

**Decision Record  
Direct Land Sale  
Meadow Lake Inc.  
OR 56099**

**Decision:**


It is my decision to sell 120.12 acres of public land identified as T. 38 S., R. 10 E. W. M. Section 6 Lot 7; Section 7 NE¼NE¼, NE¼NW¼ under direct sale procedures. The sale will include the mineral estate except for the oil, gas and geothermal resources which will be retained by the United States. Should Meadow Lake Inc. not purchase the property, the property shall remain available for sale over the counter and will be sold to the first person who offers to pay the appraised fair market value.

**Rationale**

There are no significant impacts identified in the environmental assessment that would result from the sale of the public lands. The proposed sale is in conformance with the Klamath Falls Resource Management Plan approved June 2, 1995. The mineral interests being offered for conveyance have no known mineral values. Sale of these public lands is needed to meet BLM's commitment to sell public lands to offset impacts to Klamath County incurred from BLM's acquisition of the Wood River Ranch. The Meadow Lake Corporation is the grazing lessee, the adjoining land owner, and the sale proponent.

**Finding of No Significant Impact:** I have reviewed environmental assessment OR-014-01-04, including the explanation and resolution of any significant impacts, and have determined that the proposed action will not have any significant impact on the human environment and that an EIS is not required. In my review, I also determined that the proposed project is in conformance with the approved land use plan.

**Mitigation Measures/Remarks:** None

  
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Teresa A. Raml  
Field Manager  
Klamath Falls Resource Area

3/23/01  
Date

**ENVIRONMENTAL ASSESSMENT**  
**# OR-014-01-04**  
**for**  
**Meadow Lake Inc. Direct Land Sale**  
**OR 56099**

## **Purpose and Need**

The Klamath Falls Resource Area of the Lakeview District received a request from Bruce Wirth (Meadow Lake Inc.) to purchase at fair market value the following described BLM-administered public land:

T. 38 S., R. 10 E. W. M. Section 6 Lot 7; Section 7 NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW  $\frac{1}{4}$  containing 120.12 acres, more or less. See Map 1.

This disposal request is being considered to meet Congressional instructions to compensate Klamath County for the loss of local tax revenues associated with acquisition of Wood River Ranch.

The purpose of this environmental assessment is to identify, analyze, and reduce, where possible, any potential impacts associated with sale of these public lands, if approved.

## **Conformance with Applicable Land Use Plan**

Sale of this public land conforms to the Klamath Falls Resource Management Plan (approved June 2, 1995). The land is in Zone 3, land that is available for disposal by sale or exchange.

## **Public Involvement**

A notice was published in the Klamath Falls Herald and News newspaper on July 25, 1999, advising the public of the possible land sale and soliciting their comments.

Comments were received only from the sale proponents in response to the public notice.

## **Proposed Action and Alternatives**

There are two alternatives: Alternative A - Proposed Action: Disposal of Public Lands by Direct Sale and Alternative B No Action.

### **Alternative A - Disposal of Public Lands by Direct Sale**

Under Alternative A, 120.12 acres of BLM-administered public land would be offered for sale to Bruce Wirth (Meadow Lake Inc.). The property would be sold at appraised fair market value. The sale would include the surface and the mineral estates, except for oil and gas and geothermal resources which would be reserved to the United States.

### **Alternative B: No Action**

Under the No Action Alternative, the subject 120.12-acre parcel of public land administered by the BLM would not be sold, but would be retained in public ownership.

## **Affected Environment**

The 120.12 acres of BLM-administered land are located approximately 6 air miles northeast of Klamath Falls on the west side of Swan Lake Valley on the east side of Hogback Mountain and approximately 6 air miles southeast of Whiteline reservoir. The

property consists of three separate isolated 40-acre parcels that do not have public access and are surrounded by private lands owned by the sale proponent.

These lands are found within the range portion of the Whiteline basin and range geographical unit. The Whiteline basin and range unit is bounded on the south by Highway 140 and on the north by the Sprague River watershed boundary.

The Whiteline unit contains approximately 75,000 acres, of which approximately 1,600 acres are BLM-administered and 13,000 acres are within the Winema National Forest. The remaining lands are privately owned. The private lands are composed of approximately 20,000 acres of irrigable farm land, and approximately 40,000 acres of forest land. The irrigated crop land is farmed on a rotational basis, with alternating grain, hay, pasture, and some potato crops.

