

RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION (CX) DETERMINATION

CX Log #: OR-014-CX-04-22 Lease or Serial #: OR35373
Project Name: KOTI communication site amendment
Location: Stukel Mountain Comm. Site County: Klamath County
BLM Office: Lakeview District, Klamath Falls Resource Area Phone #: 541-883-6916
Applicant: Calif. Oregon Broadcasting, Inc. Address: 125 S. Fir St., Medford, Or 97501

Description of the Proposed Action:

KOTI plans to add onto existing building and new equipment, with a 6' x 5' x 6.2' enclosure mounted on a concrete pedestal and attached to an existing comm. building. They will use existing 130' tower. 10'x10' square buried ground wire loop. No grading necessary. There will be approximately a 2 week installation timeframe during June 2004.

PLAN CONFORMANCE

The above project has been reviewed and found to be in conformance with one or more of the following BLM plans or NEPA analyses: (reference appropriate section/pages of the plan)

- A. Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (KFRA ROD/RMP/RPS), approved June 1995. Refer to Page 67 column 2 paragraph 7.*
- F. Northwest Area Noxious Weed Control Program FEIS and ROD (1985) and Supplement (1987)*
- G. Integrated Weed Control Plan (IWCP) 1993*
- H. Lakeview District Fire Management Plan - Phase 1 (1998)*
- I. Wildland and Prescribed Fire Management Policy (1998)*
- J. Emergency Fire Rehabilitation Plan (see Interagency Burned Area Emergency Stabilization and Rehabilitation Handbook (2001))*
- K. Rangeland Reform FEIS and ROD (1995)*
- L. Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management in the States of Oregon and Washington (1997)*
- M. Standards for Land Health for Lands Administered by the Bureau of Land Management in the States of Oregon and Washington (1998)*
- N. Interior Columbia Basin Strategy Scientific Documentation (2003)*
- O. Northwest Forest Plan (1994)*
- P. National Fire Plan (A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-Year Comprehensive Strategy) (2001)*

IDENTIFICATION OF EXCLUSION CATEGORY

The proposed action has been identified as a categorical exclusion under– **Department Level Categorical Exclusions (516 DM 6, Appendix 5.4 E-13)**

COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT

The proposed action is categorically excluded from further analysis or documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM2, Appendix 1, 1.12 if it does not meet any of the following Exceptions (listed in 516 DM 2, Appendix 2; IM No. OR-2002-130).

Will the proposed action meet the following Exceptions?

<u>Exception</u>	<u>Yes No</u>
1. Have significant adverse effects on public health or safety?	() (X)
2. Have adverse effects on such 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; prime farmlands; or ecologically significant or critical areas, including those listed on the National Register of Natural Landmarks. This also includes significant caves, ACECs, National Monuments, WSAs, RNAs.	() (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 principle about future actions with potentially significant environmental effects?	() (X)
6. Be directly related to other actions with individually insignificant, but significant cumulative environmental effects? This includes connected actions on private lands (40 CFR 1508.7 and 1508.25(a)).	() (X)
7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places? This includes Native American religious or cultural sites, archaeological sites, or historic properties.	() (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? 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.	() (X)
9. Fail to comply with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act (water resource development projects only)?	() (X)
10. Violate a Federal, State, Local, or Tribal law, regulation or policy imposed for the protection of the environment, where non-Federal requirements are consistent with Federal requirements?	() (X)
11. Involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E)) not already decided in an approved land use plan?	() (X)

12. Have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice)?	() (X)
13. 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)
14. Have significant adverse effect on Indian Trust Resources?	() (X)
15. 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)
16. Have a direct or indirect adverse impact on energy development, production, supply, and/or distribution; Executive Order 13212 (Actions to Expedite Energy-Related Projects)?	() (X)

The proposed action would not create adverse environmental effects or meet any of the above exceptions.

Action is upgrading system and permitting within original ROW.

