Fire Serve LLC
900 Main St.
Klamath Falls, OR 97601

Categorical Exclusion No. KCER-01-03

The proposed action to Issue a right-of-way grant to Fire Serve LLC for use of the Stuke Mountain road to access their communication site is designated a categorical exclusion in 516 DM 6 appendix 5.4 E(12). 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.

/Signature/ 12/04/00
Teresa A. Raml Date
Field Manager
Klamath Falls Resource Area
Optional Plan Conformance Review/NEPA Compliance Record
and/or Categorical Exclusion Review

Klamath Falls Resource Area Project File Number - OR 56158

Proposed Action Title/Type: Use of the Stukel Mountain Access Road

Location of Proposed Action: T. 40 S., R. 10 E. Sec. 3 SW¼NW¼, N½SW¼, NW¼SE¼; Sec. 4 N½N½, SE¼NE¼; Sec. 5 NE¼; Sec. 10 E½E½; Sec. 15 N½NE¼, SW¼NE¼, NE¼NW¼

Description of Proposed Action: Fire Serve LLC has applied for a right-of-way grant to allow year round access to their communication site atop Stukel mountain.

Applicant (if any): Fire Serve LLC
900 Main St.
Klamath Falls, OR 97601

PART 1: PLAN CONFORMANCE REVIEW. This proposed action is subject to the following land use plan:

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

Signature of Reviewers: Tom Cottingham
Realty Specialist

Remarks: _________________________________________________________________________________________

PART 2: NEPA REVIEW

A. Categorical exclusion review. This proposed action qualifies as a categorical exclusion under 516 DM 6, Appendix 5.4 E(12). It has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2, apply.

Signature of Reviewers: Tom Cottingham
Realty Specialist

B. Existing EA/EIS review. This proposed action is addressed in the following existing BLM EA/EIS:
Name of Document: Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (KFRA ROD/RMP/RPS)
Date Approved: June 1995

This EA/EIS has been reviewed against the following criteria to determine if it covers the proposed action:
C The proposed action is a feature of, or essentially the same as, the alternative selected and analyzed in the existing document.
C There has been no significant change in circumstances or significant new information germane to the proposed action.
C The methodology/analytical approach previously used is appropriate for the proposed action.
C The direct and indirect impacts of the proposed action are not significantly different from those identified in the existing document.
C The proposed action would not change the previous analysis of cumulative impacts.
C Public involvement in the previous analysis is appropriate coverage for the proposed action.

Signature of Reviewer: Tom Cottingham
Realty Specialist

Remarks: References to the proposed action are found on the following pages of the KFRA ROD/RMP/RPS:

Part 3. Recommendation/Rationale

Recommendation: I recommend that a right-of-way 6.3 miles long and 30feet wide, for year round use of the Stukel Mountain access road be granted to Fire Serve LLC for a period of 20 years, with an option to renew, across T. 40 S., R. 10 E. Sec. 3 SW¼NW¼, N½SW¼, NW¼SE¼; Sec. 4 N½N½, SE¼NE¼; Sec. 5 NE¼; Sec. 10 E½E½; Sec. 15 N½NE¼, SW¼NE¼, NE¼NW¼. 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 and rental payments as determined by 43 CFR 2803.1-2. 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(12), 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 2, 1995.

______________________________
Tom Cottingham
Realty Specialist  Date

**PART 4. DECISION.** I have reviewed this plan conformance and NEPA compliance 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:_

Authorized Official: /Teresa A. Raml/
Teresa A. Raml
Field Manager  Date: 12/04/00