

KLAMATH FALLS RESOURCE AREA
NEPA CONFORMANCE/PLAN CONFORMANCE
RECORD

KCER-99-09

BLM Office: Klamath Falls R.A.

Serial No. OR 54894

Applicant: B & L Logging, Inc.

Proposed Action Title/Type: O & C road permit

Location of Proposed Action: T. 38 S., R. 5 E. Sec. 14 NW¼NW¼; Sec. 22 NE¼SE¼, SE¼NE¼; Sec. 23 N½S½; Sec. 24 SW¼SE¼, N½SW¼. BLM administered roads 39-7E-31 and 38-5E-22 located within the above described lands.

Description of Proposed Action: issue an O&C road use permit to haul commercial timber harvested from private lands.

Part 1 Plan Conformance Review This proposed action is subject to the Klamath Falls Resource Area Record of Decision and Resource Management Plan, approved June 1995.

The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM MS 1617.3)

Tom Cottingham
Realty Specialist

Part 2 NEPA Review

A. Categorical exclusion review. This proposed action qualifies as a categorical exclusion under 516 DM 6, Appendix 5.4 E (16). It has been reviewed to determine if any exceptions described in 516 DM 2, Appendix 2, apply.

Tom Cottingham
Realty Specialist

B. Existing EA/EIS review. This proposed action is addressed in the following existing BLM EA/EIS: Klamath Falls Resource Area Record of Decision and Resource Management Plan Date Approved: June 1995.

This EA/EIS has been reviewed against the following criteria to determine if it covers the proposed action:

1. The proposed action is a feature of, or is essentially the same as, the alternative selected and analyzed in the existing document.
2. A reasonable range of alternatives was analyzed in the existing document.
3. There has been no significant change in circumstances or significant new information germane to the proposed action.
4. The methodology/analytical techniques approach previously used is appropriate for the proposed action.
5. The direct and indirect impacts of the proposed action are not significantly different than those identified in the existing document.
6. The proposed action would not change the previous analysis of cumulative impacts.
7. Public involvement in the previous analysis provides appropriate coverage for the proposed action.

Tom Cottingham
Realty Specialist

Part 3 Recommendation/Rationale

Recommendation: I recommend that a O & C road permit be granted to B & L Logging until December 31, 1999, with an option to renew, for use of BLM-administered roads 39-7E-31 and 38-5E-22 located within T. 38 S., R. 5 E. Sec. 14 NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 22 NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 23 N $\frac{1}{2}$ S $\frac{1}{2}$; Sec. 24 SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ S W $\frac{1}{4}$. The grant should be made under the authority of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761) and subject to the terms and conditions in 43 CFR 2801. The grant should also be subject to the mitigations set forth in the application.

Rationale for Recommendation: The proposed action meets the criteria for categorical exclusion in 516 DM 6, Appendix 5.4 E (16), and none of the exceptions in 516 DM 2, Appendix 2, apply. Further, the action is in conformance with the Klamath Falls Resource Area Resource Management Plan, Approved June 1995 June 1995.

Tom Cottingham
Realty Specialist

Date 1/18/99

Decision: I have reviewed this plan conformance and NEPA conformance record and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures identified below.

Mitigation Measures/Other Remarks: None

B & L Logging, Inc.
10950 Highway 140
Eagle Point, OR 97524

Categorical Exclusion No. KCER-99-09

The proposed action to issue an O&C road use permit to haul commercial timber harvested from private lands is designated a categorical exclusion in 516 DM 6 appendix 5.4 E (16). The proposal has been screened and does not meet the criteria for exception under 516 DM 2.3A(3): 1. Health and Safety; 2. Unique Resources; 3. Controversial; 4. Risks; 5. Precedent; 6. Cumulative; 7. Cultural and Historical; 8. Threatened or Endangered Species; 9. Violate Law. Therefore, no further environmental analysis is required.

/s./ Richard Mayberry
Richard W. Mayberry
Acting Klamath Falls Field Manager

1/19/99
Date