

## DECISION MEMO

### Lake of the Woods ODOT Maintenance Station Permit Re-Issuance

Fremont-Winema National Forests  
Klamath Ranger District  
Klamath County, OR

**PROPOSED ACTION:** The Klamath District Ranger is proposing to re-issue the permit for the Oregon Department of Transportation (ODOT) Maintenance Station located on National Forest lands off Highway 140 near Lake of the Woods, Oregon. The permit covers the use of Forest Service lands for maintenance activities and existing and planned structures located within the ODOT compound. The legal description for the compound is Section 35, T36S, R5E.

**SCOPING:** General public scoping was started by placing the proposed project in the Spring 2004 Winema Schedule of Proposed Actions. Klamath Tribal Directors were contacted on April 1, 2004, to initiate Tribal scoping. A public scoping letter was mailed on April 1, 2004. The mailing list of individuals and organizations contacted is on file in the project record. There were no issues raised by the public or the Tribes regarding this permit re-issuance.

**DECISION AND REASON FOR CATEGORICAL EXCLUSION:** I have reviewed the interdisciplinary analysis and have decided to allow re-issuance of the permit to proceed. This permit allows continued use of the compound by ODOT for sanding, snow plowing, repair and other highway maintenance activities on State Highway 140 across the southern Cascades. The continued operation of ODOT in this compound is essential to the operation of Highway 140 and for the safety of the public. Cultural resource monitors will be used during any construction activities occurring within the compound. The permit is expected to be re-issued in May 2004.

This action falls within FSH 1909.15 Section 31.1, Category 7, "Sale or exchange of land or interest in land and resources where resulting land uses remain essentially the same."

No extraordinary circumstances exist that might cause the action to have significant effects; therefore, the action is categorically excluded from documentation in an environmental assessment or an environmental impact statement. Based on the environmental analysis and past experience, the effects of implementing this action will be of limited context and intensity and will result in little or no effects to either the physical or biological components of the environment.

**FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS:** This action is consistent with the management direction, including standards and guidelines, as outlined in the Winema Forest Land and Resource Management Plan as amended, and the Final Environmental Impact Statement documenting the analysis for the Plan. This action will comply with requirements of the Clean Water Act.

No significant impact is expected on cultural resources or Proposed, Endangered, Threatened, or Sensitive (TES) species.

No significant impact is expected on parkland, floodplains, wetlands, prime farmlands, wild and scenic rivers or ecologically critical areas. There are no anticipated significant impacts on consumers, minority groups, American Indians, women or civil rights. There are no anticipated significant impacts to Treaty and trust responsibilities with the Klamath Tribes.

There are no known significant indirect, cumulative, or unavoidable adverse effects on the environment. There is no threat to public health or safety. Implementation of this proposal meets the resource protection requirements of 36 CFR 219.17.

**APPEAL OPPORTUNITIES/IMPLEMENTATION DATE:** Pursuant to 36 CFR 215.4(a) this decision is not subject to requirements for Notice and Comment. This decision is not subject to appeal, pursuant to Forest Service regulations at 36 CFR 215.12(f). This decision may be implemented immediately.

**CONTACT PERSON:** Questions regarding this decision should be directed to Catherine Callaghan, Land Use Administration, Fremont-Winema National Forests, 541-947-6326.

\_\_\_\_ *Kent Russell* \_\_\_\_

\_\_\_\_\_ 5/26/2004 \_\_\_\_\_

**KENT N. RUSSELL**  
**District Ranger**  
**Klamath Ranger District**

**Date**