

## RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION (CX) DETERMINATION

CX Log #: OR-014-KCER-02-10 Lease or Serial #: N/A  
Project Name: Beaver-Proofing Willow Valley Reservoir Culvert  
Applicant: N/A Location: T41S, R141/2E, Sec. 19, NW NW  
Address: N/A County: Klamath  
BLM Office: Lakeview District, Klamath Falls Field Office Phone #: 541-883-6916

**Description of the Proposed Action:** The culvert that is under the Stateline road, downstream of the Willow Valley Reservoir Dam is currently being blocked by woody debris deposited from a resident beaver. In 2000, an active beaver blocked the same culvert and rising water put the road in jeopardy. The proposed action is to relocate the beavers and beaver-proof the culvert to stop this problem from reoccurring. There are currently 8-12 beaver lodges below the dam that would indicate that this culvert blocking would be an ongoing problem. The proposal is to live trap the beavers, if possible, and relocate them to BLM lands near Barnes Valley Creek. If live trapping is ineffective we will use lethal means to remove the beavers. The beavers will have to be removed in order to effectively remove the debris currently plugging the culvert so that water levels can be reduced in order to install the culvert enclosure. After the beavers have been relocated or removed and the water levels are reduced, the installation of a small protective enclosure to protect the culvert will be installed. No implementation will occur on the ground until cultural and botanical clearances are completed.

The proposed enclosure will be attached to the existing culvert (see attached drawing of enclosure). It will be made of ¼ in. x 2 in. metal screen. The enclosure dimensions will be approximately 8ft long x 4ft wide x 3ft tall. It will have a hinged door near the culvert to maintain access to the culvert. Ground disturbance should be minimal. The area directly under the edges of the enclosure will be leveled to ensure that the enclosure sits flush against the ground.

### PLAN CONFORMANCE

The above project has been reviewed and found to be in conformance with the following:

A. Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary, June 1995 (KFRA ROD/RMP/RPS), approved June 1995. Refer to Pages 71-72.

Reviewer/Date: / Steve Hayner / Title: Wildlife Biologist

### IDENTIFICATION OF EXCLUSION CATEGORY

The **Beaver-proofing of Willow Valley Reservoir Culvert** has been reviewed and qualifies as a categorical exclusion based on 516 DM 6, Appendix 5.4 H, 9, which provides for "Construction of small protective enclosures including those to protect reservoirs or springs..." and 516 DM 6,

Appendix 5.4 A, 6, which provides for the ARelocation of nuisance animals/predating wildlife, providing the relocation does not introduce new species into the ecosystem.”

## REVIEW OF CX EXCEPTIONS

The proposal has also been screened to determine if any special circumstances exist that would warrant NEPA analysis and documentation. This project does not meet the criteria for exception under 516 DM 2, Appendix 2 as summarized below:

| <u>Yes</u> | <u>No</u> | <u>CX Exception</u>   |
|------------|-----------|---|
| ( )        | ( X )     | 1. Have significant adverse effects on public health or safety.   |
| ( )        | ( X )     | 2. Have significant, adverse effects on unique geographic characteristics or features, or on special designation areas such as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; sole or principal drinking water aquifers; or prime farmlands. This also includes ecologically significant or critical areas, <i>such as significant caves, ACECs, National Monuments, WSAs, RNAs, and those listed on the National Register of Natural Landmarks.</i>   |
| ( )        | ( X )     | 3. Have highly controversial environmental effects (40 CFR 1508.14).  |
| ( )        | ( X )     | 4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.  |
| ( )        | ( X )     | 5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.  |
| ( )        | ( X )     | 6. Be directly related to other actions with individually insignificant, but significant cumulative environmental effects. <i>This includes connected actions on private lands (40 CFR 1508.7 and 1508.25(a)).</i>  |
| ( )        | ( X )     | 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places. <i>This includes Native American religious or cultural sites, archaeological sites, or historic properties.</i>   |
| ( )        | ( X )     | 8. Have adverse effects on species listed, or proposed to be listed, as Federally Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species. <i>This includes impacts on BLM-designated sensitive species or their habitat. When a Federally listed species or its habitat is encountered, a Biological Evaluation (BE) shall document the effect on the species. The responsible official may proceed with the proposed action without preparing a NEPA document when the BE demonstrates either 1) a “no effect” determination or 2) a “may effect, not likely to adversely effect” determination.</i> |
| ( )        | ( X )     | 9. Fail to comply with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act ( <i>water resource development projects only</i> ).  |
| ( )        | ( X )     | 10. Violate a Federal, State, Local, or Tribal law, regulation or policy imposed for the protection of the environment, <i>where non-Federal requirements are consistent with Federal requirements.</i>   |

