

Environmental Assessment
Happy Hollow Modified Competitive Land Sale
OR 61509
(OR-014-05-04)

I. INTRODUCTION

Purpose and Need

The Klamath Falls Resource Area (KFRA) of the Lakeview District, Bureau of Land Management (BLM) received a request from Mr. Graham and Mr. Bieber (“the Partnership”), in a letter dated May 5, 2005, to purchase at fair market value 120 acres of BLM-administered public land legally described as follows:

T. 38 S., R. 11 E., Sec. 17, NWNE; E1/2SE, Willamette Meridian, Klamath County, OR.
(See Figure 1.)

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

The purpose of this environmental assessment is to identify and analyze potential impacts associated with the proposed sale of these public lands and identify possible mitigation to reduce said impacts.

Conformance with Existing Land Use Plan and Applicable Laws

Sale of this public land conforms to the Klamath Falls Resource Area Record of Decision and Resource Management Plan (approved June 2, 1995). The subject land is identified as Zone 3, land that is available for disposal by sale or exchange (Appendix I - page I-7).

Section 3 of Public Law 105-321 (*Oregon Public Lands Transfer and Protection Act of 1998*) established a “No Net Loss” policy for lands under BLM management in western Oregon that are designated as part of the timber harvest land base. Three acres in the northeast corner of the isolated 40-acre parcel have been designated as part of the Public Domain timber harvest land base in the Klamath Falls Resource Area and are currently supporting ponderosa pine.

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 adjacent landowners (including The Partnership) as well as individuals and other local government offices who have expressed interest in the sale/disposal of public land. (Refer to the Consultation and Coordination section below.) 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 they would not meet the identified purpose and need. The Partnership’s original request is specific to those

public lands adjacent to their private property. A direct land sale is not an option because there are other adjacent land owners who must be allowed the opportunity to bid.

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 for the appraised fair market value of the property. The proponents of this action, The Partnership, would be allowed the option to exceed highest bid. The sale would include the surface and mineral estates, except oil and gas and geothermal resources which 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 Partnership 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. Public access to the southern 80 acre parcel would be eliminated.

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 public, except for adjacent landowners, would still not have access to the northern 40 acre parcel. Access to the southern 80 acre parcel would remain to foot traffic only by way of Flamingo Drive in the uppermost northeast corner.

III. AFFECTED ENVIRONMENT

The 120 acres of BLM-administered lands are located approximately one mile south of Hwy. 140 East and four miles west of Bly Mountain. The property consists of two isolated parcels that are 40 and 80 acres each. Property owned by The Partnership borders the parcels on three sides and is leased to Klamath-Lake County Youth Ranch. The Klamath Falls Forest Estates subdivision borders these parcels on the east with several small lots, but the major land owner in the area is The Partnership. The 40-acre parcel is not accessible to the public as it can only be accessed from adjacent private land. The partnership has grazing leases on both of the parcels. Most of the property owned by The Partnership is in agricultural use. There is an agriculture lease on the SW portion of the southern 80-acre parcel. This 1.35 acre lease was completed to clear title for this parcel, due to an unintentional agriculture trespass. The only legal access to the southern 80-acre parcel is by foot traffic off of Flamingo Drive. All roads entering into and exiting the 80-acre parcel are private.

Soils

Soils are classified as Lorella very stony loam, 2 to 35 percent south slopes referenced in the Soil Surveys of Klamath County (USDA 1985). Lorella very stony loam is typified by cobbly, gravelly, well drained material usually on southern slopes. The average slope is 20 percent with elevation ranging from 4,140 to 5,500 feet. The annual precipitation is 12 to 16 inches and the mean annual air temperature is 46 to 49 degrees. Permeability is slow and runoff is rapid. The soil is generally too steep and stony for cultivation but can be used by livestock and wildlife. Because of slope, shallow depth to hard bedrock and the tendency of the subsoil to shrink and swell on drying and wetting this soil limits uses such as small buildings, homesites and roads. This soil is in capability subclass VII. There are no prime or unique farmlands nor riparian/wetland areas on the subject property.

Geology and Minerals

Locatable

The parcel is determined to have a low potential for locatable minerals. The geology is generally unfavorable and a site visit revealed nothing of locatable potential. A search of the BLM lands and

minerals record system showed no current or historic record of any mining activity on or near the subject parcels. Potential for the occurrence of critical and strategic minerals was not observed.

Leasable

The parcel is determined to have low potential for oil, gas, coal and moderate potential for geothermal resources. At this time there are no known proposals for geothermal prospecting or exploration on the parcels or any adjacent lands.

