

2700 (ORB050)

Dear Interested Party:

The Bureau of Land Management (BLM), Burns District Office, Three Rivers Resource Area has prepared an Environmental Assessment (DOI-BLM-OR-B050-2010-0028-EA) and an unsigned Finding of No Significant Impact (FONSI) analyzing selling a parcel of land to the current lifetime lessee. The EA, unsigned FONSI, and EA maps are enclosed for your review and are also available at the following Web site:
<http://www.blm.gov/or/districts/burns/plans/index.php>.

The enclosed EA analyzes the environmental effects of selling a parcel of land in an effort to permanently resolve ownership issues associated with a long-term inadvertent trespass.

If you have comments on the EA or FONSI, submit them *postmarked* by September 30, 2011, to Tara McLain, Burns District Office at the address above. E-mail comments should be sent to tmcclain@blm.gov. After consideration of your substantive comments, a Decision outlining the action to be taken within the scope of the EA will be developed and issued. If you submit comments to this EA or FONSI, you will receive a copy of the Decision. If you do not have comments but wish to receive a copy of the Decision, please submit a written request, otherwise you will not receive a copy. The Decision will also be posted to
<http://www.blm.gov/or/districts/burns/plans/index.php>.

Comments, including the names and addresses of respondents, will be available for public review at the Burns District Office during regular business hours 7:45 a.m. to 4:30 p.m., Monday through Friday, except holidays, and may be published as part of the Decision. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Anonymous comments will not be considered. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

If you need further information or to receive additional copies, please contact Tara McLain of the Burns District Office, at (541) 573-4462 or visit the Burns District Web site listed above.

Sincerely,

Richard Roy
Three Rivers Resource Area Field Manager

**UNITED STATES
DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management
Burns District Office
Burns District Special Areas
Finding of No Significant Impact**

**Environmental Assessment
DOI-BLM-OR-B050-2010-0028-EA**

INTRODUCTION

Burns District has prepared an Environmental Assessment (EA) to analyze selling a parcel of land that is currently in a lifetime lease.

SUMMARY OF THE PROPOSED ACTION

The Proposed Action is to sell a 5-acre parcel of public land to the lessee located at W.M., T. 20 S., R. 29 E., Section 34, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$. The lessee would pay administrative processing fees to process the land sale and market value for the parcel of land. The Bureau of Land Management (BLM) would complete the sale within 1-year of this EA.

FINDING OF NO SIGNIFICANT IMPACT

Consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1508.27), both with regard to context and intensity of impacts, are described below:

Context

The Proposed Action would occur in the Three Rivers Resource Area of the Burns District and would have local impacts on affected interests, lands, and resources within the scope of those described and considered in the Three Rivers Proposed Resource Management Plan/Final Environmental Impact Statement (PRMP/FEIS). There would be no substantial broad societal or regional impacts not previously considered in the PRMP/FEIS. The actions described represent anticipated program adjustments complying with the Three Rivers RMP/Record of Decision (ROD), and implementing lands and realty management programs within the scope and context of these documents.

Intensity

The CEQ's ten considerations for evaluating intensity (severity of effect):

1. *Impacts that may be both beneficial and adverse.* The EA considered potential beneficial and adverse effects.

Lands and Realty - All of the alternatives, including no action, would have an effect on Lands and Realty. None of the effects would rise to the level of significance, either beneficial or adverse. If the No Action Alternative is selected Lands and Realty will continue maintaining a lifetime lease, if the Proposed Action or alternative are selected Lands and Realty will have to complete the necessary steps of a land sale.

Social and Economic Values - The action alternatives would have an economic effect on the local tax base in the form of public land moving to private ownership. The No Action Alternative will have a social effect on the family that currently holds the lifetime lease.

2. *Degree to which the Proposed Action affects public health and safety.* No aspect of the Proposed Action, Alternative or No Action Alternative would have an effect on public health and safety.
3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.* The Proposed Action and alternatives is not close in proximity to any of the unique characteristics described above. The cabin that is located on the parcel was determined to not be of historical importance because it had been altered from its original state.
4. *The degree to which effects on the quality of the human environment are likely to be highly controversial.* Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the Proposed Action or preference among the alternatives. No unique or appreciable scientific controversy has been identified regarding the effects of the Proposed Action, Alternative or No Action Alternative.
5. *Degree to which possible effects on the human environment are highly uncertain or involve unique or unknown risks.* The analysis has not shown there would be any unique or unknown risks to the human environment.
6. *Degree to which the action may establish a precedent for future actions with significant impacts or represents a decision in principle about a future consideration.* This project neither establishes a precedent nor represents a decision in principle about future actions. Future trespass situations would be dealt with on a case by case basis and the outcome of this project would have no bearing on future cases.
7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* The environmental analysis did not reveal any cumulative effects beyond those already analyzed in the Three Rivers PRMP/FEIS which encompasses the analysis area. Current management of the parcel in question would not change in the reasonable foreseeable future. If the Proposed Action is carried out, then the parcel would be in private ownership, and the current lessees have no intention of changing the property from its current use. Local zoning would make it hard to deviate from current use.

