

RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION (CX) DETERMINATION

Lease or CX Log #: OR-014-KCER-01-13 Serial #: _____
Project Name: DeVaul Grazing Allotment (00879) Transfer
Applicant: Ron and Rhonda Skiver Location: T39S, R13E, Sec.9, 10, & 15, 240 acres
Address: _____ County: _____
BLM Office: Klamath Falls Resource Area Phone #: 541-883-6916
CX Number from Current Department or Bureau List: 516 DM6 Appendix 5, D. Rangeland
Management (1) Approval of transfers of grazing preference.

Description of the Proposed Action:

Transfer of Grazing Lease from Carson and Elizabeth Merkely to Ron and Rhonda Skiver. Skivers have leased the base property for the DeVaul Grazing Allotment, #00879, from the Merkelys and have completed the proper applications for the transfer of the grazing lease. The current grazing lease will be continued with the same parameters of 12 AUMs of cattle use from May 1 to August 30. The grazing lease will expire on 4/30/2004.

PLAN CONFORMANCE

The above project has been reviewed and found to be in conformance with one or more of the following BLM plans:

- Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (1995),

Reviewer D/K Hoffmann Date 5/16/01 (See attached comments)

DOCUMENTATION OF CATEGORICAL EXCLUSION (CX) EXCEPTIONS

The proposed action would not create adverse environmental effects under the CX exceptions, unless as noted. 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 adverse effects on such unique geographic characteristics such as historic cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the National Register of Natural Landmarks.

- () (X) 3. Have highly controversial environmental effects.
- () (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.
- () (X) 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
- () (X) 8. Have adverse effects on species listed or proposed to be listed (i.e. candidate species) as Federally Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species.
- () (X) 9. Require compliance 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. Threaten to violate a Federal, State, Local, or tribal law, regulation, executive order, or other requirement imposed for the protection of the environment.

DOCUMENTATION OF RECOMMENDED MITIGATION

For any item checked "Yes" identify the mitigating measures proposed. If not, the conditions for CX cannot be met.

Item No.	Can Be Mitigated	Cannot Be Mitigated	Mitigation Measures
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SUMMARY OF FINDINGS

The proposed action to transfer a grazing lease is categorically excluded under 516 DM 6, Appendix 5, D(1) and 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 ten criteria for an exception to a categorical exclusion (listed above) as identified in 516 DM 2, Appendix 2, does not fall under any exception, and is therefore categorically excluded from further NEPA evaluation or documentation.

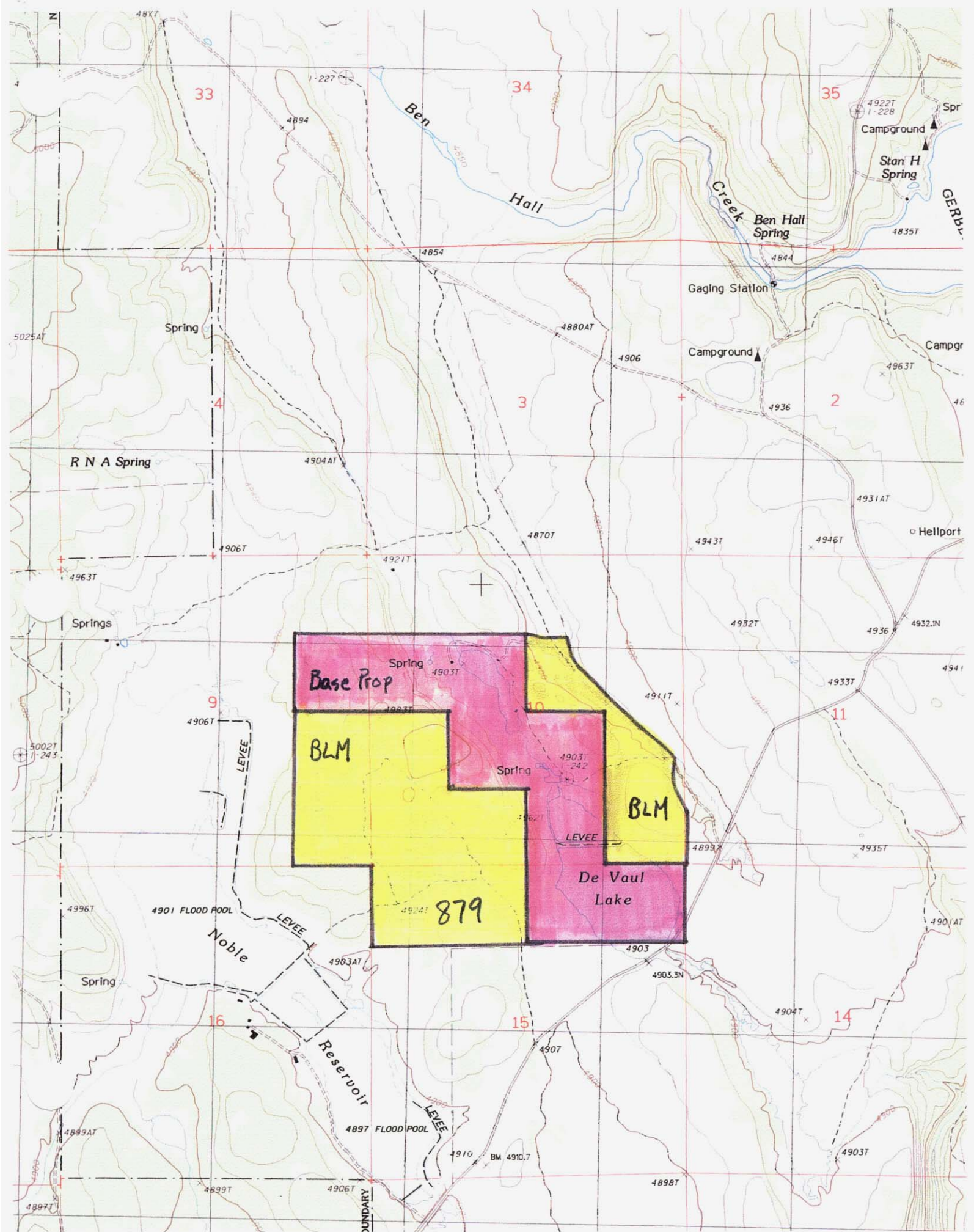
CX DETERMINATION

The proposed action and any specified mitigation measure(s) has been determined to meet the criteria for a CX and does not fall under any of the CX exceptions.