## Soils

Six soil types have been identified on the proposed sale area. Forty-five percent of the property is composed of Stukel-Capona Loams 15 to 25 percent slopes. The Stukel-Capona Loams are well-drained soils found on rock benches near the edge of warmer basins. They are formed in material weathered from tuff and diatomite. Fifteen percent of this soil association is exposed bedrock. Woodcock Association north and Royst stony loam comprise 26 percent and 20 percent, respectively, of the total acreage. The Woodcock Association north soils are well-drained soils formed on the escarpments of block fault mountains that have north exposures. Royst stony loam is a well drained soil on timbered escarpments that predominantly face south. According to the Soil Conservation Service, these soils are suitable for range and wildlife habitat. The remaining 8 percent is made up of Lobert and Bly loams. Lobert and Bly loams are found on terraces or the slopes of terraces on the edges of the colder basins. They are formed in alluvial and lacustrine sediments. If water were available, these soils could be used for irrigated pasture.

For additional information see the Soil Survey of Klamath County, Southern Part, published by the Soil Conservation Service April 1985.

There are no prime or unique farm lands on the subject property. Three ephemeral streams flow during the spring snow melt period.

## Special Status Species

A botanical survey was conducted on August 12, 1997 by BLM botanists. The BLM botanists did not locate any populations of special status plant species or their habitats during the survey.

BLM personnel also conducted the sensitive animal surveys. No sensitive animal species or their habitat were discovered on the property.

## Vegetation

Vegetation on the three isolated parcels is a mix of western juniper and ponderosa pine. Ponderosa pine is scattered over each parcel except for Lot 7 of Section 6, T. 38 S., R. 10 E. W. M., where it is isolated near the south line. The merchantable pine ages across all three parcels are somewhat uneven, ranging from 57 to 85 years old. There is very little understory pine reproduction on any of the parcels. The three parcels were cruised by Barnes & Associates, Inc. of Roseburg Oregon.

Timber Cruise Results  
From Barnes & Associates, Inc.

Parameter	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6	Lot 7 Section 7
Cover type	94% Pine 6% Juniper	70% Pine 30% Juniper	60% Pine 40% Juniper
Tree Diameters	10 to 23 inches @ D4H*	10 to 18 inches @ D4H*	10 to 20 inches @ D4H*
Ponderosa Pine Trees per acre by size class			
9-11"	6.8	3.0	1.3
12-17"	13.8	6.2	2.2
18-20"	2.7	1.4	0.4
21"+	1.8	1.5	0.1

Average volume (MBF) per acre	1.88	0.98	0.23
Ponderosa Pine Volume (MBF) by size class			
9-11"	26	12	2
12-17"	39	21	5
18-20"	7	4	1
21"+	3	2	1

\* Diameter at four feet above the ground.

Additional timber cruise information is available from the Klamath Falls Resource Area Office 2795 Anderson Ave. No. 25 Klamath Falls, OR 97603 or by calling 541/885-4141.

Trees growing on the public lands do not meet the criteria for old growth habitat described by Hopkins et. al. 1993 in their "Interim Old Growth Definition" published by Region 6 of the USFS. For the ponderosa pine series, seven attributes are listed that make up old growth habitat: number of large trees; number of snags; amount of down woody material; number of tree canopy layers; native shrub/herb component layers; amount and size of gaps/openings; stand size and shape.

For the first attribute, number of large trees, an old growth ponderosa pine stands contains, at a minimum, 10 trees per acre that are over 21 inches dbh and 150 years old, and 2 trees per acre that are 31 inches dbh and 200 years old (Hopkin et. al. 1993). The timber stands on these three 40-acre parcels do not meet the size and number criteria and are only between 57 and 85 years old.

Melting snow provides water for some riparian vegetation to occur in the three drainages. The lowest elevation isolated 40-acre parcel touches the valley floor and two to three acres, of the total forty acres, are flat and have deeper soils that support mixed Ponderosa pine, western juniper, big sage, rabbit brush and grass.