8. *Degree to which the action may adversely affect districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places.* Analysis conducted by the District Archaeologist determined that the structures that are located on the parcel are not eligible for listing in the National Register of Historic Places.
9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat.* Neither the No Action, Proposed Action nor Alternative will have any effect on endangered or threatened species, while there is currently habitat on the parcel it is not managed by BLM.
10. *Whether an action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.* The Proposed Action, Alternative, and No Action Alternative do not threaten to violate any law. The Proposed Action and alternatives are not in conformance with the Three River RMP/ROD, September 1992, because the land was not specifically identified for disposal. If Alternative B or C is chosen then the Three Rivers RMP will also be amended to specifically identify the parcel in question for disposal. A Notice of Intent to Prepare an Amendment to the 1992 Three Rivers RMP for Land Tenure in the Skull Creek Area was published in the *Federal Register* on July 21, 2011.

On the basis of the information contained in the EA and all other information available to me, it is my determination that:

- 1) The implementation of the Proposed Action, Alternative or No Action Alternative will not have significant environmental impacts;
- 2) The Proposed Action, Alternative and No Action Alternative are in conformance with the Three Rivers RMPs/RODs;
- 3) There would be no adverse societal or regional impacts and no adverse impacts to affected interests; and
- 4) The environmental effects of the alternatives against the tests of significance found at 40 CFR 1508.27 do not constitute a major Federal action having a significant effect on the human environment.

Therefore, an EIS is not necessary and will not be prepared.

Richard Roy
Three Rivers Resource Area Field Manager

Date



**United States Department of the Interior
Bureau of Land Management
Burns District Office
28910 Hwy 20 West
Hines, Oregon 97738
(541) 573-4400**

August 31, 2011



**Skull Creek Cabin Sale
DOI-BLM-OR-B050-2010-0028-EA**

OR-066276

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Skull Creek Cabin Sale
DOI-BLM-OR-B050-2010-0028-EA

OR-066276

CHAPTER I: INTRODUCTION: PURPOSE AND NEED FOR ACTION

Introduction

In 1998, the Bureau of Land Management (BLM) discovered a cabin built on public land administered by BLM. After investigation, it was determined the cabin had been in unintentional trespass since sometime 1902. BLM authorized use of the cabin under a life estate lease for 3.75 acres to the owners of the cabin (lessee) until a more permanent resolution to the trespass could be completed. However, the 3.75 acres does not encompass all of the improvements on the property. The acreage in question lies in the corner of two parcels of private property. In addition, it is nestled underneath a rimrock and essentially cut off from the rest of the public land because of this geographical barrier. Access is through a locked gate that crosses private property. Technically, there is not motorized legal access through the private property. It can be reached by foot by leaving the road and walking roughly 1-mile.

Background

Ione Whiting homesteaded a ranch located at W.M., T. 20 S., R. 29 E., Section 34, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$. In 1902 she filed for the Homestead Act and received her patent for said property in 1917. In 1902 Ione Whiting built a cabin and corrals on what she believed to be the property she was homesteading. The current lessee inherited the cabin and corrals in 1978.

In 1998, it was determined the actual location of the 5-acre cabin and corrals was a parcel of public land managed by the BLM, described as follows:

W.M., T. 20 S., R. 29 E., Section 34, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

Purpose and Need for Action

The purpose for the action is to permanently resolve an unintentional trespass on public lands administered by BLM. The purpose for the action is also to meet other important public objectives by placing land that is being used by private individuals into the county tax base. (The Three Rivers Resource Management Plan and Record of Decision (RMP/ROD), dated September 1992, Lands and Realty Objective #3.2: Occupancy trespass will be terminated or may be authorized by long-term lease, or sale where the sale would serve to meet other important public objectives, in addition to resolving the trespass.)