Dana L. Ekin R.M.S 5/3/01
Prepared By Title Date

DK Haffhus Planner 5/18/01
Reviewed By Title Date

Teusa A. Romo Field Manager 5/22/01
Approved By Title Date



**Project Tracking Form for Non-Exempt Undertakings
under the
Oregon BLM/SHPO Cultural Resource Protocol**

Project Name: DeVaul Grazing Allotment (#00879) Transfer Project Acres: 240
Cultural Project Number: NA
Project Number (EIS, EA, CE or Conformance Determination): CX Log # OR-014-KCER-01-13
ID Team Leader: Bill Lindsey
Location (Township, Range and Section): T. 39S, R. 13E, Sections 9, 10, 15
USGS Quads: Goodlow Mtn., OR. 7.5'

☐ Reduced or Exempted Inventory
 ☐ Protocol Appendix A (Survey Techniques for Densely Vegetated Areas)
 ☒ Protocol Appendix B (Livestock Use Allocations)
 ☐ Protocol Appendix C (Prescribed Burn Project Areas)
 ☐ Protocol Appendix D (Cultural Resource Inventories in the Coast Range Province)
 ☒ Protocol Appendix E (Exempt Undertakings)
 ☐ Other Justification:
☐ Small Project (< 10 acres or <2 linear miles), No Resources
☐ Large Project (> 10 acres or >2 linear miles), No Resources
☒ No Effect Determination
 BLM Site Numbers:
 BLM Isolate Numbers:
☐ No Adverse Effect (Effects Mitigated Through Treatment)
 BLM Site Numbers:
☐ SHPO Review Required
 ☐ Mitigation Plan forwarded to SHPO for 30 day review.
 ☐ Indicate Date SHPO Received:
 ☐ SHPO concurrence; Date:

The BLM has completed its Section 106 responsibilities under the 1997 National Programmatic Agreement and the 1998 Oregon Protocol.

Signature *Michelle G. Turant* Date *4/4/01*
Professional Cultural Resource Specialist

Signature *Teresa A. Romb* Date *5/22/01*
Field Manager

OR-014, KCER-01-13


DeVaul Grazing Allotment (0879) Transfer

Comments concerning Page 1, "Plan Conformance":

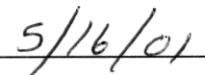
The project is in conformance with the Klamath Falls Resource Area Record of Decision and Resource Management Plan (ROD/RMP) (1995). However, the dates of grazing use in the grazing lease (May 1 to August 30) differ from those listed in the ROD/RMP (May 1 to August 1). When the RMP was written, it proposed livestock use reductions, but did not make the decision to do so. "All changes to these and other attributes of livestock grazing management will be made through the monitoring and evaluation process as outlined in the section *Rangeland Monitoring and Evaluation*" (ROD/RMP Page H-1).

An evaluation of monitoring has not been completed. Thus the season of use dates remain as shown in the grazing lease (i.e., May 1 to August 30).

Reviewer


Donald K. Hoffheins
Resource Area Planner

Date



KCEP-01-13 Klamath Falls Resource Area Project Proposal Routing Slip for Internal Review

Project Name: DeVaul Grazing Allotment Transfer

Date Initiated: 5/3/01

Resource or Staff Responsible	Review Priority	Preliminary Review Date/Initials	Comments Attached/Incorporated	Final Review Date/Initials
Manager: Teri Raml	Last			
Branch Chief: Barbara Ditman	Second to Last			BQ 5/17/01
Branch Chief: Larry Frazier	Second to Last			
Branch Chief: Mel Crockett	Second to Last			
Planner/EC: Don Hoffheins	Third from Last			SKA 5/16/01
Range: Bill Lindsey Range: Dana Eckard			author	PL 5/3/01 D&E 5/3/01
Wild Horses: Tonya Pinckney				
Fire/Air Quality: Joe Foran				
Silviculture: Bill Johnson				
Timber: Mike Bechdolt				
Botany/ACEC/Sensitive Plants/Noxious Weeds: Lou Whiteaker				JW 5/4/01
Soils: David Lebo				
Cultural: Michelle Durant			See Attached	al.D. 4/4/01
Lands/Realty/Minerals/HazMat: Tom Cottingham				
Recreation/Visuals/Wilderness: Scott Senter				
Hydrology/Riparian: Mike Turaski				
Wildlife/T&E: Gayle Sitter				SK 5/10/01
Fisheries/T&E: Scott Snedaker				
W&S Rivers: Grant Weidenbach				
Engineering: Brian McCarty				
Clearances/Surveys	Needed	Done/Attached	<p>*This document will not sit on your desk for more than 8 hours</p> <p>**Some resource areas may not apply for all projects. If so, just mark "N/A" and date reviewed.</p>	
Cultural				
Botanical	NO	JW 5/4/01		
T&E, BA & or Consultation				
04 Permit				
R-O-W Permits				