Washington. Oregon-Washington Partners in Flight.

Best, L. B. and N. L. Rodenhouse. 1984. Territory preference of Vesper Sparrows in cropland. Wilson Bull. 96: 72–82. (as cited on Birds of North America Online <http://bna.birds.cornell.edu>)

Eastern Oregon Working Group (2005). Implementation Plan for Bird Conservation in Eastern Oregon. Oregon Habitat Joint Venture.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)
for the
East Stukel Modified Competitive Land Sale Environmental Assessment
EA #OR-014-05-06

In response to a written request from a private land owner, the Bureau of Land Management (BLM), Lakeview District, Klamath Falls Resource Area (KFRA), has completed an Environmental Assessment (EA) to analyze a proposal to sell 120 acres of isolated BLM-administered land by modified competitive sale. The EA considered two alternatives:

Alternative A (Proposed Action) – Disposal of Public Lands by Sale

The proposed action is to sell 120 isolated acres of BLM-administered public land by modified competitive sale to the highest bidder, allowing the proponent an option to exceed highest bid, for the appraised fair market value of the property. The sale would include the surface and mineral estates, except oil, gas and geothermal resources would be reserved to the United States. The sale would also include the value of ponderosa pine timber that is present on the 120 acres as determined through a separate timber cruise and appraisal. If the Proponent fails to purchase the land, the land will be made available to the highest bidder that offers to pay the fair market value of the public lands.

Alternative B – No Action

Under the No Action Alternative, the subject 120 acres of public land administered by the BLM would be retained in public ownership.

A legal notice was published in the Klamath Falls Herald and News newspaper on July 2, 2005, notifying the public of the possible land sale and soliciting their participation. Also, notification was mailed to individuals and other local government offices (listed) who have expressed interest in the sale of public land. The subject parcel is completely surrounded by lands owned by the person requesting the land sale. No comments were received in response to either the public notice or the letters to individuals.

The proposed action and alternatives were analyzed for significant effects as per the Council on Environmental Quality (CEQ) Regulations - 40 CFR § 1508.27. The following criteria listed under 40 CFR § 1508.27(b) were considered and found to be not applicable to this action: significant beneficial or adverse effects; significant effects on public health or safety; effects on the quality of the human environment that are likely to be highly controversial; anticipated cumulatively significant impacts; highly uncertain or unknown risks; and precedents for future actions with significant effects.

The following unique characteristics (Critical Elements of the Human Environment), listed in 40 CFR § 1508.27(b)(3), are not present and will not be affected: Areas of Critical Environmental Concern (ACECs); prime or unique farmlands; floodplains; wilderness; solid or hazardous waste; and Wild and Scenic Rivers.

In regard to 40 CFR § 1508.27 (b)(8), no adverse impacts are expected to cultural, scientific, or historical resources. The proposed area to be sold has been surveyed for cultural resources using BLM Class III survey methods. No prehistoric sites were encountered during survey. Two isolated historic artifacts and one historic site (a can dump) were documented. The site was determined to be not eligible for the National Register of Historic Places.

There will be no significant impacts to any special status species or habitat that has been determined to be critical under the Endangered Species Act [40 CFR § 1508.27 (b)(9)]. Surveys of the proposed treatment area were conducted for Threatened and Endangered species and special status species. No Designated Critical Habitat or known sites of special status species occur within the project area.

As per 40 CFR § 1508.27(b)(10), this action conforms with all applicable Federal, State, and local laws and regulations.

The action is consistent with Executive Order 12898 which addresses Environmental Justice. No potential impacts to low-income or minority populations have been identified internally by the BLM or externally through public notification and involvement. Consultation with local tribal governments has not identified any unique or special resources providing religious, employment, subsistence or recreation opportunities.

Pursuant to Executive Order 13212, the BLM must consider effects of this decision on the National Energy Policy. There will be no known adverse effect on the National Energy Policy or on energy resources. Within the project area there are no known energy resources with commercial potential and energy producing or processing facilities (EA, page 10).

Section 3 of Public Law 105-321 (*Oregon Public Lands Transfer and Protection Act of 1998*) established a “No Net Loss” policy for O&C lands and Public Domain harvest land base under BLM management in western Oregon. Within the 120 acre parcel proposed for sale, there are approximately 1.5 acres of Public Domain timber land that support ponderosa pine. However the Public Domain timber land is not part of KFRA’s harvest land base upon which Allowable Sale Quantity (ASQ) is calculated. As a result, Public Law 105-321 does not apply to the sale of these public lands.

Based on the analysis of potential environmental impacts contained in the environmental assessment, it is my determination that neither alternative analyzed constitutes a significant impact affecting the quality of the human environment greater than those addressed in the following:

- Final - Klamath Falls Resource Area Management Plan and EIS (FEIS), 1994
- Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary, 1995 (KFRA ROD/RMP)

I have determined that this action will not have any significant impact on the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969, and an environmental impact statement is not required. I have further determined that the proposed action conforms to management direction from and will contribute to meeting the objectives of the Klamath Falls Resource Area Record of Decision and Resource Management Plan, as amended. Therefore, an Environmental Impact Statement, or a supplement to the existing RMP or Environmental Impact Statement, is not necessary and will not be prepared.

Signed: /s/ Donald J. Holmstrom
Donald J. Holmstrom, Field Manager
Klamath Falls Resource Area

Date: 2/27/08