The need for the action is to address private structures built at the turn of the century on what was believed to be private lands acquired under the Homestead Act. As more sophisticated land survey systems became available, the lands once believed to be privately-owned were in fact BLM-administered lands. In 1998, BLM determined the cabin was built on BLM-administered lands and a life estate lease was issued to the current cabin owners. This solution only resolved the issue for the life of the current lessee. At this time the BLM and private parties would like to permanently resolve the unintentional trespass of the cabin, corrals and associated private use areas.

Decision Framework

The Three Rivers Resource Area Field Manager is the responsible official who will decide which alternative analyzed in this document best meets the purpose and need for action based on the interdisciplinary analysis presented in this Environmental Assessment (EA).

Decision Factors

Decision factors are additional questions or statements used by the decision maker to choose between alternatives that best meet project goals and resource objectives. These factors generally do not include satisfying legal mandates, including requirements under the National Environmental Policy Act, which must occur under all alternatives. Rather, decision factors assess, for example, the comparative cost, applicability, or adaptability of the alternatives considered. The following decision factors will be relied upon by the Authorized Officer in selecting a course of action from the range of alternatives fully analyzed that best achieves the goals and objectives of the project:

Would the alternative:

- Affect how we currently manage nearby BLM lands?
- Benefit the public and the current lessee?

Decision to be Made

BLM will decide whether or not to sell a parcel of public land to the current lessee of the life estate lease, and the proper size of the parcel to be sold.

Conformance with Land Use Plans

The Proposed Action and alternatives are not in conformance with the Three Rivers RMP/ROD, September 1992, because the land was not specifically identified for disposal. If Alternative B or C is chosen then the Three Rivers RMP will also be amended to specifically identify the parcel in question for disposal. A Notice of Intent to Prepare an Amendment to the 1992 Three Rivers RMP for Land Tenure in the Skull Creek area was published in the *Federal Register* on July 21, 2011.

Consistency with Laws, Regulations and Policies:

The Proposed Action has been designed to conform to the following documents, which direct and provide the framework and official guidance for management of BLM lands within the Burns District:

- National Environmental Policy Act (42 U.S.C. 4321-4347)1970
- Federal Land Policy and Management Act (FLPMA) (43 U.S.C. 1701, 1976)
- Code of Federal Regulations (43 CFR 2700) 2009
- Code of Federal Regulation (43 CFR 9230) 2009

Scoping

BLM conducted internal scoping at an Interdisciplinary Team (IDT) meeting on April 30, 2010.

Identification of Issues

- How will BLM handle the issue of occupancy associated with this property if BLM decides not to sell the parcel of land to the current lessee?

Issues Considered but not Analyzed Further

The proposed project area lies within the Silvies River citizens' Proposed Wilderness Study Area (PWSA) submitted in September 2007. The BLM's 1980 wilderness inventory decision found wilderness character not present on BLM-administered lands within the project area.

In August 2008, a Wilderness Inventory Maintenance (WIM) assessment was completed by a BLM IDT that included the lands in the project area. The IDT used current field data along with the citizen's PWSA data and determined that no substantive changes in conditions had occurred that would warrant reversal of the original wilderness inventory's finding that wilderness characteristics were not present in the area.

The project area lies within one WIM unit meeting the sufficient size requirement (7,073 acres), but did not meet the naturalness criterion. The unit as a whole is not natural due to human imprints from the numerous developments, vegetative treatments, and interior routes spread throughout the entire unit including road maintenance on the Silvies River Road following the 2008 Silvies River wildfire and rehabilitation process.

CHAPTER II: ALTERNATIVES INCLUDING THE PROPOSED ACTION

Alternative A (No Action Alternative)

Under this alternative BLM would not sell the parcel of public land currently under a lifetime lease to the lessee. The property would remain in the life estate lease until the death of the current lessee at which time it would revert back to the BLM. However, the heirs of the current lessees would want to continue use of the cabin and associated structures. As a result, BLM would be forced to make a decision and analyze the action of issuing a new life estate lease. If it were to revert back to the Federal government, BLM would have to determine what to do with the structures on the property. The Federal government would be responsible for the costs associated with removing the structures or maintaining the structures, depending on what decision was made at that time.

Alternative B (Sale of 5-acre Parcel)

Under this alternative BLM would sell a 5-acre parcel of public land to the lessee located at W.M., T. 20 S., R. 29 E., Section 34, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$. The lessee would pay administrative processing fees to process the land sale and market value for the parcel of land. BLM would complete the sale of this parcel within 1 to 2 years from the completion of this EA. This alternative would also specifically identify the parcel for disposal and amend the Three Rivers RMP.

