

Environmental Assessment
A.L. Bruner, Enterprises Direct Land Sale
OR 57162
(OR-014-03-04)

I. Introduction

Purpose and Need

The Klamath Falls Resource Area of the Lakeview BLM District received a request from Al Bruner, of A.L. Bruner Enterprises, in a letter dated Dec. 7, 2001, to purchase at fair market value, 40 acres of BLM-administered public land;

Legally described as following:

T. 41 S., R. 13 E., Sec. 14 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Willamette Meridian, Klamath County, OR. See Map A.

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

The purpose of this environmental assessment is to identify, analyze, and reduce, where possible, any potential impacts associated with sale of these public lands, if approved.

Conformance with Applicable Land Use Plan

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 on page I-7 of Appendix I.

Public Involvement

A legal notice was published in the Klamath Falls *Herald and News* newspaper on January 8, 2002, notifying the public of the possible land sale and soliciting their participation. Also, notification was mailed to individuals and other local government offices (listed) who have expressed interest in the sale of public land. Al Bruner owns surrounding lands. No comments were received in response to either the public notice or the letters to individuals.

II. Proposed Action and Alternatives

There are two alternatives: Alternative A - Proposed Action: Disposal of Public Lands by direct sale, and Alternative B - No Action. No other alternatives are proposed because Mr. Bruner's original request is specific to those public lands surrounded by his private property.

Alternative A - Proposed Action: Disposal of Public Lands by Sale

The proposed action is to sell 40 isolated acres of BLM-administered public land by direct sale to Al Bruner for the appraised fair market value of the property. The sale would include the surface and mineral estates, except oil and gas and geothermal resources would be reserved to the United States. If Al Bruner fails to purchase the land, the land will be made available over the counter and sold to the first individual that offers to pay the fair market value of the public lands.

Alternative B: No Action

Under the No Action Alternative, the subject 40 acres of public land administered by the BLM would be retained in public ownership. The BLM or the public would not have access to this property.

III. Affected Environment

The 40 acres of BLM-administered lands are located approximately one air mile southeast of Bryant Mountain lookout, and 1½ miles northwest of Langell Valley. The property consists of one isolated 40-acre parcel that is surrounded by Mr. Bruner's property. Most of the property is used for grazing, and Mr. Bruner holds the grazing permit for that area. There is no access except thru Mr. Bruner's property to enter into BLM administered lands.

Soils

Soils are classified as the Woodcock series, referenced in Soil Surveys of Klamath County. The Woodcock series consists of shallow to very deep, well drained soils on escarpments and glacial outwash plains. These soils formed in very gravelly colluvium and outwash weathered from andesite, basalt, tuff, and ash. Slopes are 1 to 60 percent, with elevation ranging from, 5,220 to 5,850 ft. The mean annual precipitation for this soil series, is about 18-22 inches, and the mean annual air temperature is about 42 degrees F. The mean annual soil temperature is 41 to 47 degrees F., and the mean summer soil temperature without an O horizon is 51 to 59 degrees F.

There are no prime or unique farmlands nor riparian/wetland areas on the subject property.

Vegetation

Common species found during a plant survey conducted on August 1, 2002 include, western serviceberry, squaw carpet, snowbush, curl-leaf mahogany and Booths willow. Twenty nine acres are non-stocked, burned over, commercial forest land with just a few scattered remnant pine (information from forest operations inventory).

Special Status Species

Botanical surveys were conducted in August 1, 2002. The area is a shrub-land with remnant ponderosa pine, incense cedar and western juniper trees, with seedlings of these tree species present. There was evidence of a wildfire. There was no evidence of herbicide application on the date of the survey. No special status plants were found.

Noxious Weeds

No noxious weeds were detected during botanical surveys.

Wildlife

Refer to the Final Klamath Falls Resource Area Resource Management Plan and Environmental Impact Statement, September 1994, for a discussion of wildlife species likely to occur on these public lands. No Threatened or endangered species are suspected in the area. The area does contain big game habitat, primarily used by deer.

Grazing

The 40 acres proposed for sale is an isolated single 40 acre parcel surrounded by private lands owned by Al Bruner. The 40 acre parcel is part of the 3,440 acre Loveness grazing allotment. The current grazing authorization for this allotment allows for 490 AUMs of livestock grazing. The proportionate level of authorized grazing use for this 40 acre parcel is 6 AUMs.

Cultural Resources

An archaeological survey has been conducted within the project area. No cultural materials were encountered during this survey.

IV. Environmental Impacts

In addition to the following, see Exhibit A Tables 1 & 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. 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.

