

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

CX Log #: OR-014-CX-03-09 Lease or Serial #: OR58484  
Project Name: Bureau of Reclamation, monitoring points, Gerber DAM site  
Applicant: Bill Wood, authorized agent Location Gerber Dam campground  
Address: 6600 Washburn Way, Klamath Falls, OR 97603 County: Klamath County  
BLM Office: Lakeview District, Klamath Falls Resource Area Phone #: 541-883-6916

**Description of the Proposed Action:** Installation of 3 theodolite piers will be constructed on BLM land near the dam. All equipment and materials will be packed in by hand. See site indicated in sketch 1. These piers will be used to monitor the dam for an undetermined length of time. This is to monitor horizontal movement of the dam. BOR safety office has requested that the BOR basin area office monitor Gerber Dam.

**PLAN CONFORMANCE**

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

**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 Page 66.**

**B. EA # \_\_\_\_\_, Titled \_\_\_\_\_**

Reviewer Juda C. George Date 4/27/03

**IDENTIFICATION OF EXCLUSION CATEGORY**

The proposed action has been identified as a categorical exclusion (H-11) – Department Level Categorical Exclusions (516 DM 2, Appendix 1.7), or Bureau of Land Management Categorical Exclusions (516 DM 6, Appendix 5)>>.

**REVIEW OF CX EXCEPTIONS**

The proposed action would not create adverse environmental effects on resources or programs listed as Categorical Exceptions, unless noted otherwise. The proposed action will:

- | <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</i> , and those listed on the National Register of Natural Landmarks. |
| ( )        | (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. *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.*

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
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**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	_____	_____	JW 5/5/03
SS Animals	_____	_____	Sub 5/20/03
Cultural Resources	TC 5/19/03	_____	_____
Other Surveys	_____	_____	_____
SS Animal Consultation	_____	_____	Sub 6/20/03
Botanical Consultation	_____	_____	JW 5/5/03
Cultural Consultation	_____	_____	_____

(SS = Special Status)

Remarks:

**SUMMARY OF FINDINGS and CX DETERMINATION**

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 fall under any exception. The proposed action would not create adverse environmental impacts or require the preparation of an environmental assessment (EA) or environmental impact statement (EIS) and is therefore, categorically excluded from NEPA documentation.

Prepared By: Linda Younger Date: 4-29-03  
 Linda Younger, Realty Specialist

Reviewed By: Kathy Lindsey Date: 5-20-03  
 for Don Hoffheins, Planner

Approved By: [Signature] Date: 5/20/03  
 Jon Baby, Acting Field Manager  
 Klamath Falls Resource Area