In addition, other topics or issues need to be assessed for potential impacts based on US Department of Interior Policy or rule making: This project would:

Yes No

- ( ) (X) a. Involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E)) not already decided in an approved land use plan.
- ( ) (X) b. Have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice).
- ( ) (X) c. Restrict access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites; Executive Order 13007 (Indian Sacred Sites).
- ( ) (X) d. Have significant adverse effect on Indian Trust Resources.
- ( ) (X) e. Contribute to the introduction, existence, or spread of: Federally listed noxious weeds (Federal Noxious Weed Control Act); or invasive non-native species; Executive Order 13112 (Invasive Species).
- ( ) (X) f. Have a direct or indirect adverse impact on energy development, production, supply, and/or distribution; Executive Order 13212 (Actions to Expedite Energy-Related Projects).

**DOCUMENTATION OF RECOMMENDED MITIGATION**

For any item checked "Yes" identify the mitigating measures proposed. If no mitigating measures are identified that can prevent the potential adverse impacts, the conditions for a categorical exclusion cannot be met.

| Item No. | Can Be Mitigated | Cannot Be Mitigated | Mitigation Measures |
|----------|------------------|---------------------|---------------------|
|----------|------------------|---------------------|---------------------|

**SURVEYS AND CONSULTATION**

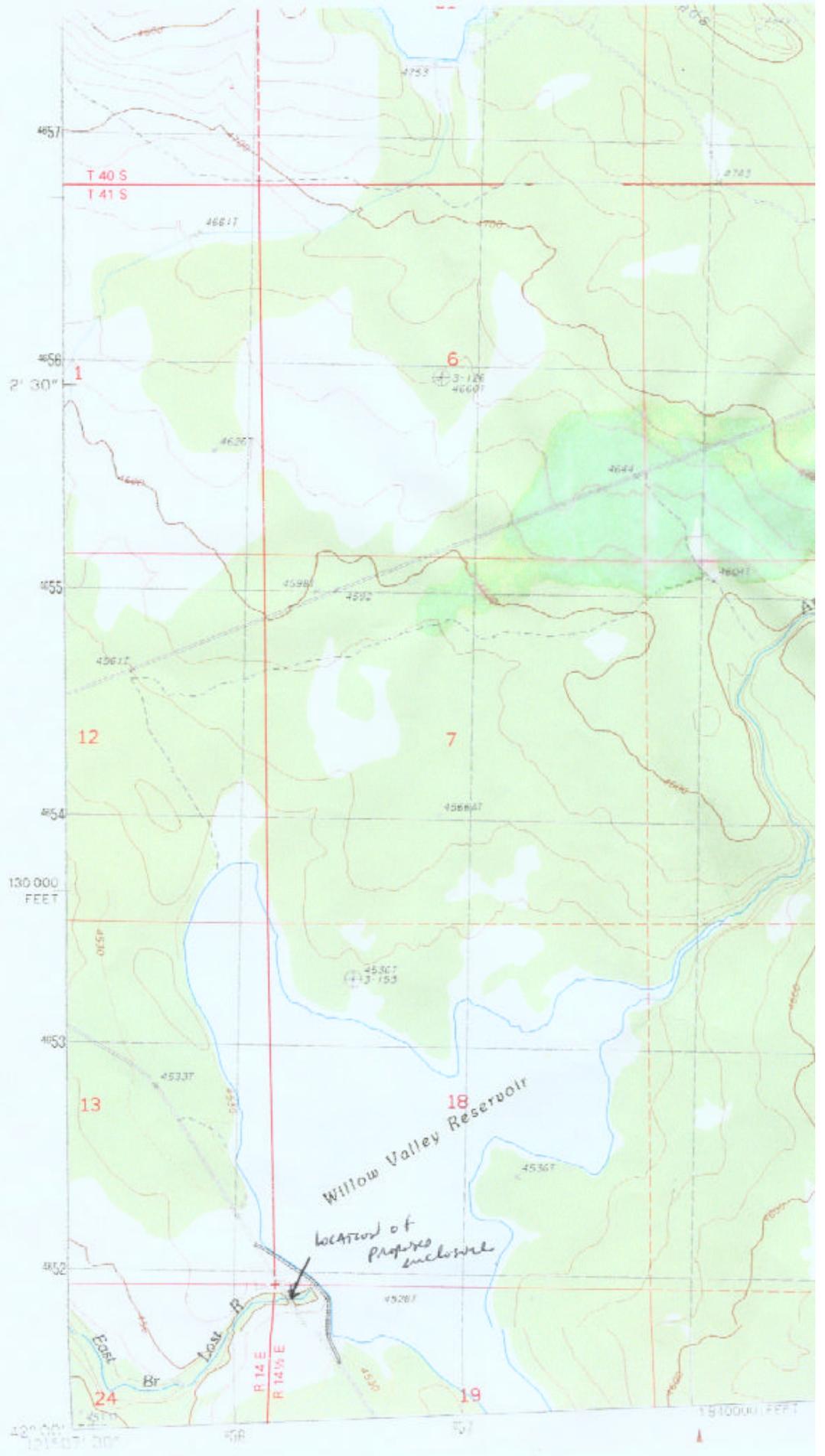
Surveys and/or consultation may be needed for special status plants and animals, for cultural resources, and other resources as necessary: (Initial and Date appropriate fields)