The 5-acre parcel would wholly encompass all improvements from the unintentional trespass in 1902. Current technology and regulations require the property owner to survey property boundaries. If new improvements were made on public land, it would be considered intentional trespass and any improvement would be required to be removed.

FLPMA Section 209 states that mineral can be conveyed if there is no known mineral value. Known mineral value means that someone would be willing to pay, in the reasonably foreseeable future, to explore or develop minerals on the subject tract. A mineral potential report will be completed to determine if the mineral estate is conveyed with the surface estate. If it is determined that there is no known mineral value, the minerals will be sold with the parcel.

The market values of the Federal land would be determined through complete appraisals performed by a qualified fee appraiser considered to be most appropriate for this assignment. The selected fee appraiser would be chosen from the contract appraiser panel approved by the BLM. The Appraisal Services Directorate (ASD) shall provide management oversight for the entire appraisal process, including but not limited to, producing appraisal instructions and scope, as well as, contracting with the chosen real estate appraiser.

The complete self-contained appraisals shall comply with specifications and requirements set forth in the most current additions of the Uniform Standards of Professional Appraisal Practice, and Uniform Appraisal Standards for Federal Land Acquisitions. The (draft) appraisals are subject to ASD review and approval.

Alternative C (Sale of 2.5-acre Parcel)

Under this alternative BLM would sell a 2.5-acre parcel of public land to the lessee located at: W.M., T. 20 S., R. 29 E., Section 34, SE¹/₄SE¹/₄SE¹/₄SW¹/₄. The lessee would pay administrative processing fees to process the land sale and market value for the parcel of land. BLM would complete the sale of this parcel within 1 to 2 years from the completion of this EA. This alternative would also specifically identify the parcel for disposal and amend the Three Rivers RMP.

The 2.5-acre parcel would not wholly encompass all improvements that have been made by the lessee's. The corrals to the north of the cabin would have to be moved so they are wholly within the boundaries of their private property. Current technology and regulations require the property owner to survey property boundaries. If new improvements were made on public land, it would be considered intentional trespass and any improvement would be required to be removed.

FLPMA Section 209 states that mineral can be conveyed if there is no known mineral value. Known mineral value means that someone would be willing to pay, in the reasonably foreseeable future, to explore or develop minerals on the subject tract. A mineral potential report will be completed to determine if the mineral estate is conveyed with the surface estate. If it is determined that there is no known mineral value, the minerals will be sold with the parcel.

The market values of the Federal land would be determined through complete appraisals performed by a qualified fee appraiser considered to be most appropriate for this assignment. The selected fee appraiser would be chosen from the contract appraiser panel approved by the BLM. The ASD shall provide management oversight for the entire appraisal process, including but not limited to, producing appraisal instructions and scope, as well as, contracting with the chosen real estate appraiser.

The complete self-contained appraisals shall comply with specifications and requirements set forth in the most current additions of the Uniform Standards of Professional Appraisal Practice, and Uniform Appraisal Standards for Federal land Acquisitions. The (draft) appraisals are subject to ASD review and approval.

Alternatives Considered but not Analyzed in Detail

No other alternatives were considered.

CHAPTER III: AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

Resources/Issues	Status	If Not Affected, why? If Affected, Reference Applicable EA Chapter
Air Quality (Clean Air Act)	Not Affected	No impacts are anticipated.
American Indian Traditional Practices		No traditional practice areas are known to occur within the project area.
Areas of Critical Environmental Concern	Not Affected	Not present.

Resources/Issues	Status	If Not Affected, why? If Affected, Reference Applicable EA Chapter
Cultural Resources	Not Affected	A cultural resources inventory was conducted on October 12, 2010. No prehistoric sites were found. The Bossuot Cabin complex with outbuildings and corral were evaluated for integrity and historic significance on October 12, 2010. The central structure is the Bossuot Cabin and it does not retain integrity. Therefore, it is not eligible for nomination to the National Register of Historic Places and would not be affected by the Proposed Action.
Environmental Justice (Executive Order 12898)	Not Affected	Implementation of any of the alternatives would not result in a disproportionately adverse effect on minority or economically disadvantaged populations as such populations do not occur in or near the project area.
Flood Plains (Executive Order 13112)	Not Affected	No impacts to flood plains.
Forestry/Woodlands	Not Affected	Due to geological features and no legal access, the parcel is landlocked and we are unable to manage the forest and woodlands that occur there. For that reason selling the parcel will have no affect on current management practices.
Grazing Management	Not Affected	None of the alternatives would have any effect on the grazing management in Skull Creek Allotment. The topography and fencing of the area excludes livestock use. Sale of the parcel would not alter the AUMs. Access to 5 acres or 2.5 acres is not critical for livestock use or distribution in the Lake Creek pasture (10,072 acres of BLM public land).
Hazardous or Solid Waste	Not Present	An Initial Assessment was conducted on February 1, 2011. Through surveys, site reconnaissance and a records search it was determined that hazardous materials were not present on the subject parcel.
Migratory Birds (Executive Order 13186)	Not Affected	Numerous migratory bird species pass through or remain in the area seasonally, especially species associated with ponderosa pine-riparian communities typical of the area. Affects from the sale of the few acres (five or less) would probably be measurable but would not have biological importance to the overall nesting and foraging habitat available along the entire creek, drainage, and surrounding area.
Noxious Weeds (Executive Order 13112)	Not Affected	No impacts are anticipated.
Paleontological Resources	Not Present	
Prime or Unique Farmlands	Not Present	