Salable

Outcrops of basalt (several meters thick) occur along the eastern edge of a ridge that runs north-south along the entire length of both parcels. The potential for the occurrence of aggregate or quarry rock is considered to be moderate to high, but it is not considered desirable to open a rock source at depth in this region due to access issues across private land. Therefore, the likelihood for development is low.

Hydrology

The proposed Happy Hollow Land Sale is located in the Lower Buck Creek Frontal 6th field sub watershed within the Poe Valley-Yonna Valley 5th field watershed. The proposed 40 and 80-acre parcels (T38S-R11E-Sec. 17 NE and SE quarters) comprise approximately 0.5% of the 6th field sub watershed. Within the proposed 40-acre parcel, there are no streams or wetland areas. There are no defined drainages and vegetation is limited to upland species. Most surface water runoff, due to rain or snow events, drains west into an ephemeral drainage outside the boundaries of the parcel proposed for sale. The contribution of flow to the ephemeral drainage from the proposed 40-acre parcel is minimal, even during high water events as evidenced by the absence of defined drainages.

The 80-acre parcel proposed for sale (T38S-R11E-Sec. 17 SE quarter) contains no streams or wetland areas. There is what appears to be an irrigation canal flowing northwest through the southwest corner. According to discussions with the adjacent land leaser and field observations, the irrigation canal is not used for irrigation purposes. However, most of the surface water flow from rain and snow events within the proposed 80-acre parcel would flow down the canal. The addition of flow to the canal from the proposed 80-acre parcel is minimal even during high water events as evidenced by the absence of defined drainages. Vegetation within the proposed 80-acre parcel is limited to upland species. There are 1.35 acres of land irrigated by groundwater in the southwest corner of the proposed parcel.

Vegetation

This property is composed of primarily Shallow Loam ecological sites in Late Seral condition. These sites have a good mix of native perennial grasses and a shrub component of antelope bitterbrush, mountain big sagebrush, and scattered curlleaf mountain mahogany. There is also a fairly heavy stand of junipers throughout the allotment with 10-30 trees/acre in both the 12-20 ft. and 20+ ft. height categories. In the northeast corner of the 40 acre parcel there is a small stand of mature Ponderosa pine with a mixed shrub and grass understory. The very northeast corner of the 80 acre parcel also has a similar tree and shrub stand.

Timber

In November of 2007, forestry staff from the KFRA visited the 40 and 80 acre parcels and conducted reconnaissance and timber cruising. The 40 acre parcel includes commercial timber ground in two areas. The first is a 3.2 acre area in the north east corner of the parcel that includes approximately 225 merchantable ponderosa pine trees. The second is a .75 acre area in the southern portion of the parcel that includes approximately 35 merchantable ponderosa pine trees. Approximately 20 more merchantable sized pine trees are widely scattered over the rest of the 40 acre tract. A total of four acres within the 40 acre tract was determined to be commercial forest land.

The 80 acre parcel includes a one-acre area of commercial forest land in the north east corner. That area has approximately 45 merchantable sized ponderosa pine trees. Another area on the western property line and near the southern end of the tract includes approximately 25 merchantable ponderosa pine trees but is not within designated commercial forest land. Approximately five additional merchantable sized pine trees are widely scattered over the rest of the 80 acre parcel. A total of one acre of the 80 acre tract was determined to be commercial forest land. Although access to these lands is currently controlled by adjacent private property owners, the majority of the timber on the 40 and 80 acre parcels could be harvested with access agreements. There is a combined total of approximately fifty thousand board feet of merchantable ponderosa pine trees on both parcels.

The four acres in the 40-acre parcel and one acre in the 80 acre parcel that support ponderosa pine, are designated as part of the Public Domain timber harvest land base in the Klamath Falls Resource Area. Section 3 of Public Law 105-321 (*Oregon Public Lands Transfer and Protection Act of 1998*) established a “No Net Loss” policy for lands under BLM management in western Oregon that are available for timber harvest.

Botany

Botanical resource surveys were conducted in August 2001. No special status plant species populations were found within the parcels proposed for sale.

Noxious Weeds

Weed surveys were conducted in August 2001. A large population of musk thistle (*Carduus nutans*) was documented along the jeep road in the southwest portion of the 80-acre parcel.

Wildlife

Both the 40 acre and 80 acre parcel proposed for sale are classified by the BLM (KFRA RMP/EIS) and Oregon Department of Fish and Wildlife as winter range for the Interstate mule deer herd. The proposed sale area receives deer use throughout the year with heavier concentrations during the winter months. 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 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, and 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 acres proposed for sale is an isolated tract, surrounded by private lands owned by The Partnership and several small landholders on the East side. The 120-acre parcel is part of the Hungry Hollow Grazing Allotment.

