

**DECISION AND RATIONALE AND
FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

**for the Environmental Assessment for the
Mary Gray Parcel Land Sale**

EA Number OR-118-03-001

Decision

It is my decision to implement Alternative 1, the Proposed Action, and the Project Design Features proposed in the Mary Gray Parcel Land Sale Environmental Assessment (EA # OR118-03-001). The approved action will result in selling a land parcel to the Mary Gray family, containing approximately 2.45 acres, to settle a long-standing inadvertent occupancy trespass. The proposed actions for the Mary Gray Land Parcel Sale are described in the environmental assessment (EA) and can be obtained at the Medford District or on the Medford BLM internet site: <http://www.or.blm.gov/Medford>

The land parcel to be sold is located southwest of the community of Glendale and Interstate 5, southwest of Grave Creek. The legal description is T34S, R7W, Section 3, in Josephine County.

Rationale

The decision to implement this proposal meets the purpose and need identified in the EA. Alternative 2 was not selected based on this analysis because it does not resolve the inadvertent trespass nor would it have any negative and beneficial impacts differing from alternative 1.

The following critical elements identified in the BLM handbook have been analyzed in the EA: air quality, areas of critical environmental concern, historical or cultural resources, prime or unique farmlands, floodplains, Native American religious sites, invasive species, energy, threatened or endangered species, known hazardous waste areas, water quality, wetlands, wild and scenic rivers, wilderness and environmental justice.

The site was surveyed for non vascular plants and vascular plants on October 21, 2002 and found to have no Bureau Sensitive or Survey & Manage species. No threatened or endangered plant species were found in on the site. Conveyance of the land to the Grays will have No Effect on Southern Oregon/Northern California coho salmon or Essential Fish Habitat (Magnuson-Stevens Act). The vegetative condition near the stream would not be expected to be improved whether the land is transferred to the Gray family or remains in BLM ownership. A minimum 70-foot wide band of riparian vegetation, consisting primarily of riparian hardwoods, a few conifers and Himalayan blackberry, adjacent to Grave Creek would remain public land.

The area adjoining BLM Road #34-7-3 contains a substantial population of Scotch Broom and some Knapweed. If and when future eradication projects are initiated along Road #34-7-3, it can likely proceed as easily whether ownership of the parcel remains BLM or is transferred to private

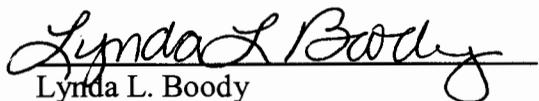
ownership. Selling the land under the proposed action would have no effect on the cultural resources present on the land since the archaeological site was recorded in the State Historic Preservation's database and given a Smithsonian number, as a mitigation measure. A copy of the site record is also kept on file at the Medford BLM office.

In summary, I find that the action will be consistent with the *Medford District Resource Management Plan* and amendments, including the Aquatic Conservation Strategy. In accordance with the BLM Forest Management Regulations (43 CFR 5003.2(1)), the decision for this land parcel sale will not become effective, or be open to formal protest, until the Notice of Realty Action appears in a newspaper of general circulation in the area where the lands affected by the decision are located.

The estimation of impacts was based on professional judgment and experience of the interdisciplinary team. This method of estimating effects to the environment reduces the uncertainties to a level which does not involve highly unknown or unique risks.

FONSI Determination

I have reviewed Environmental Assessment (EA # OR118-03-001). I have determined the Mary Gray Land Parcel Sale will not have any significant impacts on the human environment beyond those already described in the *Medford District Resource Management Plan* and amendments and that a supplemental EIS is not required.


Lynda L. Boody
Glendale Resource Area Field Manager
Medford District, BLM

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Date