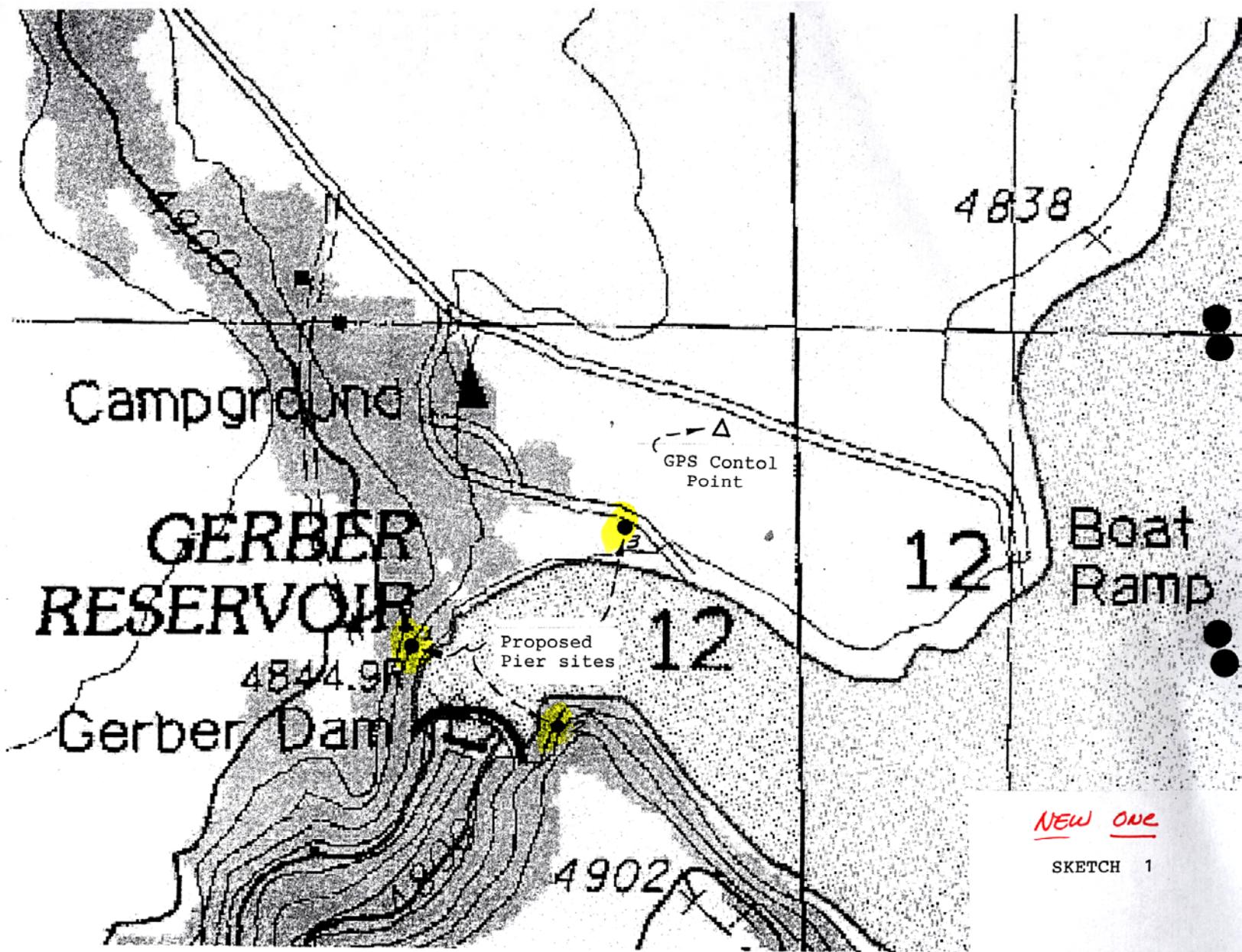
Linda,

The attached drawing shows the revised location of the survey points needed for the monitoring of Gerber Dam. The points are marked in the field with a survey lath so that the sites can be checked and evaluated. The UTM coordinates for the points are as follows:

Point 1	E 654441.5 N 4673704.3
Point 2	E 654559.3 N 4673616.8
Point 3	E 654651.6 N 4673789.7

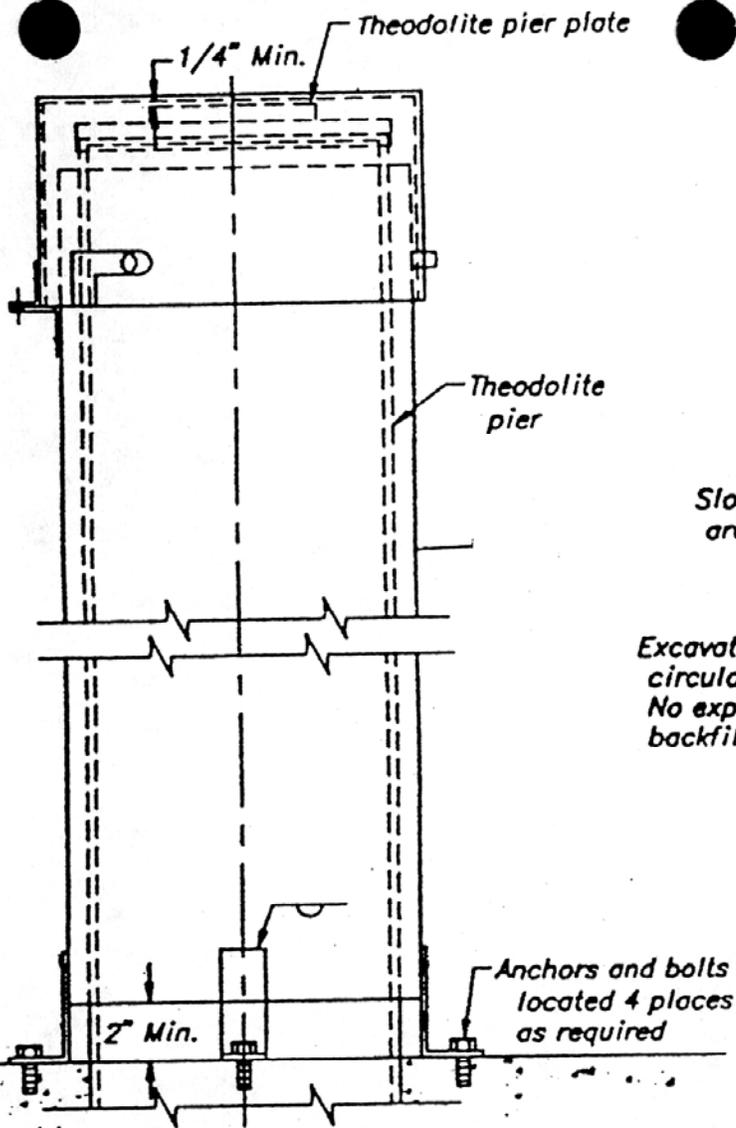
If you have any questions please give me a call at 880-2568.