Cultural Resources

Archaeological information indicates a continuous Native American presence in the region beginning at least 10,000 years ago. Traditionally, the land sale area falls within territory ceded to the United States in 1864 by the Klamath and Modoc Tribes, and the Yahooskin band of Snake Indians. Today, descendants of these three groups collectively comprise The Klamath Tribes. Happy Hollow lies along the northern boundary of Modoc territory and the southern boundary of Klamath territory.

Euroamericans began homesteading the region in the 1860s - 70s. The town of Bonanza, located near the project area, opened a post office in 1875. By 1878, a saw mill had been built in Bonanza. Early settlement focused on cattle ranching, farming, and logging.

Recreation

The 80-acre parcel with public access offers some limited opportunities for dispersed recreation, primarily hunting. The 40-acre parcel without public access offers no opportunities for recreation.

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 <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 Wildland Urban Interface of the Klamath Falls Forest Estates subdivision. If a wildfire were to start in the vicinity of the property, it would likely burn toward the subdivision.

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 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. The Partnership owns most of the surrounding acres and would have legal road access after purchasing the property. 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 rock would likely preclude more intensive use than grazing. Those resources that would potentially be affected are discussed as follows:

Soils

The soils in proposed sale area could be affected by changes implemented under private ownership. Soil disturbance, erosion could occur with increased grazing levels new building sites or cultivation. However, these soils are not listed as suitable for building sites and are usually not preferred for cultivation because they are shallow and stony.

Minerals

Locatable

There is low potential for conflict with this resource.

Leasable

There has been no prospecting or exploration for geothermal resources to date, however given the current Presidential energy policy emphasis it is possible 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

Although the potential for the occurrence of aggregate or quarry rock is considered to be moderate to high, the likelihood for development is low due to access issues across private land. Therefore, no impacts to this resource are anticipated.

Hydrology

For purposes of this analysis, it is reasonable to assume that current grazing management would continue. There would be no measurable effects to the watershed anticipated within the 40 or 80-acre parcels under this use. The current flow of some surface water into ephemeral drainages from the two parcels during rain or snow events is still likely to occur. Since there is no sediment transport or riparian vegetation at the present time, no sediment transport or establishment of riparian species is expected in the future.

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. If grazing decreased below current levels, these effects would not occur. The steep and rocky nature of the property reduces its suitability for other uses and the likelihood of impacts associated with those uses.

Timber

The proposed sale of 120 acres would result in a five acre reduction in of Public Domain lands within the timber harvest land base. The “No Net Loss” policy established by Section 3 of Public Law 105-321 (*Oregon Public Lands Transfer and Protection Act of 1998*) provides for balancing the amount of timber lands over a ten year period to achieve “No Net Loss” within the entire Western Oregon geographic area. To date, there has been a net increase of 50 acres of O&C land within western Oregon. The loss of these five timber producing acres would be in compliance with the “No Net Loss” policy and would have no impact to the KFRA Allowable Sale Quantity since the five acres in question are not scheduled or planned for harvest. The value of the timber (approximately fifty thousand board feet) would be included in the appraised value of the 120 acres, unless the timber could be harvested prior to the land sale.

Botany

No special status plant species populations were found within the parcels proposed for sale, so no impacts are expected.

Noxious Weeds

Activities that produce more intense or more extensive ground disturbance would create conditions under which noxious weeds would have a competitive advantage relative to other plant species. No ground disturbing activities are proposed for this area. The sale of the parcel in itself would not increase the potential for the invasion or spread of noxious weeds. However, if the duration and intensity of grazing use on the property increases under private ownership, then the disturbed condition under which noxious weeds have a competitive advantage may increase. This may include the expansion of the existing musk thistle population if treatment and prevention actions are not implemented under private ownership.

Wildlife

Positive or negative impacts to mule deer habitat could occur after transfer of ownership occurs since BLM will no longer have management authority. These islands of habitat are often important to wildlife especially mule deer in the winter months because they are often the only areas not developed for agricultural or housing development. Those activities that remove forage (native shrubs, forbs and grasses) and cover (trees and shrubs) would have a greatest effect on deer winter range. The area is currently zoned by Klamath County as “Forestry and Range”. It is also classified as winter range and those State and County zoning restrictions would remain in place for deer winter range after the land sale. There is, however, increasing pressure by the public to remove or reduce those protections on deer winter range on private lands. If those restrictions are lessened, it is assumed that habitat quality may be reduced within those lands.