The amount of surface rocks would likely preclude more intensive use than grazing. The property does not appear to be suitable for use as a home site after the sale. BLM has no access to the parcel as Mr. Bruner owns the surrounding 6,000 acres, therefore Mr. Bruner would have

legal access after purchasing the property. Those resources that would have potential to be affected are discussed as the following:

Environmental Justice

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 40 acres of public land.

Grazing

Grazing of the property by the Mr. Bruner would likely continue. The duration and intensity of grazing use on the property could increase or decrease under private ownership. Due to the steepness of the property, an increase in use is not likely to happen.

Geology and Mineral Resources

The subject parcel lies within the northwestern corner of the Great Basin physiographic province within the Klamath Basin. The regional structure consists of a broad, uneven plateau, 4000-5000 feet above sea level, broken up by late Tertiary- to Holocene-age block faulting. Tertiary- to Quaternary-age volcanic flows and mafic and silicic vents characterize portions of the plateau (Sherrod and Pickthorn, 1992). Much of this area lies within Paleozoic- and Mesozoic-age sedimentary basins covered by thousands of feet of volcanic and volcanic-derived sedimentary rocks.

Locatable Minerals

No evidence of mineralization was observed during the field examination. Potential for the occurrence of critical and strategic minerals was not observed.

Leasable Minerals

This parcel lies at the northwestern margin of the Basin and Range physiographic province. This area is characterized by a high rate of crustal extension accompanied by a higher-than-normal heat flow and late Tertiary to Quaternary-age volcanism (Peterson and McIntyre, 1970). Underlying rocks are faulted and fractured permeable lava flows, breccias, and clastic sedimentary rocks interbedded with impermeable altered tuffs and lacustrine sediments, i.e., potential reservoir rocks. The entire east slope of the Cascade Range, including the Klamath Basin, and the subject parcel has been rated prospectively valuable for geothermal resources (Godwin, Lee, and Moore, 1980).

The parcel also lies within the boundaries of Paleozoic- and Mesozoic-age sedimentary basins covered by thousands of feet of volcanic and volcanic-derived sedimentary rocks. It is possible that thick sequences of hydrocarbon-bearing sedimentary rock exist at depth. The U.S. Geological Survey has identified a play (prospect for significant hydrocarbon accumulations) in this area (Tennyson and Parrish, 1987). There is some evidence to suggest that source rocks suitable for gas generation could be present immediately west of the subject parcel. Whether or not younger volcanic activity and the higher-than-normal heat flow in this area has enhanced or

destroyed the hydrocarbon potential is not known. Based upon the above, and classification by Smith (1976) the proposed sale parcel is prospectively valuable for the occurrence of gas.

There has been no prospecting or exploration of gas resources to date, however given the current Presidential energy policy emphasis it is possible exploration may occur. At this time there are no known proposals for gas prospecting or exploration on the parcel or any adjacent lands.

Leaseable (oil, gas and geothermal) mineral resources would not be affected by the sale because the United States would retain ownership of them. Even after the sale the United States could issue leases to these resources, but the lessee would have to compensate the surface owner for the surface used in extracting the mineral resources.

Salable Minerals

The surface of the parcel is covered by shallow to deep soil cover and shrub vegetation. The only outcrop is along the road cut just east of the parcel and several small rocky outcrops consisting of faulted and fractured permeable basalt occur at the west edge of the parcel. Beneath that at depth clastic sedimentary rocks interbedded with impermeable altered tuffs and lacustrine sediments that outcrop several miles north of the subject parcel appear to underlie the basalts. Without extensive drilling and testing, the potential as a rock source is not known. Because of the remote location of the parcel and the steep slope the likelihood for development of quarry rock is very low.

Vegetation

The duration and intensity of grazing use on the property could, but is unlikely to, increase under private ownership. Any increase in grazing levels would 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. Any disturbance associated with intensive grazing practices could create conditions that favor noxious weeds over other species and increase the chances for establishment of noxious weeds. If grazing decreased below current levels, these effects would not likely occur.

Wildlife

Conversion of the public land to private ownership could lead to increased spring and/or fall grazing, which could reduce forage for wildlife use. Due to the steepness of the 40 acres, it is not likely there will be an increase of grazing on this property

Cultural Resources

Impacts to cultural resources are not anticipated from the sale of the public lands. There were no cultural sites found on this 40 acre parcel.

Alternative B: No Action

Under this alternative the public lands would remain in public ownership and the above impacts would not occur. BLM would not have access to this parcel.

