

ENVIRONMENTAL ASSESSMENT

EA Number: OR-104-03-07

BLM Office: Swiftwater RA, Roseburg District

Proposed Action Title: **FLPMA Sec. 203 Land Disposal (Sale) to Douglas County (OR 59372) and FLPMA Title V Right-of-Way (OR 59633)**

Location of Proposed Action: Section 20, T. 25 S., R. 5 W. (Portion of Lot 3, Block 1 of Plat "C", Sutherlin Land and Water Co.), Douglas County Oregon, Willamette Meridian.

Conformance with Applicable Land Use Plan:

This proposed action is subject to the following land use plan:

Name of Plan: Roseburg District Record of Decision and Resources Management Plan (RMP)

Date Approved: June 2, 1995

This plan has been reviewed to determine if the proposed action conforms with the land use plan terms and conditions as required by 43 CFR 1610.5. The proposed action was found to be in conformance with the RMP (and any subsequent plan maintenance memoranda) as discussed below:

1. The proposed disposal tract was purchased in 1976 for use as a BLM maintenance yard site. It is currently identified in the Roseburg District Resource Management Plan/Environmental Impact Statement as Zone 3 (Map 2-10). The Roseburg District Record of Decision and Resource Management Plan indicates that Zone 3 lands will be retained if they contain unique resource values and makes the remainder of the lands in Zone 3 available for disposal. These lands have previously been disturbed as a part of the existing Calapooya Road right-of-way (they currently contain existing landscaping and/or disturbed ditchline). No unique resource values are present on the land, therefore; the tract is available for disposal.
2. To be in conformance with the RMP, the disposal must also meet the sale criteria identified in the Federal Land Policy and Management Act of 1976, (FLPMA) Sec. 203(1)(3): "disposal of such tract will serve important public objectives, including but not limited to, expansion of communities and economic development, which cannot be achieved prudently or feasibly on land other than public land and which outweigh other public objectives and values, including, but not limited to, recreation and scenic values, which would be served by maintaining such tract in Federal ownership". Since the land is needed for a public project, this sale would meet the disposal criteria.

Need for Proposed Action

Douglas County has requested that the BLM to either issue a right-of-way for the use of or sale of a narrow strip of land running across the front of the BLM property that contains the Sutherlin maintenance yard and shop.

Purpose of Action

The purpose of the action described in this EA is to make land available to Douglas County in order to accommodate the widening of County Road No. 388 (South Calapooya Street).

Proposed Sale Area to Douglas County



Description of Proposed Action

The proposed action is a direct sale of a small tract of land to Douglas County under the authority of Sec. 203 of the Federal Land Policy and Management Act (FLPMA) (Public Law 94-579). The disposal tract runs along the front (east) side of the public land which is being utilized as the BLM Sutherlin Road Maintenance shop. The tract consists of a narrow strip of land averaging 13 feet in width by 330 feet long (approximately 0.10 acre). Improvement within the land disposal area consists of approx. 442 square feet of asphalt paved drive and landscaping (shrubs, ground cover, decorative bark and underground sprinkler system).

In addition to disposal of the tract identified above, the proposal includes issuance of a temporary right-of-way under Title V of FLPMA for a temporary work area immediately to the west of the disposal parcel. This right-of-way is needed in order to allow the County to perform mitigation work to the parent tract (remainder property) which would remain in BLM ownership. This mitigation work consists of installation of a replacement gate, extension of the asphalt driveway and new fencing along the driveway extension. This area would be approximately 10-15 feet in width and would be for a duration of approximately two years (see Description of Mitigation Measures, Pg. 5).

Affected Environment

The affected area was surveyed for the resources listed below according to established protocols.

1. No Special Status or Survey and Manage Plants were observed in the project area.
2. No cultural resources were found in the project area.
3. No Special Status or Survey and Manage wildlife species or associated habitat occurs in the project area.