For analysis purposes, since grazing of this land is currently being conducted by the proposed purchaser, it is reasonable to assume that the public lands would be continued to be grazed at the same or increased levels. If an increase in grazing occurred then reduction in forage for mule deer would occur. Other species associated with sagebrush steppe habitat would be negatively impacted on these 120 acres if conditions are degraded by increased grazing or other activities that reduce habitat structure and/or quality.

There are approximately 67,270 acres of winter range on the eastside of the Klamath Falls RA. The reduction of 120 acres of habitat would equate to less than 1% (.002 %) of potential winter range habitat loss from this land sale. The loss of these isolated parcels of deer winter habitat would not appreciably diminish overall winter range.

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. As indicated above, once the transfer of ownership occurs there is potential for positive and negative effects to this species habitat including the potential for conversion of this habitat rendering 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 those 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

The 120 acres would continue to be available for grazing by The Partnership, if they are successful in purchasing the land. If the land is purchased by another individual or corporation, the 120 acres would no longer be part of the Hungry Hollow Grazing Allotment and would not be available to The Partnership for livestock grazing.

Cultural Resources

A cultural resources inventory was conducted in August, 2005. No historic or prehistoric cultural resources were identified within the area proposed for sale. Impacts to cultural resources are not anticipated from the sale of the public lands.

Recreation

As there is no public access to the smaller 40-acre parcel, there would be negligible impacts to the recreating public. The sale of the 80-acre parcel would have minimal impact to the public as it is an isolated parcel with little recreation opportunities besides hunting. Under BLM ownership, these two parcels could provide recreation opportunities (much like an urban park) if the adjacent subdivision is ever fully developed. This would be a lost opportunity for the adjacent landowners under the proposed action if the BLM lands are purchased and subsequently fenced off or developed.

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. Juniper removal activities have occurred on nearby lands owned by the Partnership. Similar activities on these parcels were analyzed under the Short Lake Juniper Treatment and Prescribed Burn Environmental Assessment (OR-014-01-10).

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 Stukel 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 and the public would still not have access to the northern 40-acre parcel. The opportunity to generate tax revenue for the county by putting these lands in private ownership would be foregone. Wildlife habitat would be managed as directed by the current Resource Management Plan (RMP). The area would remain classified as deer winter range by the BLM and those guidelines in the (RMP) would be followed to maintain those habitats.

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.

<u>Preparers</u>	<u>Resource Responsibility</u>
Don Hoffheins	Planner
Linda Younger	Realty/Author
Dana Eckard/Bill Lindsey	Range
Scott Senter	Recreation
Steve Hayner	Wildlife
Lou Whiteaker	Botany
Tim Canaday/Michelle Durant	Cultural Resources
Kirby Bean	Geologist
Tom Cottingham	Safety/Hazardous materials
Eric Johnson	Fire / Air Quality
James Ross/Liz Berger	Hydrology

Agencies/Groups and Individuals 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
Adjacent Land Owners
Land Sale Public Listing
Individuals/organizations on KFRA mailing list with interest in reviewing EAs

