

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Klamath Falls Resource Area**

**DRAFT Finding of No Significant Impact (FONSI)
Klamath River Gravel Placement and Bypass Barrier Removal Environmental Assessment
(DOI-BLM-ORL040-2011-019-EA)**

Background

Proposed Action:

The Klamath Falls Resource Area (KFRA) of the Lakeview District, Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA) to analyze the impacts of Gravel Placement and Bypass Barrier Removal at sites in the Upper Klamath River. The proposed actions discussed in the EA are directly attributable to the requirements set forth in Interim Measures 7 and 8 (IM-7, IM-8) of the February 18, 2010 Klamath Hydroelectric Settlement Agreement (KHSAs). Implementation of the proposed action would conform to impacts analyzed in the November 2007 Federal Energy Regulatory Commission (FERC) Final Environmental Impact Statement for Hydropower License: Klamath Hydroelectric Project FERC Project No. 2082-027 (FEIS) (FERC 2007).

The project is proposed as follows:

- Interim Measure 7 - Gravel Placement and/or Habitat Enhancement, includes placing suitable size gravel in the J.C. Boyle bypass and peaking reaches to provide fishery benefits in the Klamath River above Copco reservoir.
- Interim Measure 8, J.C. Boyle Bypass Barrier Removal, is to remove a sidecast rock barrier to improve fish passage. The potential barrier is located approximately three miles upstream of the J.C. Boyle powerhouse. Both Interim Measures 7 and 8 would be implemented by PacifiCorp in collaboration with state and federal resource agencies. Project implementation would require access to the Klamath River via Bureau of Land Management (BLM) managed lands and roads.

The proposed project area is located in the southwest corner of the Klamath Falls Resource Area between the J.C. Boyle powerhouse and California state line.

The issues addressed in the EA primarily concern potential impacts to water quality, air quality and roads. The conservation measures or project design features are analyzed as part of the proposed action in this EA. Based on scoping, no specific comments were received that caused the BLM to develop additional alternatives for detailed analysis beyond the proposed action.

Analysis of Potential Effects:

The alternatives including “no action” 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: prime or unique farmlands; wilderness; and solid or hazardous waste. In regard to 40 CFR § 1508.27 (b)(8), no adverse impacts are expected to cultural, scientific, or historical resources. The proposed area has been surveyed for cultural resources using BLM Class III survey methods. Surveys for cultural resources were conducted and known sites will be avoided. There are no sites, structures or objects listed or eligible for listing in 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. Refer to the analysis for a discussion of special status species and habitat. Implementation of project design features as part of the proposed action would be sufficient to avoid significant impacts to potential habitat for special status species.

As per 40 CFR § 1508.27(b)(10), this action conforms to 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. Implementation of the actions would provide some employment opportunities that would involve local contractors who engage in similar types of work throughout Klamath County and the state of Oregon. Pursuant to Executive Order 13212, the BLM must consider effects of this decision on National Energy Policy. Within the project area there are no known energy resources with commercial potential and energy producing or processing facilities thus no known adverse effects on National Energy Policy exist.

Determination

The anticipated environmental effects contained in this EA are based on the most current science, professional judgment, and experience of the Interdisciplinary team and Klamath Falls Resource Area staff. Based on the information within the Environmental Assessment, it is my determination that none of the alternatives analyzed constitute a significant impact affecting the quality of the human environment greater than those addressed in the following documents:

- Final - Klamath Falls Resource Area Resource Management Plan and Environmental Impact Statement, September 1994 (FEIS).
- Final Environmental Impact Statement for the Revision of the Resource Management Plans of the Western Oregon Bureau of Land Management - Salem, Eugene, Roseburg, Coos Bay, and Medford Districts, and the Klamath Falls Resource Area of the Lakeview District.
- Northwest Area Noxious Weed Control Program FEIS and ROD (1985) and Supplement (1987).
- Klamath Falls Resource Area Integrated Weed Control Plan EA (July 21, 1993).
- Northwest Forest Plan (1994).
- Migratory Bird Policy.
- Aquatic Conservation Strategy Supplemental Environmental Impact Statement/Record of Decision 2004 (ACS SEIS EIS/ROD – 2004).
- Record of Decision and Standard and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2001).
- Survey and Manage Project Exemptions - Northwest Ecosystem Alliance, et al. v. Mark E. Rey, et al., No. C04-844P (W.D.Wash).

The KFRA evaluated this project for consistency with both the 1995 RMP and the 2008 ROD and RMP. Based upon this review, I have determined that the selected alternative is consistent with both the 1995 ROD/RMP and the 2008 ROD/RMP. Although the selected alternative contains some design features not mentioned specifically in the 2008 ROD/RMP, these design features are consistent with the ROD and RMP. Based on the conformance with the resource management plans and the lack of significant environmental effects, an Environmental Impact Statement, or a supplement to the existing RMP and Environmental Impact Statement, is not necessary and will not be prepared.

Donald J. Holmstrom
Manager, Klamath Falls Resource Area

Date