Fisheries - There are no fish-bearing streams within the proposed project area. The nearest fish bearing stream is Sutherlin Creek which is 0.12 road miles from the project area. According to the Lower North Umpqua Watershed Analysis (pg. 112), Oregon Coast Coho (*Oncorhynchus kisutch*), Oregon Coast Steelhead trout (*O. mykiss*), Coastal Cutthroat trout (*O. clarki clarki*), Pacific Lamprey (*Lampetra tridentata*), and Oregon Coast Chinook salmon (*Oncorhynchus tshawytscha*) are present in the watershed. The Oregon Coast Coho has been designated by the Endangered Species Act as a threatened species (Federal Register, Vol. 63, No.153, August 10, 1998, p.42587). The Oregon Department of Fish and Wildlife (ODFW, 1994) has conducted aquatic habitat surveys in the Lower North Umpqua fifth-field watershed. Data is available for Sutherlin Creek (Reach 1-4, Sections 14, 13 and 24; T. 25 S., R. 5 W.; and Sections 19 and 30, T 25 S., R. 4 W., 1992); however, data is not available for the portion of Sutherlin Creek (Section 20, T. 25S., R 5 W.) near the proposed project area.

Hydrology - The proposed project is located within the Lower North Umpqua Fifth-Field Watershed in the Sutherlin Creek drainage. The disposal tract is level ground and consists of the gravel shoulder of the county road and bark mulch. No natural or unique hydrologic features are present.

Environmental Impacts of the Proposed Action

1. Description of Potential Impacts

Direct and Indirect Impacts Analysis - No direct impacts (effects caused by the action and occurring at the same place and time) would result from the sale and conveyance of title of this land to Douglas County. Indirect impacts (effects caused by the action but occurring later in time or farther removed in distance) would result since this sale would facilitate the County's plan to widen County Road Number 338. These impacts would occur on an already highly disturbed road shoulder.

Cumulative Impacts Analysis - No cumulative impacts (effects of the action when added to other past, present and reasonably foreseeable future actions) on the resource values are anticipated from the sale and ultimate implementation of the County's road widening project. The present road shoulder would be torn up and paved with inconsequential cumulative impacts.

2. Critical Elements of the Human Environment

"Critical Elements of the Human Environment" is a list of elements specified in BLM Handbook H-1790-1 that must be considered in all EA's. These are elements of the human environment subject to requirements specified in statute, regulation, or executive order. These elements have been analyzed for potential effects and are as follows:

<u>Critical Elements</u>	<u>Potentially Affected</u>	
	<u>No</u>	<u>Yes</u>
Air Quality	X	
ACEC	X	
Cultural Resources	X	
Environmental Justice	X	
Farmlands, Prime/Unique	X	
Floodplains	X	
Invasive and Nonnative Species	X	
Nat. Amer. Religious Concerns	X	
T & E Species	X	
Waste, Hazardous/Solid	X	
Water Quality, Drinking / Ground	X	
Wetlands/Riparian Zones	X	
Wild and Scenic Rivers	X	
Wilderness	X	

3. Additional Considerations

FLPMA Sale Criteria - Since the land is needed for a public project, this sale would meet the disposal criteria identified in FLPMA (Sec. 203(1)(3): "disposal of such tract will serve important public objectives, including but not limited to, expansion of communities and economic development, which cannot be achieved prudently or feasibly on land other than public land and which outweigh other public objectives and values, including, but not limited to, recreation and scenic values, which would be served by maintaining such tract in Federal ownership."

Mineral Survey - A mineral report has been completed for this tract and it has been determined that there is no potential for minerals and no value has been established for the minerals. Therefore, the proposal includes conveyance of the mineral estate under Sec. 209 of FLPMA at the same time as the surface estate is conveyed.

Description of Mitigation Measures and Residual Impacts

1. The existing gate opening would be moved by the County to the west (back from the road) approximately 14 feet in order to allow vehicles, up to the length of a low boy, to pull entirely off the roadway while the driver gets out to open the gate. The BLM would provide the new gate which the County would install, as well as renovating the connecting fence to accommodate the new gate location. The county would also be responsible for relocating the existing sign to a new location outside of the right-of-way and repair of the existing sprinkler system to operating condition after removal of the portion of the sprinkler system within the sale area.
2. The existing asphalt-paved driveway would be extended a distance a minimum of five feet beyond the swing of the new gate. The length of the driveway (between the outer edge of any potential lane widening, including curb width, and the entrance to the gate) shall be no less than sixty-eight feet (68 ft.). The existing drainage ditchline would be maintained.
3. The County (or its agent) would be required to perform all operations in a good and workmanlike manner to ensure protection of the environment and the health and safety of the public.
4. The County would be required to promptly remove and dispose of any waste caused by its activities as directed by the BLM. This would include all discarded material including, but not limited to: human waste, trash, garbage, refuse, petroleum products, ashes, and equipment.
5. The County would be required to repair damage to any facilities of improvements on the BLM land that result from operations of the project.