Bill Wood

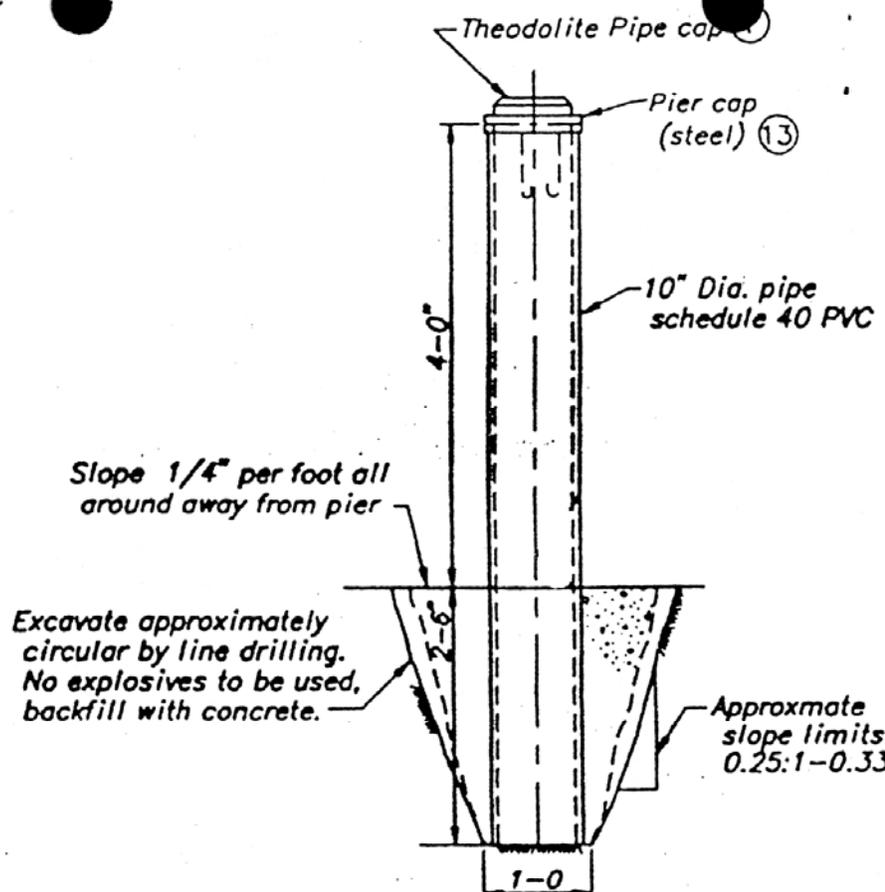


NEW ONE

SKETCH 1



**HEAT SHIELD ASSEMBLY**



**THEODOLITE PIER ELEVATION**

SKETCH 2

Klamath Falls Resource Area Project Proposal Routing Slip for Internal Review

09

Project Name: BOR monitoring points - GERBER DAM

Date Initiated: 4/24/03

Resource or Staff Responsible	Review Priority	Preliminary Review Date/Initials	Comments Attached/Incorporated	Final Review Date/Initials
Manager: <sup>JON RABY</sup> Teri Ramt	Last			JWR 5/24/03
Branch Chief: Barbara Ditman	Second to Last			
Branch Chief: Larry Frazier	Second to Last			
Branch Chief: Mel Crockett	Second to Last			
Planner/EC: Don Hoffheins (16) Kathy Lindsey	Third from Last			KL 5-20-03
Range: Bill Lindsey Range: Dana Eckard				
Wild Horses: Tonya Pinckney				
Fire/Air Quality: Joe Foran				
Silviculture: Bill Johnson, Gabi Sommerauer				
Timber: Mike Bechdolt				
Botany/ACEC/Noxious Weeds: Lou Whiteaker (5)		JW 5/5/03	none	JW 5/4/03
Pls: Jannice & Mike Cutler				
Cultural: Tim Canaday (4)		TC 5/4/03	A cultural site is present adjacent to the northern monitoring point. Field review will be necessary. TC 5/4/03	TC 5/19/03
Minerals/HazMat: Tom Cottingham				
Lands/Realty: Linda Younger				
Recreation/Visuals/Wilderness : Scott Senter (3)		VSS 4/24/03	-	VSI 4/24/03
Hydrology/Riparian: Mike Turaski, Andy Hamilton (2)		MRT 5/5/03	SITES LOCATED W/IN <del>NOVA</del> RIPARIAN RESERVES - SEE PAGE 2	MRT 5/12/03 <del>MRT 5/5/03</del>
Wildlife/T&E: Gayle Sitter (1)		GH 5/1/03		GH 5/1/03
Fisheries/T&E: Scott Snedaker				
W/S Rivers: Grant Weidenbach				
Engineering: Brian McCarty				
Clearances/Surveys	Needed	Done/Attached	<p><b>*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.</b></p> <p><b>**Some resource areas may not apply for all projects. If so, just mark "N/A" in "Review Priority" column.</b></p>	
Cultural		TC 5/19/03		
Botanical	None	JW 5/5/03		
E, BA & or Consultation	None	GH 5/1/03		
R-O-W Permits				