Resources/Issues		Status	If Not Affected, why? If Affected, Reference Applicable EA Chapter
Recreation		Not Affected	There is no public access to either the 2.5 or 5-acre site and any hunting or fishing in adjacent public lands would not be affected.
Social and Economic Values		Affected	See Chapter III
Soils/Biological Crusts		Not Affected	No impacts are anticipated.
Vegetation		Not Affected	No impacts are anticipated.
Visual Resources		Not Affected	Both the 2.5 and 5-acre site are in Visual Resource Management Class 4 and the intention is to allow modification of the character of the landscape. No impacts are anticipated as there are no proposed changes to the landscape.
Wildlife/ Threatened or Endangered Species or Habitat	Fish	Not Affected	Not present.
	Wildlife	Not Affected	Not present.
	Plants	Not Affected	Not present.
Wildlife/BLM Special Status Species and Habitat	Fish	Not Affected	Skull Creek is considered Special Status Species (SSS), redband trout (<i>Oncorhynchus mykiss</i>) habitat. However, the 0.12-mile of Skull Creek proposed to be sold lies between 0.64-mile and 0.55-mile of privately owned stream. Currently BLM management of this 0.12-mile stretch of Skull Creek is currently impossible; therefore, its sale would have no affect on SSS.
	Wildlife	Not Affected	Numerous wildlife species are present, at least seasonally on the sale parcel. Affects of the sale of the land would probably have measurable impacts, but none of biological importance, to wildlife due to the small amount of land (habitat) proposed for sale, and limited influence management of the parcel has on the surrounding habitat. Upland habitat similar to that on the sale parcel is abundant on the adjacent BLM-managed lands. The small stretch (0.12-mile) of creek on the sale parcel is situated between two longer (0.5-mile), privately-owned stretches of the creek, and sale of the small stretch would have no impacts of biological importance to the habitat along the entire creek and drainage.
	Plants	Not Affected	Not present.
Water Quality (Surface and Ground)		Not Affected	Skull Creek is on Department of Environmental Quality's 303(d) list for exceedance of the 68 °F standard for salmonid bearing streams.

Resources/Issues	Status	If Not Affected, why? If Affected, Reference Applicable EA Chapter
		However, this 0.12-mile portion of Skull Creek is almost impossible to manage as it lies between 0.64 and 0.55-mile of privately-owned stream. The sale of this 0.12-mile of Skull Creek would have no affect on BLM's management of Water Quality on the proposed sale parcels.
Wetlands/Riparian Zones (Executive Order 11990)	Not Affected	This 0.12-mile portion of Skull Creek is almost impossible to manage as it lies between 0.64 and 0.55-mile of privately owned stream/riparian zones. The sale of this 0.12-mile of Skull Creek would have no affect on BLM's management of Riparian Zones on the proposed sale parcels.
Wild and Scenic Rivers	Not Affected	Not present.
Wilderness/Wilderness Study Areas/ Wilderness Characteristics	Not Affected	Not present.
Lands and Realty	Affected	See Chapter III
Wild Horses	Not Affected	Not present.
Minerals	Not Affected	The decorative stone and non-metallic minerals present or likely present are also considered uneconomical resources. The moderate potential for oil and gas as well as geothermal resources appear to exist. However, under the current and proposed use, it would not affect the resource.

Lands and Realty

Affected Environment:

How will BLM handle the issue of occupancy associated with this property if BLM decides not to sell the parcel of land to the lessee?