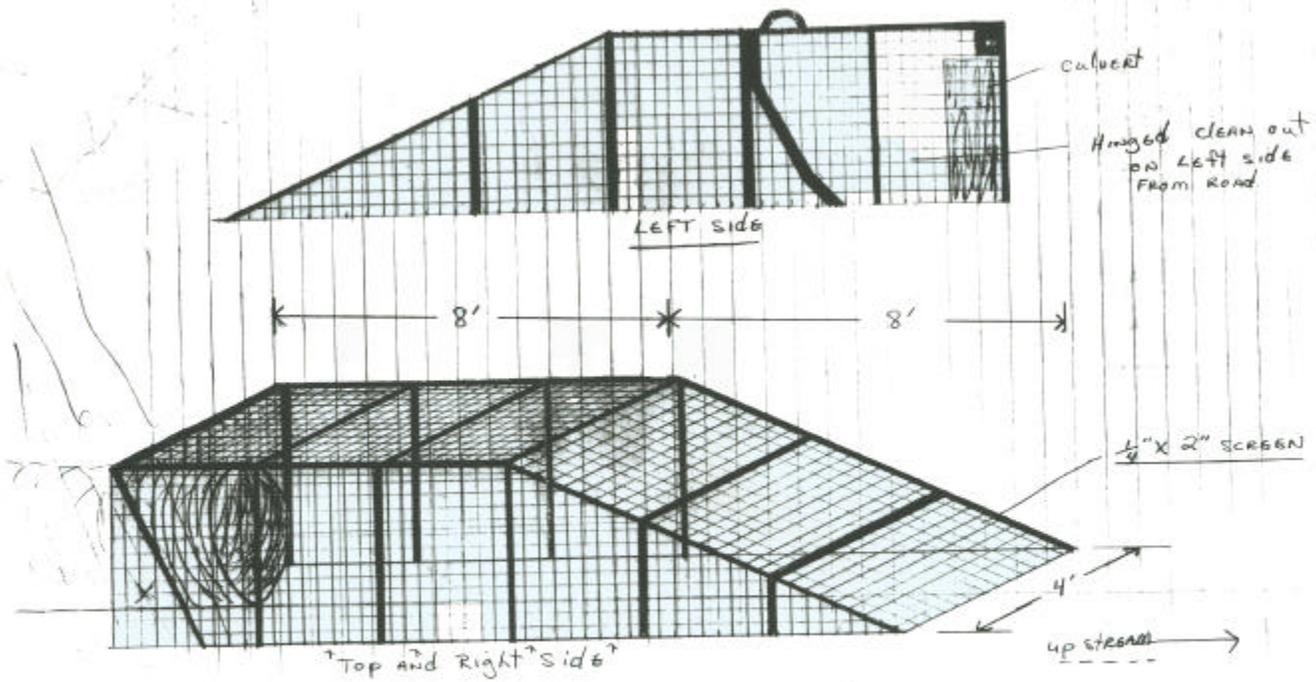
| <u>Surveys:</u>        | 1) are completed | 2) will be completed | 3) are not needed |
|------------------------|------------------|----------------------|-------------------|
| SS Plants              | _____            | _____                | _____ <i>PLW</i>  |
| SS Animals             | _____            | _____                | _____ <i>SJA</i>  |
| Cultural Resources     | _____            | _____                | _____ <i>TC</i>   |
| Other Surveys          | _____            | _____                | _____             |
| SS Animal Consultation | _____            | _____                | _____ <i>SJA</i>  |
| Botanical Consultation | _____            | _____                | _____             |
| Cultural Consultation  | _____            | _____                | _____             |

(SS = Special Status)

**Remarks:** A review of the proposed action was completed by resource specialists and their concerns have been incorporated into project design.







**APPROX DIMENSIONS**  
 8 FT x 4 FT x 3 FT  
 Long      Wide      TALL