V. Consultation and Coordination

<u>Preparers</u>	<u>Resource Responsibility</u>
Don Hoffheins	-Planner
Linda Younger	-Realty/Writer
Dana Eckard	-Range
Scott Senter	-Recreation
Gayle Sitter	-Wildlife
Lou Whiteaker	-Botany
Tim Canaday	-Cultural Resources
Rebecca Lange	-Geologist
Tom Cottingham	-Safety/Hazardous materials

Agencies/Groups Contacted

Oregon Department of Fish and Wildlife
Oregon State Historic Preservation Officer
Oregon Natural Resources Council
The Klamath Tribes

Individuals Contacted

Frederick Booth III	Darrel Bagley
Cliff Guymon	Dino Herrera
Donna Gustin	Carl Rajnus
Dan Applebaker	Dr. David London
Richard Dixon	Margaret McKinsey
John and Edna Lilly	Bruce Wirth
Eric Bondshu	William D. Kennedy
Susan Parsons	Mary Jo Matthews
Ken Masten	Ray West
Tom Harris	Akimi King
JoAnne Mack, Ph.D.	Cody Smith
Dick Leever	Wendell Wood
Jeanne Roster	Karl Schwartz
Carl Zimmermann	Maribeth G. Zwick
Dave Vuchanan	A.L. Bruner
Tom Loustalet	

Exhibit A - Summary of Resource Elements and Impacts

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	Plant and animal surveys have been conducted on the property proposed for sale and on adjacent and nearby public lands for other activities. No Threatened or Endangered Species or Special Status Species have been found on the property proposed for sale.
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.

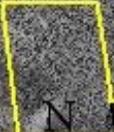
Table 2. Summary of Elements of Other Resources

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 Loveness allotment. The allotment will be reduced by approximately 40 acres by the sale. However, 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 40 acres of land proposed for sale as the land does not have public access.

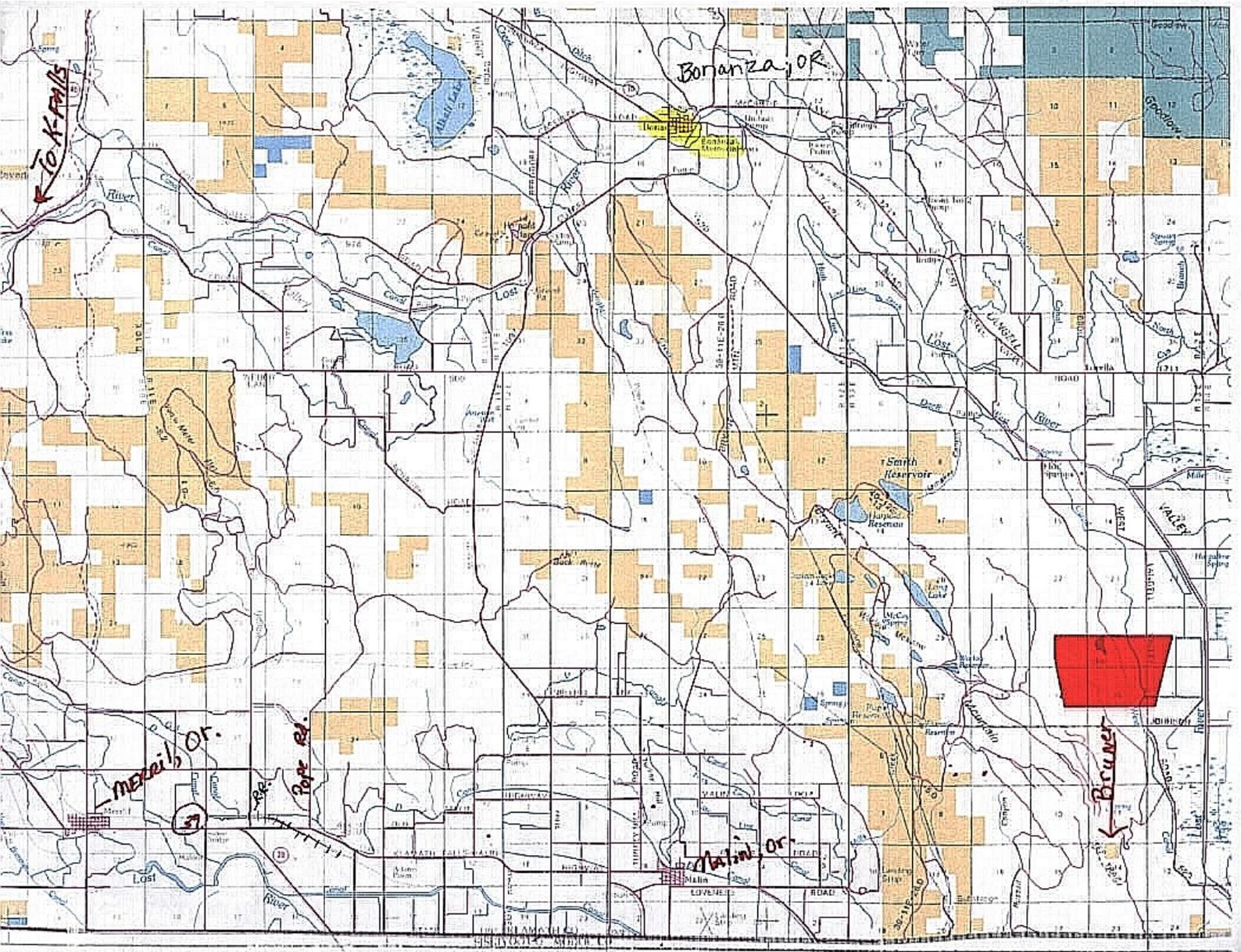
Bruner Land Sale
T. 41S., R. 13E., Section 14