## Noxious Weeds

No noxious weeds were detected during botanical surveys.

## Wildlife

Refer to the Final Klamath Falls Resource Area Resource Management Plan and Environmental Impact Statement, September 1994, for a discussion of wildlife species likely to occur on these public lands.

## Grazing

The 120.12 acres proposed for sale is part of the 160.08-acre Wirth (863) allotment, which is currently held by Meadow Lake, Inc. The permit allows 113 animal unit months (AUMs) of use between May 1 and June 15, annually. Boundary fences have been constructed by the grazing lessees. At the request of the sale proponents, Lot 6 of Section 6, T. 38 S., R. 10 E. is proposed for sale to the Kennedy Land Company even though Lot 6 is included within the Wirth allotment. Lot 6 of the Wirth allotment is fenced in with the Two-mile allotment.

## Cultural Resources

A cultural resource inventory was conducted by BLM archaeologists on May 21, 27, 28, June 1 and 2 1998. No cultural sites were located on the property during the survey.

## Land Use and Zoning

Currently, the public land is used for grazing. Recreation is only available to the adjacent landowners and their guests. Deer hunting is believed to be the most common form of recreation. The lands are zoned Forest Range with a minimum parcel size of 80 acres being needed to construct a home.

## Environmental Impacts

In addition to the following, see Exhibit A Tables 1 & 2 for summaries of other resource element impacts.

Positive or negative impacts could occur with any disposal of public land because the BLM would not have authority to control management of the lands and resources after the title passes into private ownership. Land and resource management on disposed lands would be at the discretion of the new owner, subject to reserved Federal interests, State laws, regulations, local zoning, and land use ordinances. For analysis purposes, it is reasonable to assume that the public lands would be converted to uses similar to those presently occurring on adjacent or nearby private lands. The method of sale does not change the type or intensity of the resource impacts.

After the sale, use of the property would be subject to State and local laws and planning regulations. The property most likely would be added to the adjacent land owner's existing property and used for grazing and timber production on the suitable portions of the property.

## **Grazing**

Grazing of the property would continue. The duration and intensity of grazing use on the property could increase or decrease under private ownership. The portions of the Wirth allotment proposed for sale are T. 38 S., R. 10 E., Section 6 Lots 6 and 7; Section 7 NE1/4NE1/4, NE1/4NW1/4 containing 160.08 acres. This results in a reduction of 13 of the current 113 authorized AUMs leaving 100 AUMs. The grazing lease for this allotment is currently held by Meadow Lake Inc. and no change in the grazing lessee is anticipated.

## **Minerals**

Leasable (oil, gas and geothermal) mineral resources would not be affected by the sale because the United States would retain ownership of them. The United States could issue leases to these resources, but the lessee would compensate the surface owner for the surface used in extracting the mineral resources. There is little potential for the occurrence of locatable minerals (gold, silver, etc.).

## **Soil and Vegetation**

The duration and intensity of grazing use on the property could increase under private ownership. Any increase in grazing levels would increase the percentage of big sagebrush and western juniper in the plant community on the property. Further increases in grazing intensity would result in bare soil and resulting high erosion hazards. Any disturbance associated with intensive grazing practices could create conditions that favor noxious weeds over other species and increase the chances for establishment of noxious weeds.

Forest lands identified for disposal under the proposed action are expected to continue to be used for timber production but with an increase in harvest intensity and a decrease in harvest interval. It is reasonable to expect the existing trees would be harvested and the remaining timber stand would be similar in composition and age to the surrounding private commercial forest lands.

Although multiple canopy stands would be maintained through a portion of each rotation because of the need for frost protection, the landscape would continue to be modified toward a patchwork of mostly even-aged second-growth stands of various sizes and ages ranging from 7" to 24" dbh and 10 to 100 years old. The snag component of the timber stand would probably be removed to meet Occupational Safety and Health Act (OSHA) requirements. Silvicultural practices associated with more intense timber harvesting would result in an increase in percent composition by the principal commercial species.

Normally, rotation lengths of 60 to 80 years are used on east side private lands. This indicates that the timber stands would be harvested shortly after the lands left public ownership. This is unlikely, due to the depressed timber market and the logging costs associated with these isolated parcels.

