

**DECISION RECORD  
FOR  
South Gerber Well Drilling and Reservoir Reconfiguration  
Environmental Assessment (EA)  
# DOI-BLM-OR-L040-2009-0014-EA**

**INTRODUCTION**

The Interdisciplinary Team for the Klamath Falls Resource Area (KFRA), Lakeview District, Bureau of Land Management has completed an Environmental Assessment (EA) to analyze a proposal to drill a well adjacent to an existing reservoir and reconfigure the reservoir in the southern portion of the area called the Gerber Block.

The purpose of the proposed action is to fulfill the need for a more reliable and accessible source of water for multiple uses, including road maintenance, dust abatement, fire suppression, and range operations.

The three alternatives analyzed are described below:

**Proposed Action Alternative**

Treatments included in the Proposed Action Alternative, described in detail in the EA, include:

- Drilling a well up to 500 feet deep adjacent to the Timber Hill Reservoir, constructing a well house and burying a power cable from the well to the existing power line to accommodate an electric pump
- Reconfiguration of the reservoir to create a pool deep enough to accommodate the use of a helicopter bucket to dip water, and removal of trees from the dam
- Construction of a pipeline from the well to the reservoir with the intent to pump as necessary to maintain 2 acre feet in the reconfigured reservoir
- Construction of approximately 50 feet of road from the well to the reservoir with a gradual slope to allow access by water trucks
- Repositioning a portion of the allotment boundary fence that currently goes through one corner of the reservoir and along the inside of the dam, and replacing the gate on the road with a cattleguard

**Alternative 1 - No Action Alternative**

Although the actions listed above would not be implemented, periodic maintenance of the reservoir (dredging a small portion with a backhoe) would likely continue.

**Alternative 2 - Partial Implementation Alternative (Well Drilling Only)**

Implementation of this alternative would consist of drilling the well and construction of the road, buried power cable, and well structures. Reconfiguration of the reservoir, construction of the pipeline and access ramp, removal of trees from the dam, fence relocation, and cattleguard installation would not be implemented.

**DECISION**

It is my decision to implement the Proposed Action Alternative as described and analyzed in the South Gerber Well Drilling and Reservoir Reconstruction EA.

This decision will be implemented in two phases.

1. Implementation of the initial phase of the decision is to drill the well, and build a well house and a buried power cable from the well to the existing power line to accommodate an electric pump.
2. The second phase is dependent on the well's yield. The desired yield is a minimum of 200 gallons per minute with the intent to pump as necessary to maintain two acre feet in the reconfigured reservoir.
  - a. If the yield is sufficient, the full proposed action will be implemented. The existing reservoir will be reconfigured to create a pool deep enough to accommodate the use of a helicopter bucket to dip water. A pipeline would be built from the well to the reservoir that would run under the road and construction of approximately 50 feet of road from the well to the reservoir would occur that

- will have a gradual slope to allow access by water trucks. The portion of the allotment boundary fence will be relocated and the gate on the road will be replaced with a cattleguard to keep livestock in the appropriate allotment while facilitating water truck/engine traffic.
- b. If the yield obtained from the well is not sufficient to effectively fill the reservoir, the Proposed Action would only be partially implemented. (Reconfiguration of the reservoir, construction of the pipeline and access ramp, removal of trees from the dam, fence relocation, and cattleguard installation would not occur.) A storage tank with an overhead fill structure would be constructed to allow water tenders to be filled without taking water directly from the reservoir.

### **Mitigation**

As part of this action, Project Design Features (PDFs) described in the EA will be applied.

### **DECISION RATIONALE**

Implementation of the Proposed Action fully meets the purpose and need identified in the EA.

Alternative 1 (No Action) is rejected because it would not meet the purpose and need to provide a more reliable and accessible source of water for multiple uses, including road maintenance, dust abatement, fire suppression, and range operations.

Implementation of Alternative 2 (Drilling the Well Only) would not optimally achieve the purpose and need identified in the EA and was therefore not selected. However, if the yield from the well is not sufficient, only partial implementation of the proposed action will occur.

### **Resources Not Present**

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: threatened/endangered species, prime and unique farmlands, mining claims, floodplains, paleontological resources, hazardous materials, roadless areas, wilderness areas, Wild and Scenic Rivers, Areas of Critical Environmental Concern (ACECs), and wilderness study areas.

### **Environmental Consequences**

Implementation of the proposed action is consistent with the effects analyzed in the EA and the RMP/EIS. Implementation of the PDFs described in the EA will minimize the effects to the affected resources and result in no impacts greater than those described in the EA and the KFRA ROD/RMP.

### **Public Involvement**

Notification that the project was being planned was made available in the Klamath Falls Resource Area Summer 2009 Planning Update. On August 20, 2009, the public was notified of the completion of the EA and the beginning of a formal thirty (30) day public comment period through publication of a legal notice in the local newspaper (*The Herald and News*) and posting of the EA on the BLM web site. No comments were received during the thirty day comment period.

### **PLAN CONFORMANCE**

On July 16, 2009 the U.S. Department of the Interior, withdrew the Records of Decision (2008 ROD) for the Western Oregon Plan Revision and directed the BLM to implement actions in conformance with the resource management plans for western Oregon that were in place prior to December 30, 2008.

Although project planning and preparation of National Environmental Policy Act documentation for this project began after the effective date of the 2008 ROD, this project was designed to comply with the land use allocations, management direction, and objectives of the KFRA Record of Decision and Resource Management Plan and Rangeland Program Summary (ROD/RMP), June 1995.

## **CONCLUSION**

Based on the information in the South Gerber Well EA and in the project administrative record, I conclude that the EA and this DR contain the requisite site specific information to implement the proposed action and represents a thorough analysis of potential effects associated with the proposed actions. These actions will help to provide a reliable and accessible source of water in the southern portion of the Gerber Block for multiple uses.