DOCUMENTATION OF RECOMMENDED MITIGATION

For any item marked under "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)

Surveys:	1) are completed	2) will be completed	3) are not needed
SS Plants	JW 6/3/04		Sus 6/18/04
SS Animals			
Cultural Resources	TC 6/7/04		
Other Surveys			
SS Animal Consultation			SA 6/18/04
Botanical Consultation			JW 6/3/04
Cultural Consultation		TC 6/7/04	

(SS = Special Status)

Remarks:

SUMMARY OF FINDINGS and CX DETERMINATION

Based on the available information and a review by the interdisciplinary team, it is my determination that the proposed action does not constitute a significant impact affecting the quality of the human environment greater than those addressed in the:

- Final - Klamath Falls Resource Area Resource Management Plan and EIS.

The proposed action would not create adverse environmental impacts or require the preparation of an environmental assessment (EA) or environmental impact statement (EIS). The proposed action has been reviewed against the criteria for an Exception to a categorical exclusion (listed above) as identified in 516 DM 2, Appendix 2, and does not meet any Exception. The application of this categorical exclusion is appropriate, as there are no extra ordinary circumstances potentially having effects that may significantly affect the environment. The proposed action is, therefore, categorically excluded from additional NEPA documentation.

Prepared By: (Signature)	Name: Linda Younger <i>Linda Younger</i>	Title: Realty Specialist	Date: <i>4/3/04</i>
Reviewed By: (Signature)	Name: Don Hoffheins <i>Kathy Lindsey</i>	Title: Planner/ Environmental Coordinator	Date: <i>6/7/04</i>
Approved By: (Signature)	Name: Jon Raby <i>Jon Raby</i>	Title: Resource Area Manager	Date: <i>6-7-04</i>

Klamath Falls Resource Area NEPA Document Routing Slip for Internal Review

Project Name: KOTI Comm. Site Amendment
 Date Initiated: 6/1/04

Resource or Staff Responsible	Review Priority	Preliminary Review Date/Initials	Comments Attached/Incorporated	Final Review Date/Initials
Manager: Jon Raby	Last			JR 6/7/04
Branch Chief: Barbara Duman	Second to Last			JB 6/7/04
Branch Chief: Larry Frazier	Second to Last			
Branch Chief: Rod Johnson	Second to Last			RJ 6/7/04
Planner/EC: Don Hoffheins, Kathy Lindsey	Third from Last			KL 6/7/04
Range: Bill Lindsey, Dana Eckard				
Wild Horses: Tonya Pinckney				
Fire/Air Quality: Joe Foran		6/7/04 MS	NONE	MS 6/7/04
Silviculture: Bill Johnson, Gabi Sommerauer				
Timber: Mike Bechdolt				
Botany/ACEC//Noxious Weeds: Lou Whiteaker		6/3/04 JW	None	6/3/04 JW
Soils:				
Cultural: Tim Canaday		TC 6/7/04		TC 6/7/04
Minerals/HazMat: Tom Cottingham				Tom 6/7/04
Lands/Realty: Linda Younger	Return			
Recreation/Visual/Wilderness: Scott Senter				
Hydrology/Riparian: Mike Turaski, Andy Hamilton				
Wildlife/T&E: Steve Hayner		6/6/04 SH	None	6/6/04 SH
Fisheries/T&E: Scott Snedaker				
W/S Rivers: Grant Weidenbach				
Engineering: Brian McCarty		6/7/04 BMC	NONE	6/7/04 BMC
Survey/Manage: Molly Juillerat				
Clearances/Surveys	Needed	Done/Attached	<p>*This document will not sit on your desk for more than 8 hours. Please check on calendar to make sure that the next person will be available to review the document.</p> <p>**Some resource areas may not apply for all projects. If so, just mark "N/A" in "Review Priority" column.</p>	
Cultural				
Botanical		JW 6/3/04		
T&E, BA & or Consultation				
R-O-W Permits		Lyng		