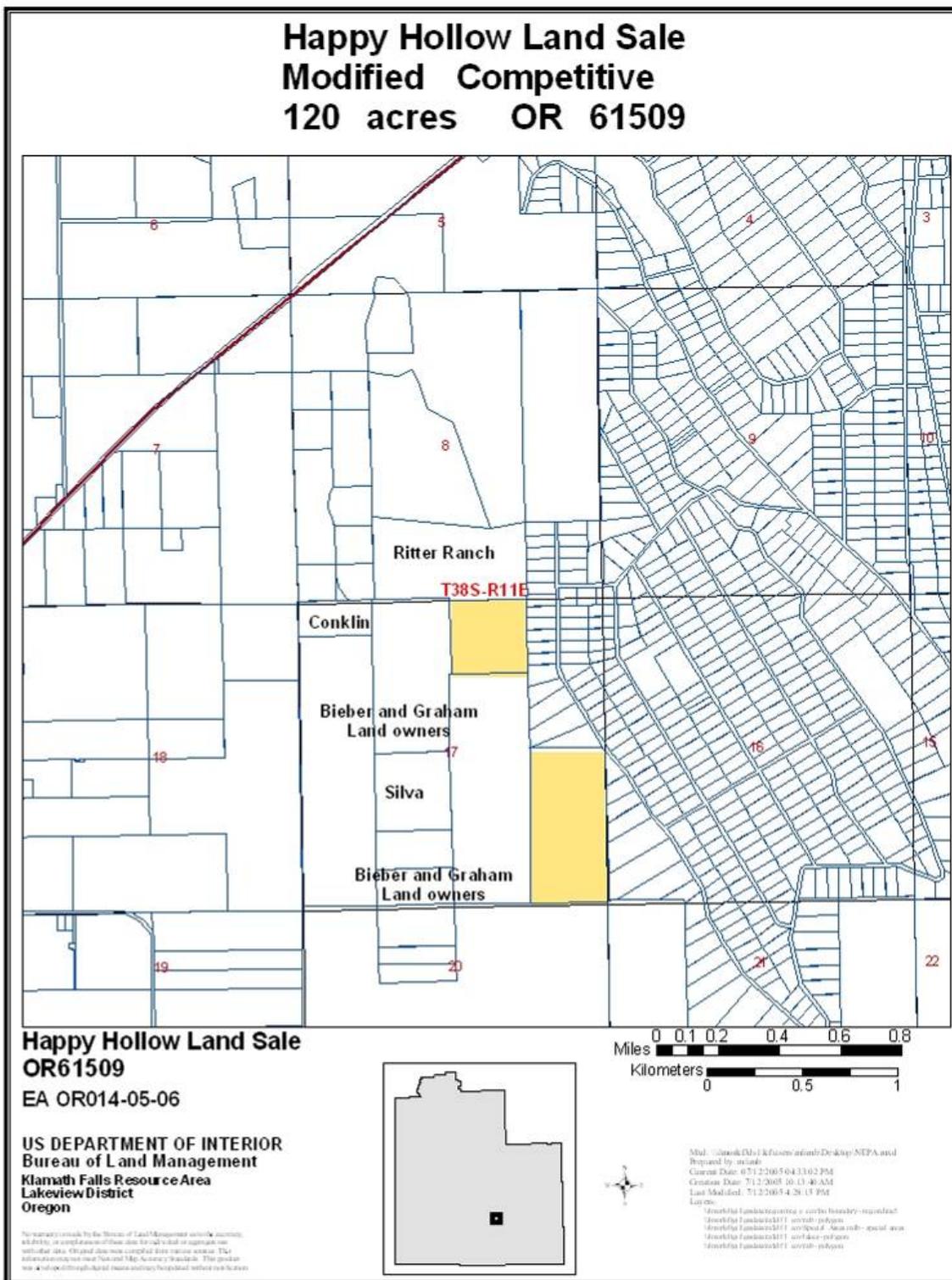
Table 1. Summary of Potential Impacts to Critical Elements of the Human Environment (For Alternative A- Proposed Action only)

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 & no cultural resources 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 was conducted in 2005. No Threatened or Endangered Wildlife Species or Special Status Wildlife Species have been found on the property proposed for sale. A 2001 botanical resource survey found no special status plant species populations.
Noxious Weeds	Possible	If livestock use increases, conditions may favor the establishment of noxious weeds, and the existing population of musk thistle may spread.
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 and no prehistoric or 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 Hungry Hollow Allotment. The allotment would be reduced by approximately 120 acres. 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.

Figure 1 - Map of Potential Sale Parcels



Happy Hollow Land Sale Site Photo #1



Happy Hollow Land Sale Site Photo #2



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
Happy Hollow Modified Competitive Land Sale Environmental Assessment
EA #OR-014-05-04

In response to a written request from adjacent private land owners, 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 for the appraised fair market value of the property. The proponents of this action, The Partnership, would be allowed the option to exceed highest bid. The sale would include the surface and mineral estates, except oil, gas and geothermal resources which 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 Partnership 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, groups, and other agencies who have expressed interest in the sale of public land. Adjacent land owners of surrounding lands were notified. 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 historic or prehistoric cultural resources were identified within the area proposed for sale.

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).

Within the 120 acre parcel proposed for sale, there are roughly five acres of Public Domain timber land that are within the timber harvest land base. The “No Net Loss” policy established by Section 3 of Public Law 105-321 (*Oregon Public Lands Transfer and Protection Act of 1998*) provides for balancing the amount of timber lands over a ten year period to achieve “No Net Loss” within the entire Western Oregon geographic area. To date, there has been a net increase of 50 acres of O&C land within western Oregon. The loss of these five timber producing acres would be in compliance with the “No Net Loss” policy and would have no impact to the KFRA Allowable Sale Quantity since the five acres in question have not been scheduled or planned for harvest. The value of the timber (approximately fifty thousand board feet) would be included in the appraised value of the 120 acres, unless the timber could be harvested prior to the land sale.

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