

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

CX Log #: OR-014-CX-04-09 Lease or Serial #: OR 60125  
 Project Name: O&C Road use Permit 04-01  
 Location: T.41S., R7E., Section8, WM County: Klamath County  
 BLM Office: Lakeview District, Klamath Falls Resource Area Phone #: 541-883-6916  
 Applicant: Oregon Dept. of Forestry Address: 3200 Delap Rd., Klamath Falls, Or 97601

**Description of the Proposed Action:**

BLM will be issuing ODF a permit to use O&C roads to transport timber. The permit will charge no rental, but will charge a rock-wear fee for each load hauled. Approximately 2,500 MBF will be hauled. The attached map shows haul route for the sale. Hauling will start as soon as roads are dry and will end by September 2006.

**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

**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 66**

**B. Northwest Area Noxious Weed Control Program FEIS and ROD (1985) and Supplement (1987)**

**C. Integrated Weed Control Plan (IWCP) 1993**

**IDENTIFICATION OF EXCLUSION CATEGORY**

The proposed action has been identified as a categorical exclusion under **Bureau of Land Management Categorical Exclusions 516 DM 6, Appendix 5.4 E (12)**.

**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</u> <u>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	( ) ( X )

listed on the National Register of Natural Landmarks. This also includes significant caves, ACECs, National Monuments, WSAs, RNAs.	
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.

**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
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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 2/24/04
SS Animals	_____	_____	SA 2/26/04
Cultural Resources	_____	_____	TC 2/25/04
Other Surveys	_____	_____	_____
SS Animal Consultation	_____	_____	SA 2/26/04
Botanical Consultation	_____	_____	JW 2/24/04
Cultural Consultation	_____	_____	TC 2/25/04

(SS = Special Status)


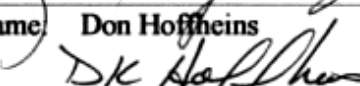
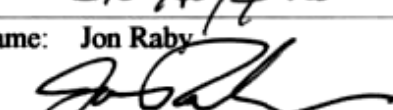
**Remarks:**

**SUMMARY OF FINDINGS and CX DETERMINATION**

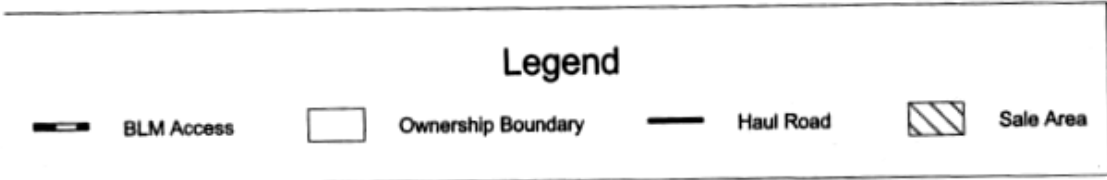
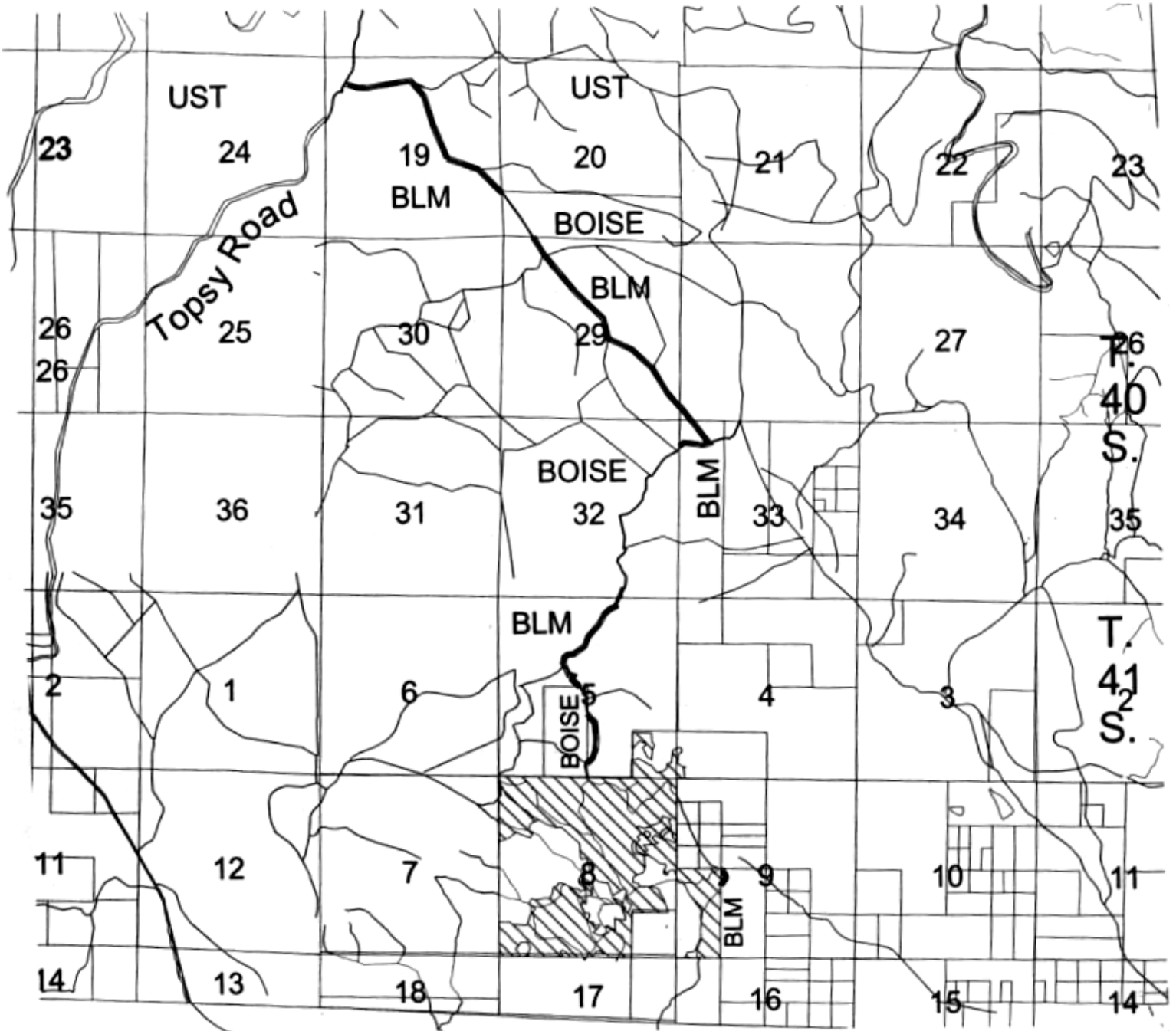
Based on the available information and a review by the interdisciplinary team, it is my determination that the proposed action does not constitute a significant impact affecting the quality of the human environment greater than those addressed in the:

