



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT OFFICE
3040 BIDDLE ROAD
MEDFORD, OREGON 97504

Linda Crawford Waterline and Power Rights-of-Way (EA #OR110-03-25)

DECISION RECORD / RATIONALE / FONSI

I. DECISION

The decision is to implement Alternative 2, the proposed action, for the Linda Crawford Waterline and Power Rights-of-Way application, as described in the Environmental Assessment for this project. The project design features described in the EA are an integral part of the proposed action and are to be implemented.

II. DECISION RATIONALE

Alternative 1, the No Action Alternative, is rejected because it would deny Linda Crawford a direct water supply to her property. Doing so would be contrary to BLM's goal of providing rights-of-way when consistent with land use plans.

Alternative 2, granting the permit, is selected because it will provide the applicant with a secure ROW for their water supply line, a waterline needed to supply water to her pastures located on her private property east of the water diversion point and the BLM parcel. The Environmental Assessment has not identified any environmental impacts that would support denial or modification of the ROW application. No issues or impacts of concern were identified by the public during the EA's public comment period. Granting the permit is also consistent with the BLM's FY2000-2005 Strategic Plan Goal 1.2.4 which is to grant permits that are consistent with established land health standards.

III. PUBLIC INVOLVEMENT

Public notification and involvement was accomplished via an EA public comment period in September 2003. The comment period was announced with a newspaper notice in the Grants Pass Daily Courier and a mailing to adjacent landowners and others. No public comments were received in response.

IV. CONCLUSION AND FINDING OF NO SIGNIFICANT IMPACT (FONSI)

A. Plan consistency

Based on the information in the project's EA, in the record, and from the letters and comments received from the public about the project, I conclude that the decisions documented in this Decision Record are 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 Species Within the Range of the Northern Spotted Owl and, the Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards

and Guidelines (January 2001). They are also consistent with the Endangered Species Act, The Native American Religious Freedom Act and cultural resource management laws and regulations. It is also consistent with Executive Order 12898 (Environmental Justice). This decision will not have any adverse impacts to energy development, production, supply and/or distribution (per Executive Order 13212).

B. Finding of No Significant Impact

On the basis of the information contained in the environmental assessment, and in light of the fact that no comments were received from the public regarding the proposed right-of-way's EA, it is my determination that the decision stated above will not result in significant impacts to the quality of the human environment. Granting the right-of-ways does not constitute a major federal action having a significant effect on the human environment and an environmental impact statement (EIS) is not necessary and will not be prepared.

This conclusion is also based on my consideration of the CEQ's criteria for significance (40 CFR §1508.27), both with regard to the context and to the intensity of the impacts described in the EA and based on my understanding of the project. With regard to the intensity aspect of the potential impacts (per the 10 CEQs stated areas of consideration):

1) Impacts that may be both beneficial and adverse. A significant effect may exist regardless of the perceived balance of effects. The assessment has considered both beneficial and adverse impacts. None of the individual or cumulative effects have been identified as being significant. Identified impacts are very minimal due to the nature of the action and its very small degree of disturbance.

2) The degree to which the proposed action affects public health or safety. No aspects of the project have been identified as having the potential to significantly and adversely impact public health or safety.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resource, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. No unique characteristics have been identified in the area.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial. Neither the environmental assessment nor the public response to the proposal have suggested that the effects of the action are controversial.

5) The degree to which the possible effects on the human environment are likely to be highly uncertain or involve unique or unknown risks. The analysis and public comments have not indicated any reason to believe that this action would involve any unique or unknown risks

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. The action and the decision will not set any precedents for future actions with significant effects. BLM rights-of-way grants for a variety of reasons are long standing and common practice.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. No potentially significant cumulative impacts have been identified in the EA or comments received.

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Historic Register of Historic Places or may cause loss or destruction of significant scientific, cultural or historical resources. The project area does not include

any listed National Historic Register sites or sites known to be eligible. No impacts to significant scientific, cultural or historical resources have been identified.

9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.* No potential impacts to ESA listed species or ESA identified critical habitat have been identified.

10) *Whether the action threatens a violation of Federal, State, or local law or requirements for the protection of the environment.* There is no indication that this decision will result in actions that will threaten a violation.

V. ADMINISTRATIVE REMEDIES

The effective date of this decision will be the date of publication of the Notice of Decision in the Grants Pass Daily Courier. Concurrent with this notice, a right-of-way grant will be offered to Ms. Crawford pursuant to subpart 2800 of Title 43 of the Code of Federal Regulations.

Any party adversely affected by this decision has the right to appeal to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of the Interior, Board of Land Appeals (IBLA). Any appeal must be made in strict accordance with the regulations contained in 43 CFR part 4. This includes, among other requirements, the requirement that a notice of appeal must be filed in this office within thirty (30) days of the effective date of this decision. The regulations also provide for petitioning for a stay of the decision, if desired. The decision to issue the right-of-way will be in full force and effect upon acceptance of the offered grant by the grantee and execution of the grant document by the BLM.


Abbie Jossie
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Medford District, Bureau of Land Management

9-26-03
Date