The actions will comply with the Endangered Species Act, the Clean Water Act, Native American Religious Freedom Act, cultural resource management laws and regulations, and Executive Order 12898 (Environmental Justice). This decision will not have any adverse effects to energy development, production, supply and/or distribution (per Executive Order 13212).

## **FINDING OF NO SIGNIFICANT IMPACT**

No significant impacts were identified. No impacts beyond those anticipated in the KFRA RMP/EIS would occur. Refer to the attached Finding of No Significant Impact.

## **ADMINISTRATIVE REMEDIES**

Any party adversely affected by this decision may appeal within 30 days after notice of the decision (Legal Notice in *The Klamath Falls Herald and News*, Klamath Falls, Oregon) in accordance with the provisions of 43 CFR Part 4. The notice of appeal must include a statement of reasons or file a separate statement of reasons within 30 days of filing the notice of appeal. The notice of appeal must state if a stay of the decision is being requested and must be filed with:

Manager, Klamath Falls Resource Area  
Bureau of Land Management  
2795 Anderson Ave, Building 25  
Klamath Falls, OR 97603

A copy of the notice of appeal, statement of reasons, and other documents should be sent to the:

Regional Solicitor, Pacific Northwest Region  
U.S. Department of the Interior  
Office of the Regional Solicitor  
805 SW Broadway, Suite 600  
Portland, OR 97205

If the statement of reasons is filed separately is must be sent to the:

Board of Land Appeals, Office of Hearing and Appeals  
4015 Wilson Boulevard  
Arlington, VA 22203

It is suggested that any notice of appeal be sent certified mail, return receipt requested.

Before deciding to file an appeal, I encourage you to contact me to determine if your concerns might be met in some other way, or to assist you in the appeal process if it is appropriate. Thank you for your continued interest in the multiple use management of your public lands.

/s/ Donald J. Holmstrom  
Donald J. Holmstrom  
Manager, Klamath Falls Resource

9/21/2009  
Date

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

**Finding of No Significant Impact for the  
Gerber Well Drilling and Reservoir Reconfiguration  
Environmental Assessment (EA)  
# DOI-BLM-OR-L040-2009-0014-EA**

**BACKGROUND**

The Interdisciplinary Team for the Klamath Falls Resource Area, Lakeview District, Bureau of Land Management has completed an Environmental Assessment (EA) to analyze a proposal to drill a well adjacent to an existing reservoir and reconfigure the reservoir in the southern portion of the area called the Gerber Block.

The purpose of the proposed action is to fulfill the need for a more reliable and accessible source of water for multiple uses, including road maintenance, dust abatement, fire suppression, and range operations.

**ALTERNATIVES ANALYZED**

The three alternatives analyzed are described below:

**Proposed Action Alternative**

Treatments included in the Proposed Action Alternative, described in detail in the EA, include:

- Drilling a well up to 500 feet deep adjacent to the Timber Hill Reservoir, including a well house and buried power cable from the well to the existing power line to accommodate an electric pump
- Reconfiguration of the reservoir to create a pool deep enough to accommodate the use of a helicopter bucket to dip water
- Construction of a pipeline from the well to the reservoir with the intent to pump as necessary to maintain 2 acre feet in the reconfigured reservoir
- Construction of approximately 50 feet of road from the well to the reservoir with a gradual slope to allow access by water trucks
- Re positioning a portion of the allotment boundary fence that currently goes through one corner of the reservoir and along the inside of the dam and replacing the gate on the road with a cattleguard

**No Action Alternative**

Although the actions listed above would not be implemented, periodic maintenance of the reservoir (dredging a small portion with a backhoe) would likely continue.

**Partial Implementation Alternative (Well Drilling Only)**

Implementation of this alternative would consist of drilling the well and construction of the road, buried power cable, and well structures. Reconfiguration of the reservoir, construction of the pipeline and access ramp, removal of trees from the dam, fence relocation, and cattleguard installation would not be implemented.

**ANALYSIS OF POTENTIAL EFFECTS**

The proposed action, and no action 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: prime or unique farmlands; wilderness; solid or hazardous waste; Wild and Scenic Rivers; and Areas of Critical Environmental Concern (ACECs).

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 no known sites are located within the proposed project area.

There will be no significant impacts to any special status species or habitat that has been proposed or designated critical under the Endangered Species Act [40 CFR § 1508.27 (b)(9)]. 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. Employment 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. There will be no known adverse effect on National Energy Policy. Within the project area there are no known energy resources with commercial potential and energy producing or processing facilities.

### **PLAN CONFORMANCE**

On July 16, 2009 the U.S. Department of the Interior, withdrew the Records of Decision (2008 ROD) for the Western Oregon Plan Revision and directed the BLM to implement actions in conformance with the resource management plans for western Oregon that were in place prior to December 30, 2008.

Although project planning and preparation of National Environmental Policy Act documentation for this project began after the effective date of the 2008 ROD, this project was designed to comply with the land use allocations, management direction, and objectives of the KFRA Record of Decision and Resource Management Plan and Rangeland Program Summary (ROD/RMP), June 1995.

### **DETERMINATION**

Based on the analysis of potential environmental impacts contained in the environmental assessment, it is my determination that none of the alternatives analyzed constitutes a significant impact affecting the quality of the human environment greater than those addressed in the Klamath Falls Resource Area Resource Management Plan and Final Environmental Impact Statement (RMP/FEIS, September 1994)

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 the Record of Decision and Resource Management Plan. Therefore, an Environmental Impact Statement, or a supplement to the existing RMP or Environmental Impact Statement, is not necessary and will not be prepared.

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

9/21/2009  
Date