

DECISION RECORD/RATIONALE/FONSI
Leopold Mine Stabilization and Cleanup
EA #OR110-00-18

I. DECISION:

Implement the Proposed Action / Preferred Alternative as described in the Environmental Assessment for the Leopold Mine Stabilization and Cleanup (EA# 110-00-18). Implementation of this decision shall include all project design features as described in the environmental assessment. Implement the breaching of the impoundment at the earliest opportunity to eliminate the immediate hazard of impoundment failure.

II. RATIONALE:

Implementing the proposed action will rectify a major hazard on public lands caused by a landslide and subsequent inappropriate actions of a mining claimant. Removal of the dam and site cleanup will also allow the BLM to comply with District Court direction pertaining to remedying this hazard and other environmental conditions at the mining site. Removal of the unauthorized impoundment and the other site protection measures will reduce the substantial erosion and sedimentation that has been occurring from the site which, in turn, is to the detriment of water quality and the fisheries resources in Galice Creek.

Initial breaching of the impoundment at the earliest opportunity that it can be safely done, will substantially reduce the chance for imminent failure of the dam and the adverse consequences of such an event. Immediate breaching is necessary to be in compliance with the direction of the District Court (May 12, 2000 hearing) regarding resolution of the mining violation and site protection requirements. Engineering studies of the impoundment have clearly indicated that it presents a very high hazard and that there is a high likelihood of failure if corrective action is not taken. They have also pointed out the high risk of serious damage to not only the aquatic resources but also to the occupants at the mining site and to Galice Road users.

Existing watershed conditions are expected to be improved through implementation of the proposed action. Implementation will help meet both the short and long term objectives of the Aquatic Conservation Strategy identified in the NW Forest Plan.

The No Action Alternative was rejected because it does not meet the safety concerns at the site or the water quality issues. Further, it appears improbable that the mining claimant would act to correct the situation in a timely manner.

This decision is consistent with the Medford District Resource Management Plan and the Record of Decision and Standards and Guidelines on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl. This decision is also consistent with the Endangered Species Act, The Native American Religious Freedom Act and cultural resource management laws and regulations.

III. FINDING OF NO SIGNIFICANT IMPACT:

On the basis of the information contained in the environmental assessment for this project, it is my determination that the decision stated above does not constitute significant effects to the quality of the human environment. Therefore, an Environmental Impact Statement is not necessary and will not be prepared.

Any party adversely affected by this decision and who wishes to pursue administrative remedies may do so in accordance with the requirements set forth in 43 CFR Part 4.

 /s/ John Prendergast
John Prendergast
Field Manager, Grants Pass Resource Area
Medford District, Bureau of Land Management

 5/15/00
Date