- 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 	Title: Realty Specialist	Date: 2/24/04
Reviewed By: (Signature)	Name: Don Hoffheins 	Title: Planner/ Environmental Coordinator	Date: 3/2/04
Approved By: (Signature)	Name: Jon Raby 	Title: Resource Area Manager	Date: 3/2/04

**Exhibit A**  
**Access for Smokestack Timber Sale**  
**Sale No.341-04-91**  
**T.41S.,R.7E.,Section 8., W.M.**  
**R.7E.**



CX-04-09

Klamath Falls Resource Area NEPA Document Routing Slip for Internal Review

Project Name: O4 C Road Use Permit 04-01  
 Date Initiated: \_\_\_\_\_

Resource or Staff Responsible	Review Priority	Preliminary Review Date/Initials	Comments Attached/Incorporated	Final Review Date/Initials
Manager: Jon Raby	Last ✓			<del>JR</del> 3/3/04
Branch Chief: Barbara Ditman	Second to Last			
Branch Chief: Larry Frazier	Second to Last			
Branch Chief: Rod Johnson	Second to Last ✓	RRJ 2/26/04	N/A	RRJ 2/26/04
Planner/EC: Don Hoffheins, Kathy Lindsey	Third from Last ✓	KL 2/26		DKH 2/2/04
Range: Bill Lindsey, Dana Eckard				
Wild Horses: Tonya Pinckney				
Fire/Air Quality: Joe Foran				
Silviculture: Bill Johnson, Gabi Sommerauer				
Timber: Mike Bechdolt	✓	MB 2/26/04	N/A	MB 2/26/04
Botany/ACEC/Noxious Weeds: Lou Whiteaker	✓	JW 2/26/04	None.	JW 2/26/04
Soils:				
Cultural: Tim Canaday	✓	TC 2/25/04	OK as long as there are no improvements	TC 2/25/04
Minerals/HazMat: Tom Cottingham	✓			<del>TC</del> 2/26/04
Lands/Realty: Linda Younger	✓			
Recreation/Visual/Wilderness: Scott Senter				
Hydrology/Riparian: Mike Turaski, Andy Hamilton				
Wildlife/T&E: Steve Hayner	✓	SH 2/25/04	N/A	SH 2/25/04
Fisheries/T&E: Scott Snedaker				
W/S Rivers: Grant Weidenbach				
Engineering: Brian McCarty	✓		NO	Bm 2/25
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	NO - as long as no improvements are made TC 2/25/04			
Botanical	NO JW 2/26/04			
T&E, BA & or Consultation	NO SH 2/25/04			
R-O-W Permits				