United States Department of the Interior

BUREAU OF LAND MANAGEMENT
MEDF'ORD DISTRICT OFFICE
3040 Biddle Road
Medford, Oregon 97504
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IN REPLY REFER TO

DECISION RECORD/RATIONALE/FONSI
Ruben Sotelo Spring Development Right-of-Way Grant
EA # OR1 1 O-O l-026

I. DECISION: Implement the proposed action as described in Environmental Assessment (EA# OR 110-01-26) and grant the right-of-way permit. Implementation should include all project design features described in the environmental assessment as well as proposed mitigating measure #l.

II. RATIONALE: Implementing the proposed action will provide the applicant with a source for domestic water. The EA does not identify any substantive adverse impacts that would occur if the grant and spring development are permitted. Acceptance of proposed mitigating measure 1 and its inclusion as a condition of the permit will serve to prevent Himalayan blackberry from becoming established at the site. The action would not retard or prevent the attainment of the ACS objectives.

The No Action Alternative was rejected because it would preclude the granting of the application in a situation where no substantive adverse impacts have been identified. The Medford District RMP directs the continuance of issuing rights-or-way across BLM land except in certain situations (e.g., wilderness study areas, RNAs, special status plant sites, ACECs, LSRs). The present proposed right of way grant would not involve or impact any of these types of areas.

A 15 day public comment period was provided for through the publication of a legal notice in the Grants Pass Courier, the notification of property owners adjacent to the project area and posting of the EA on the Medford District Web Site. No comments have been received regarding the proposed project.

This decision is consistent with the Medford District Resource Management Plan, the Record of Decision and Standards and Guidelines on Management of Habitat for Late-Successional and Old-Growth Forest Related Snecies Within the Range of the Northern Spotted Owl and the Record of Decision and Standards and Guidelines for Amendments to the Survey and Manager, Protection Buffer, and other Mitigation Measures Standards and Guidelines (January 2001). This decision is also consistent with the Endangered Species Act, The Native American Religious Freedom Act and cultural resource management laws and regulations. This decision is consistent with the BLM's Strategic Planning Goal 1.2.4 regarding the issuance of rights-of-way consistent with established land health standards.

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 result in a significant effect to the quality of the human environment. In addition this project does not exceed the range of effects discussed in the EIS documents that the project EA is tiered. Therefore, an Environmental Impact Statement is not necessary and will not be prepared.

Subsequent to this decision, a right-of-way grant (OR 54681) will be offered to Mr. Sotello pursuant to subpart 2800 of Title 43 of the Code of Federal Regulations. As outlined in 43 CFR part 4, an adversely affected party may appeal the issuance of the right-of-way to the Department of Interior Board of Land Appeals, Any appeal must be received within thirty days of the effective date of the right-of-way. The right-of-way will be effective following the acceptance of the offered grant by the grantee and execution of the grant document by the BLM.

Abbie Jossie

Abbie Jossie
Field Manager, Grants Pass Resource Area
Medford District, Bureau of Land Management

10-9-2001
Date