Currently the lessee holds a lifetime lease that should terminate upon their death. They pay a yearly rental for use of the property in the amount of \$115.00 and they do not pay taxes to the county for the said property. Use of the property is limited since there is no public access to the property. Access is across private property and through a locked gate. The property itself is excluded from the surrounding grazing allotment because of the fencing around private and the topographical features of the rimrock. There are no current BLM-management practices on the 3.75-acre parcel due to the lifetime lease. While the Three Rivers RMP does not specifically address this 3.75-acre parcel of land it is generally addressed and identified in the RMP as Zone 1 land which is identified for retention. However, the RMP further states that trespass can be settled through land sale when it meets other public objectives (as discussed in the purpose and need section of this EA).

Environmental Consequences:

Alternative A (No Action)

Under this alternative BLM would not sell the parcel to the current lessee. Upon their death the lease will terminate. However, as each family member passes away the BLM would continually be dealing with the heirs of the family who would want to renew the lifetime lease since it has been in the family since 1800s. It would be analyzed and a new decision would have to be made regarding issuance of a lifetime lease. Upon termination of the lease, BLM would still not have legal motorized access to the property.

Alternative B (Sale of 5-acre Parcel)

Under this alternative BLM would sell a 5-acre parcel to the current lessee. The 5-acre parcel would transfer ownership from the United States to the lessee resolving any further requests from the family or heirs and provide sufficient acreage to include all improvement, and ensure no further unauthorized use of public lands occurs.

Alternative C (Sale of 2.5-acre Parcel)

Under this alternative BLM would sell a 2.5-acre parcel to the current lessee. Prior to closing the lessees would be required to tear down and move the corrals currently used for their livestock because they lie partly on public lands managed by the BLM. There would be a small buffer between the public land and private improvements; however, the improvements would be so close to the public land boundary it would be hard to limit the impact to the public land.

Social and Economic Values

Affected Environment:

Livestock raising and associated feed production industries are major contributors to the economy of Harney County. The highest individual agricultural sales revenue in the county is derived from cattle production (65 percent), which is inextricably linked to the commodity value of public rangelands.

"Quality of life" is very individual when determining what is valued in a lifestyle and what features make up that lifestyle. Lifestyle features can be determined by historical activities of the area, career opportunities and the general cultural features of the geographical area. Quality of life issues are subjective and can be modified over time with exposure to other ways of living. Recreation is a component of most lifestyles in the area and includes driving for pleasure, camping, backpacking, fishing, hunting, hiking, horseback riding, photography, wildlife viewing, and sightseeing. These activities contribute to the overall quality of life for residents.

In addition to local recreation use, the undeveloped, open spaces in the county are themselves a tourist attraction and contribute a "sense of place" for many. The attachment people feel to a setting, typically through a repeated experience, provides them with this sense of place.

Attachments can be spiritual, cultural, aesthetic, economic, social or recreational.

Tourism also contributes revenue to local businesses. Hunting and other types of dispersed outdoor recreational experiences also contribute strongly to the local economy on a seasonal basis. Fee hunting and recreation alone contributed \$110,000 to Harney County in 2009 (<http://oain.oregonstate.edu>, 2009).

Environmental Consequences:

No Action

Under this alternative BLM would not sell the parcel of public land currently under a lifetime lease to the lessee. The property would remain in the life estate lease until the death of the current lessee at which time it would revert back to the BLM. The BLM would be responsible for the costs associated with removing the structures or maintaining the structures, depending on what decision was made at that time. No additional taxes would be collected by Harney County.

The family would be affected by the expiration of the lifetime lease. A part of their history would be lost affecting their culture and lifestyle.

Alternative B

No social values are expected to change if implementation under this alternative occurred. The parcel has been managed as private land since the late 1800s and has no public access. Under this alternative, 5 acres would be sold to the current occupants and assessed private property taxes. Property taxes are estimated to be \$130.00 yearly and payable to Harney County (personal communications, Harney County Assessor's Office, 2/2011).

Alternative C

No social values are expected to change if implementation under this alternative occurred. The parcel has been managed as private land since the late 1800s and has no public access. Under this alternative, 2.5 acres would be sold to the current occupants and assessed private property taxes. Property taxes would be less than under Alternative B and are based on the assessed value of the improvements and acreage.