Agencies, Persons, and Permittees Consulted

Douglas County Commissioners
Douglas County Engineering Department

Preparers

Isaac Barner	_____	Archeology
Mike Crawford	_____	Fisheries Biologist
Dan Dammann	_____	Hydrologist
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Ron Wickline	_____	Natural Resources - Botany

December 9, 2003

CRITICAL ELEMENTS OF THE HUMAN ENVIRONMENT

The following elements of the human environment are subject to requirements specified in statute, regulation, or executive order (BLM NEPA Handbook, Appendix 5). These resources or values are either not present or would not be affected by the proposed actions or alternatives, unless otherwise described in this EA. This negative declaration is documented below by individuals who assisted in the preparation of this analysis.

Element	Responsible Position	Initials	Date	Remarks
Air Quality	Fuels Management Specialist			No impacts
Areas of Critical Environmental Concern	Environmental Specialist			Project is not within or near an ACEC.
Cultural Resources	Archeologist			No cultural resources on site
Environmental Justice	Environmental Specialist			No disproportionate use by Native Americans, minorities or low-income populations.
Farm Lands (prime or unique)	Soil Scientist			Area is not prime or unique farmland.
Flood Plains	Hydrologist			Project is not within 100 yr. floodplain.
Invasive Nonnative Species	Botanist			None present
Native American Religious Concerns	Environmental Specialist			No concerns are expected.
T&E Terrestrial Species	Wildlife Biologist			None present
T&E Plant Species	Botanist			None present
T&E Aquatic Species	Fisheries Biologist			No impacts
Hazardous/Solid Wastes	Area Hazardous Materials Coordinator			Applicable Haz Mat policies would be in effect.
Water Quality Drinking/Ground Water	Hydrologist			No effect is anticipated.
Wetlands/Riparian Zones	Hydrologist			None present.
Wild and Scenic Rivers	Recreation Planner			Project is not within scenic river corridor
Wilderness	Recreation Planner			Project is not within a wilderness study area.

The following items are not considered a Critical Element but have been cited by regulation or executive order as an item warranting consideration in NEPA documents:

Healthy Lands Initiative - This project would not violate this initiative the Healthy Lands Initiative in that this project would be in compliance with the RMP which has been determined to be consistent with the standards and guidelines for healthy lands (43 CFR 4180.1) at the land use plan scale and associated time lines.

