

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Klamath Falls Resource Area, Lakeview District

DECISION RECORD
STOVE SPRINGS CCC ROAD ENVIRONMENTAL ASSESSMENT
#DOI-BLM-OR-L040-2013-24-EA

DECISION

It is my decision to implement the proposed action as described in the Environmental Assessment (EA) for the Stove Springs CCC Road. A Finding of No Significant Impact (FONSI) has been completed for the EA. My decision authorizes the relocation of a segment of the existing BLM Exclusive Easement for Timber Access, Case # OROR 56920, in cooperation with the private landowner. This will include the acquisition of a new easement at the proposed new location on private land, and road construction of approximately 0.6 miles (3,170 feet) with one stream crossing structure and drainage structures as described in the EA.

My decision also authorizes the rehabilitation of the existing easement on private land by removal of the existing road bed and surfacing, filling of cutbanks, ditches, and culvert removal, as described in the EA. This decision includes relinquishment of a segment of the existing BLM easement in part located in T.38 S., R.14 E., Section 29, SW1/4, W. M. This section of the easement, approximately 0.6 miles, will be relinquished to the landowner of record, and site rehabilitation will be their responsibility, as stated in the Cooperative Agreement.

CONSULTATION AND COORDINATION

Public Scoping and Review

The Klamath Falls Resource Area (KFRA) requested public input on the proposal in a scoping letter mailed to adjacent landowners, agencies, groups, individuals, and other interested parties on May 29, 2013. A total of 70 scoping letters were mailed, and no scoping comments were received. The EA and draft FONSI were mailed to interested and affected parties on April 3, 2014 and were made available for public review on the BLM website. No EA comments were received.

Endangered Species Act Consultation

There are no threatened or endangered listed, proposed, candidate species or designated critical habitat under the Endangered Species Act (as amended USDI Fish and Wildlife Service (USFWS) 1973) that occur within the project area or that would be affected from project activities. The USFWS conducted Section 7 Intra-Service Consultation for potential downstream effects to the shortnose sucker and designated critical habitat. The USFWS concluded that the effects from the project would be insignificant and discountable, and the project is expected to be beneficial.

Cultural Resources Consultation

Tribal consultation has occurred and no objections have arisen.

DECISION RATIONALE

My decision to authorize the relocation of a segment of the Stove Springs CCC Road meets the Purpose and Need identified in the EA, and furthers the intent established in the Klamath Falls

Resource Area RMP. The goal of this riparian and meadow rehabilitation project is to restore hydrologic function and stream connectivity by relocating a BLM easement road out of a wet meadow riparian area and constructing a new road segment in an adjacent upland area. The project will assist both landowner and BLM (easement owner) in achieving the joint objective of reduced sediment and nutrient loading in Barnes Creek and Gerber Reservoir, known to support shortnose suckers, an endangered fish species listed under the Endangered Species Act. This project will not result in any change to BLM or public egress or ingress, but will eliminate several stream and riparian area crossings and enable BLM to reduce road maintenance costs.

A Pre-Acquisition Liability Survey (PALS) and Environmental Site Assessment Report was completed on June 20, 2014 for the acquisition of the new road right-of-way segment. The PALS revealed no evidence of hazardous substances, petroleum products, or environmental conditions on this real property, and found that “this property is suitable for acquisition.” A Phase I Environmental Site Assessment Report for Real Property Disposal was completed on August 8, 2014 for the 7.27 acres of private property managed by the BLM under an exclusive easement which will be relinquished. The report concluded that “Disposal of this interest in real property is recommended.”

Finding of No Significant Impact

No significant impacts were identified. There would be no impacts beyond those anticipated in the KFRA RMP/EIS. Refer to the accompanying Finding of No Significant Impact (FONSI).

CONCLUSION

Based on the information in the EA and project record, I conclude that this Decision is consistent with the Klamath Falls Resource Area RMP. The road relocation will comply with the Endangered Species Act, the 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).

ADMINISTRATIVE REMEDIES

Any person adversely affected by this decision may appeal it to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, a notice of appeal must be filed in this office (KFRA office) within 30 days of this decision for transmittal to the Board. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and with the Board within 30 days after the notice of appeal was filed. A copy of a notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205. The BLM will only accept an appeal submitted on paper that is either delivered in person or mailed/postmarked on or before the last day of the appeal filing period. A notice of appeal and/or request for stay electronically transmitted (e.g., email, facsimile, or social media) will not be accepted. A notice of appeal and/or request for stay must be on paper.

/s/ Richard White
Richard White, Field Manager
Klamath Falls Resource Area

8/26/2014
Date