CHAPTER IV: CONSULTATION AND COORDINATION

A. List of Preparers

John Bethea, Outdoor Recreation Planner
Jason Brewer, Wildlife Biologist
Lisa Grant, Riparian Specialist
Eric Haakenson, Outdoor Recreation Planner
Rhonda Karges, Planning and Environmental Coordinator
Mike Kelly, Outdoor Recreation Planner
Tara McLain, Realty Specialist
Caryn Meinicke, Botanist
Travis Miller, Rangeland Management Specialist
Tim Newkirk, Forester
Lesley Richman, Weed Specialist
Scott Thomas, District Archaeologist

B. Persons, Groups and Agencies Consulted

Burns Paiute Tribe

C. Public Notification

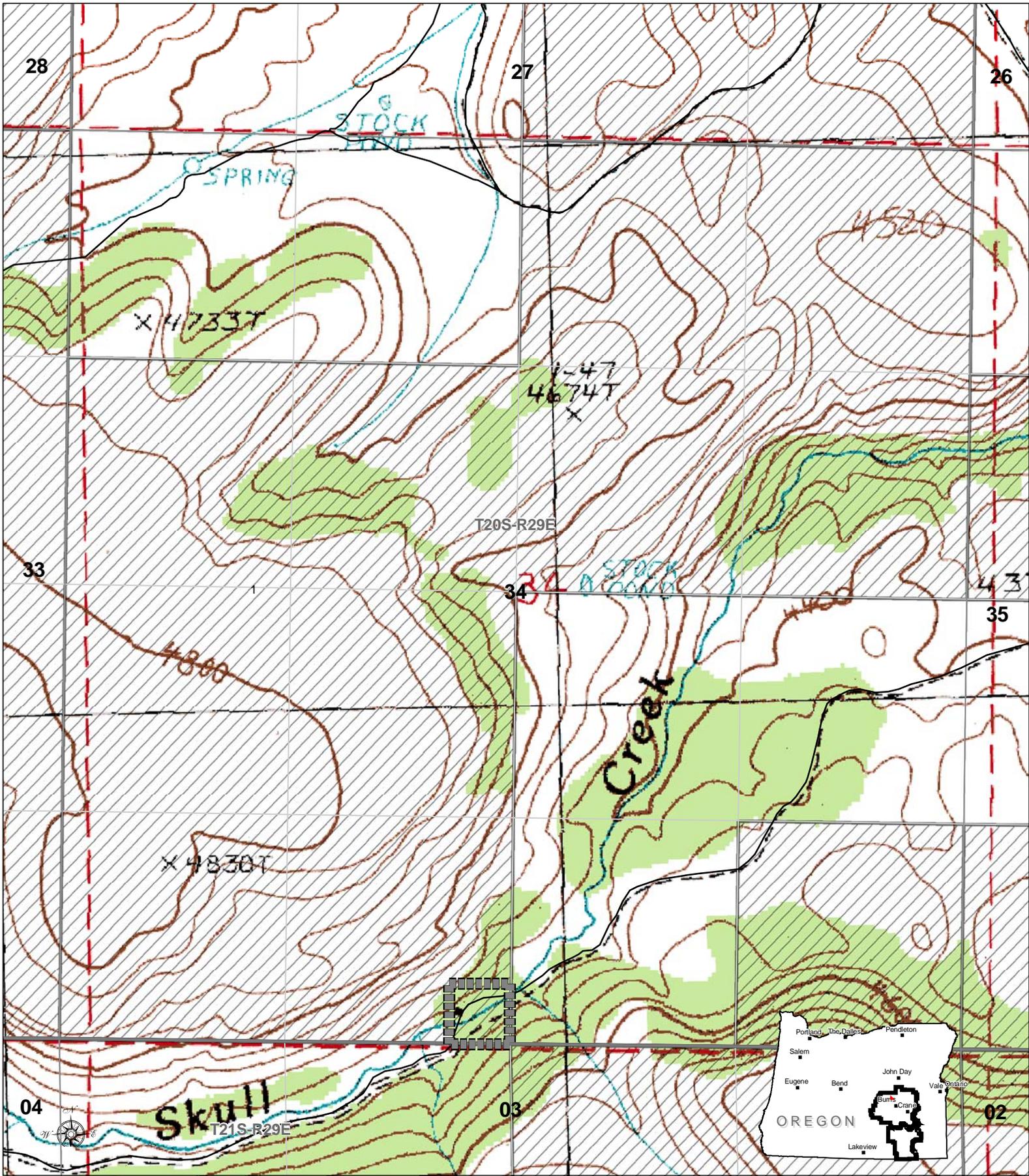
A public notice was published in the local newspaper on August 31, 2011. In addition the EA was available on the Web site.