T. 41 S., R. 13 E.

Proposed
land sale



Al Bruner Proposed Land Sale



Finding of No Significant Impact
A.L. Bruner, Enterprises Direct Land Sale
OR 57162
OR-014-03-04

Finding of No Significant Impact: I have reviewed environmental assessment OR-014-03-04, including the explanation and resolution of any significant impacts, and have determined that the proposed action will not have any significant impact on the human environment and that an EIS is not required. In my review, I also determined that the proposed project is in conformance with the approved land use plan.

Mitigation Measures/Remarks: None



Jon Raby
Field Manager
Klamath Falls Resource Area

12/3/03
Date

Klamath Falls Resource Area Project Proposal Routing Slip for Internal Review

Project Name: AL Bruner Land Sale

Date Initiated: 3/13/03

Resource or Staff Responsible	Review Priority	Preliminary Review Date/Initials	Comments Attached/Incorporated	Final Review Date/Initials
Manager: Feri Raml <u>Don Rabey</u>	<u>Last</u>			<u>DR 9/24/03</u>
Branch Chief: Barbara Dieman	Second to Last			
Branch Chief: Larry Frazier	Second to Last			
Branch Chief: Rob Johnson	<u>Second to Last</u>			<u>DR 4/1/03</u>
Planner/EC: <u>Don Hoffheins</u> , Kathy Lindsey	Third from Last	4/7/03 DKH	9/22/03 DKH written in (minor)	9/22/03 DKH
Range: Bill Lindsey Range: Dana Eckard		BL 3/18 DRL 3/17/03	pencilled in	BL 3/18
Wild Horses: Tonya Pinckney				
Fire/Air Quality: Joe Foran		F 3/21/03	see Mike B comments as I read that also.	F 3/20/03
Silviculture: Bill Johnson, Gabi Sommerauer		B 3/10/03	in hand	
Timber: Mike Bechdolt		MB	pencilled in (MB)	-MB 3/18/03 me
Botany/ACEC/Noxious Weeds: Lou Whiteaker		3/17/03 JW	Incorporated	3/17/03 JW
Soils: Jannice & Mike Cutler				3/18/03 JMC 3/18/03 MLC
Cultural: Tim Canaday		3/25/03	see comments	
Minerals/HazMat: Tom Cottingham			Tom C - via Email	Tom C 3/20/03
Lands/Realty: Linda Younger	<u>JLY</u>			
Recreation/Visuals/Wilderness : Scott Senter			None	VSS 3/18/03
Hydrology/Riparian: Mike Turaski, Andy Hamilton			NONE	MRT 3/21/03
Wildlife/T&E: Gayle Sitter		GS 3/18/03	None	3/18/03 GS
Fisheries/T&E: Scott Snedaker			None	CS 3/01/03
W/S RIVERS: Grant Weidenbach				
Engineering: Brian McCarty				3/13 JMC
Clearances/Surveys	Needed	Done/Attached	*This document will not sit on your desk for more than 8 hours. Please check on calendar to make sure that the next person will be available to review the document.	
Cultural		TC 3/25/03		
Botanical		JW 3/17/03		
T&E, BA & or Consultation	<u>No</u>	GS 3/10/03	**Some resource areas may not apply for all projects. If so, just mark "N/A" in "Review Priority" column.	
R-O-W Permits				