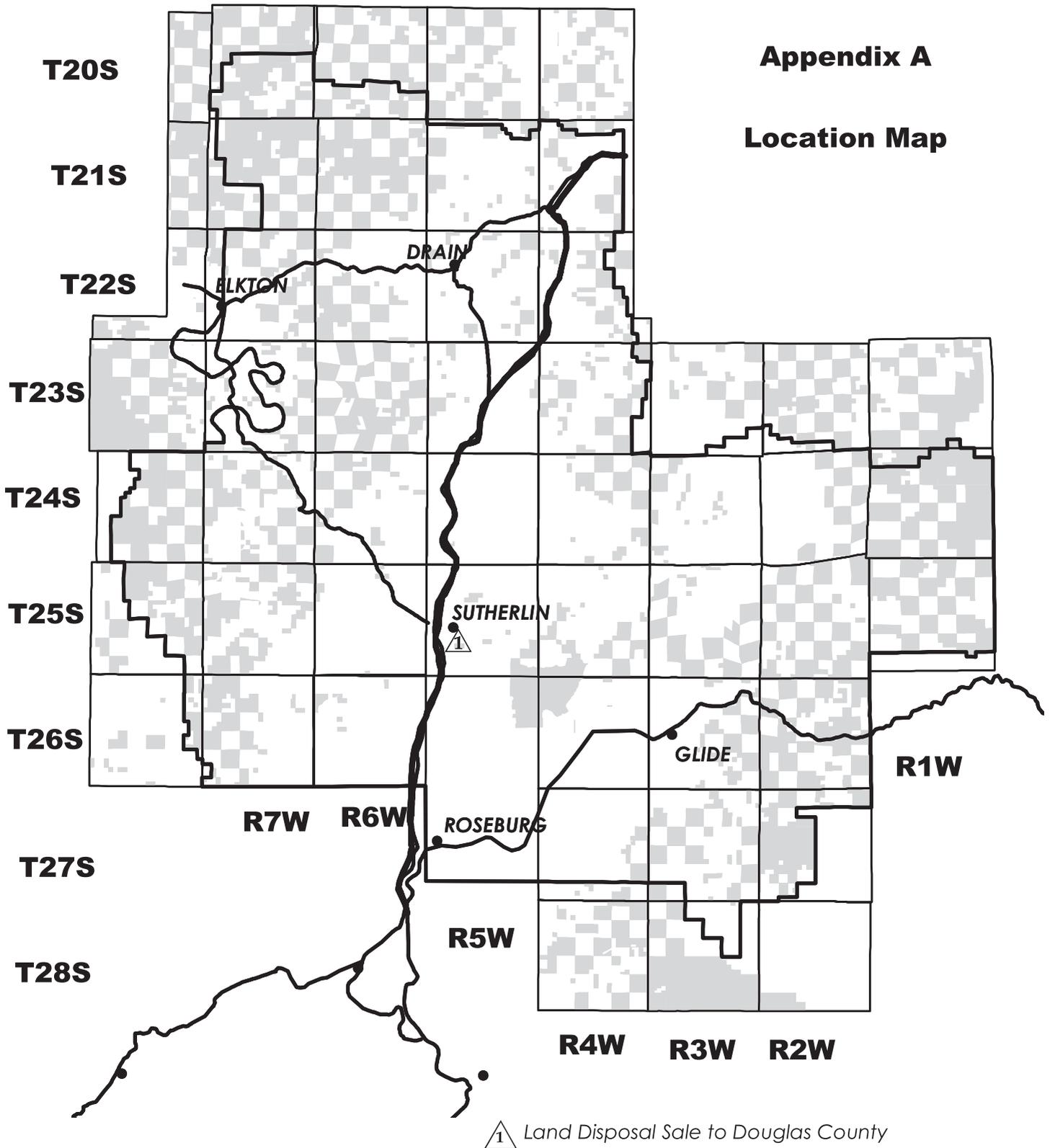
Adverse Energy - Executive Order 13212 provides that all decisions made by the Bureau of Land Management will take into consideration adverse impacts on the President's National Energy Policy. This project would not have a direct or indirect adverse impact on energy development, production, supply, and/or distribution and therefore would not adversely affect the President's National Energy Policy.

Indian Trust Resources - Secretarial Order No. 3175 (November 8, 1993) requires that any significant impact to Indian Trust resources be identified and addressed in NEPA documents. There are no known Indian Trust resources on the Roseburg District therefore this project is expected to have no impacts to these resources.

Roseburg District - Bureau of Land Management

Appendix A

Location Map



 Land Disposal Sale to Douglas County

Legend

-  Interstate 5
-  Major Oregon Highways
-  Towns

Appendix B

Legal Description – Land Sale – OR 59372

An approximately 11-foot wide strip along the easterly line of Lot 3, Block 1, Sutherlin Land and Water Company, Plat "C", in the Northeast Quarter Section of Section 20, Township 25 South, Range 5 West, Willamette Meridian, as depicted on a subdivision plat recorded, Volume 3, Page 11 and map file M137-73 in the Douglas County Surveyors office, more particularly described as follows:

Beginning at the Southeast corner of said Lot 3, a 5/8" iron rod on the westerly Right-of-Way of Pacific Highway No. 99, North 73°58'32" West 30.62 feet from centerline station 110+65.99; thence along the westerly Right-of-Way of Pacific Highway North 16°02'21" East 329.28 feet to the Northeast corner of said lot 3 on the westerly Right-of-Way of Pacific Highway No. 99; thence North 73°57'40" West 10.87 feet to a 5/8 inch iron rod; thence South 16°07'45" West 329.22 feet to a 5/8 inch iron rod; thence South 73°58'32" East 11.38 feet, to the point of beginning.

The above description contains approximately .08 acres, more or less.