Copies of the EA were mailed to the mailing list category listed below:

<u>Code No.</u>	<u>Name of Category</u>
56	Southeast Oregon Resource Advisory Council

In addition to the above:

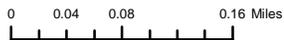
Harney County Court/Harney County Judge
Burns Paiute Tribal Council
Allan and Ethel Bossuot
Mark and Susan Doverspike
Tom Pettyjohn



Skull Creek Cabin 2.5-acre parcel

 Proposed
 Sale Piece

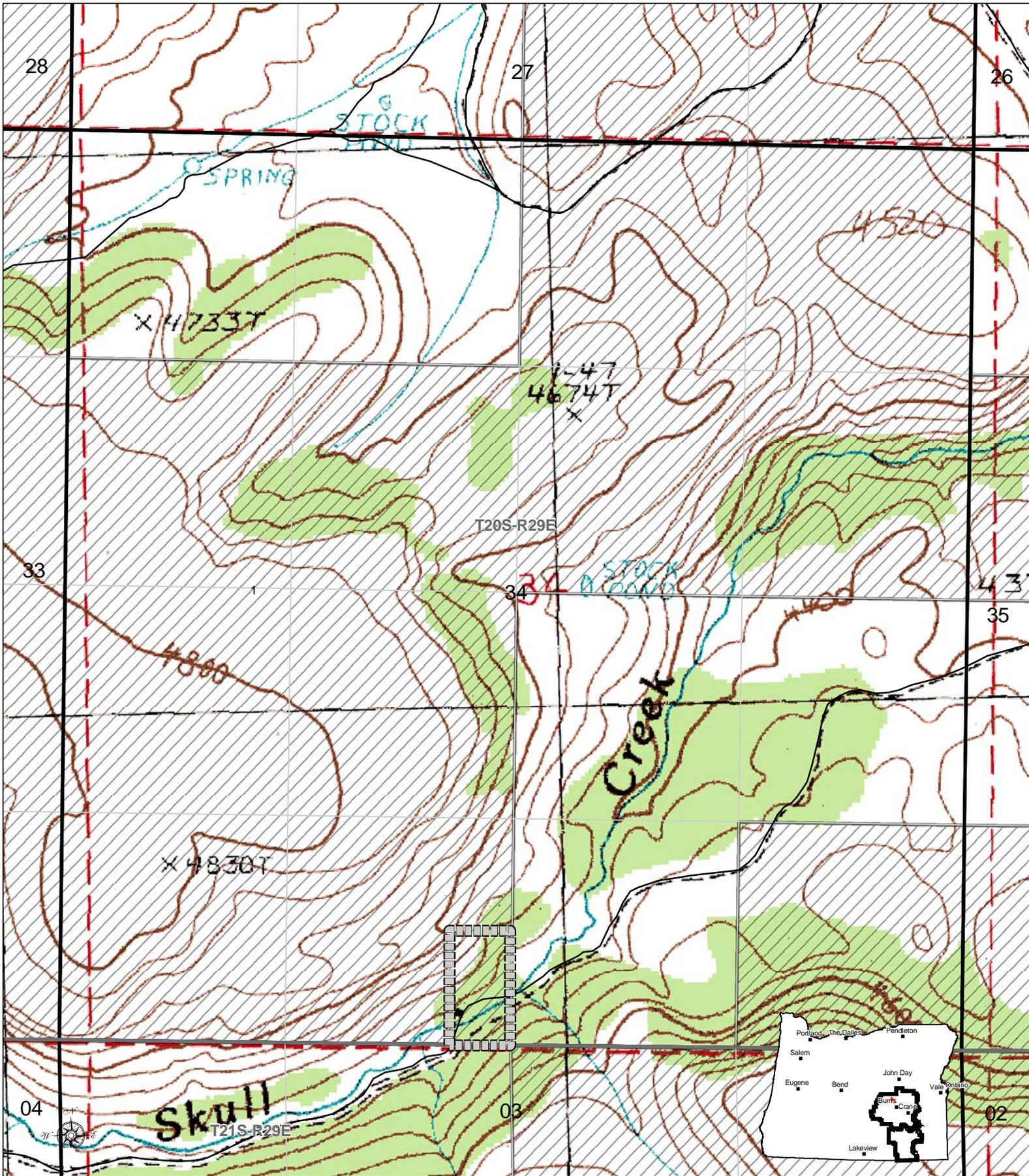
 Bureau of Land Management
 Private



US DEPARTMENT OF THE INTERIOR
 Bureau of Land Management
 Burns District, Oregon

Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification. workspace\mclain\bossout5.mxd, 02/01/2010

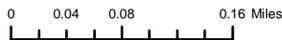
Ownership Boundaries are accurate within plus or minus 200 feet



Skull Creek Cabin 5-acre parcel

 Proposed
 Sale Piece

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