## **Wildlife**

Conversion of the public lands to private holdings could lead to increased spring and/or fall grazing, which would reduce the amount of forage available to wintering deer on the subject 120.12 acres. The lack of forage would lead to increased movement of deer onto adjacent private agricultural lands, resulting in increased damage to crops grown on the private lands.

## **Cultural Resources**

No cultural sites were discovered on the property; therefore, no impacts to cultural resources could occur.

## Consultation and Coordination

<u>Preparers</u>		<u>Resource Responsibility</u>
Tom Cottingham	-	Realty
Andy Hamilton	-	Wildlife
Monica Miller	-	Wildlife
Bill Lindsey	-	Range
Scott Senter	-	Recreation
Gayle Sitter	-	Wildlife
Lou Whiteaker	-	Botany
Matthew Kritzer	-	Cultural Resources

### Agencies/Groups Contacted

Oregon Department of Fish and Wildlife  
State Historic Preservation Officer  
Oregon Natural Resources Council  
The Klamath Tribes

### Individuals Contacted

Jeanne Roster	Glenn Barrett
William and Sandra DeJong	Robert and Winifred Parsons
Brett and Genine Johnson	Mike Davis
Mr. and Mrs. Dana Nelson	Randall and Bonnie Turner
Asa Leekley	Richard J. Abcunas
Rajnus Brothers	Dino Herrera
J-Spear Ranch	Donald and Susan Smith
Donald L. Pope	Gary and Mary Wight
Lloyd and Hazel Dyer	Joseph G. Thompson
William and Ann Fisher	Robert and Winifred Parsons
Thomas and Martha Schrinier	

## Exhibit A - Summary of Resource Elements and Impacts

**Table 1. Summary of Critical Elements of the Human Environment**

Critical Element	Environmental Impact	Remarks
Air Quality	None	Private ownership would be increased by approximately 239.88 acres.
Areas of Critical Environmental Concern (ACEC)	None	The lands proposed for sale are not within an existing or proposed ACEC
Prime or Unique Farmlands	None	This resource does not occur within the land proposed for sale.
Flood Plains	None	Property proposed for sale is located outside the 500-year flood plain.
Native American Religious Concerns	None Known	A cultural survey of the property has been completed & no cultural resources found.
Threatened or Endangered Species, Special Status Species	None	Plant and animal surveys have been conducted on the property proposed for sale and on adjacent and nearby public lands for other activities. No Threatened or Endangered Species or Special Status Species have been found on the property proposed for sale.
Hazardous or Solid Wastes	None	A thorough search of available records, including BLM, Federal and State lists of potential sites, BLM land status records (Historical Index/Master title Plat), mining claim records, and case records for the Cain occupancy lease land sale did not reveal any potential for contamination by hazardous materials on said lands. A physical inspection of the property showed no evidence of disposal of hazardous materials on the ground (see the Hazardous material report in the land sale case file).
Water Quality	None	There are no surface waters on the subject property.
Wetland/Riparian Zones	None	Three ephemeral streams occur on the property. These streams flow only when the spring snows melt.
Wild and Scenic River	None	Property is outside the Klamath River corridor, the only designated river segment within the Klamath Falls Resource Area.
Cultural Resources	None anticipated	A cultural resource survey was conducted and no prehistoric or historic sites were found.
Wilderness Areas	None	None

**Table 2. Summary of Elements of Other Resources**

<b>Resource</b>	<b>Remarks</b>
Wild Horse and Burro Management Area	The property proposed for sale is not within a Wild Horse and Burro Management Area.
Mineral Resources	There is moderate potential for Oil, Gas and Geothermal resources. Those mineral resources will be reserved to the United States. All other mineral resources will be sold. Reference Mineral Report in the sale file.
Water Resources	No municipal watersheds are involved in the sale.
Rangeland Resources	Two grazing allotments could be impacted by the proposed sale. No impacts are anticipated as the land is being sold to the grazing permittees.
Visual Resources	No Class I or Class II VRM issues. Property proposed for sale inventoried as VRM Class III.
Recreation Resources	Recreational uses would be eliminated if the property was sold.
Existing Land Uses	The property is used for grazing. The existing grazing use is expected to continue.