

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

CX Log #: CX-03-10 Lease or Serial #: N/A
Project Name: Willow Valley Reservoir Habitat Enhancement
Applicant: N/A Location: T41S, R14E, Secs 12&13, T41S, R14.5E Secs.
17,18,&19 (see attached map)
Address: N/A County: Klamath
BLM Office: Lakeview District, Klamath Falls Field Office Phone #: 541-883-6916

Description of the Proposed Action:

Project activities will include creation of log and rock structures along the bank of Willow Valley Reservoir. All enhancement sites will be located below high water mark. Some sites may be inundated with water at time of treatment. Installation will include attaching boles of juniper trees to large boulders via cable and Hilti glue, or attaching tree boles to large concrete anchors with cable and cable clamps. Trees will be delivered to anchor sites via wheeled/tracked yarders, floating barges, or moved by hand (refer to map for method and location of use). Yarding equipment will use pre-designated routes to limit adverse impacts to vegetation and banks. All cultural sites will be avoided. Boulder anchor points will be drilled using hand held Hilti-drills or other similar hand held rock boring equipment. Staging areas for tree boles will be at the boat launch facility and at the northwest arm of the lake where a road reaches the edge of the high water (see map locations). Sheared juniper tree will be collected from fuels and range improvement treatment sites along accessible roads within the general vicinity of the Willow Valley area and will be transported to staging areas via a self loading log truck.

No implementation on the ground will occur until surveys and clearances are completed. Cultural specialists have conducted initial site reviews and provided some feedback on locations to avoid. Additional cultural surveys will be conducted prior to project implementation, when sites for habitat treatment have been finalized.

PLAN CONFORMANCE

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

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 35 and 36.

Reviewer/Date: /s/ Kathy Lindsey/9-30-03 Title: Writer-Editor

IDENTIFICATION OF EXCLUSION CATEGORY

The enhancement of the Willow Valley Reservoir, has been reviewed and qualifies as a categorical exclusion based on 516 DM 6, Appendix 5.4, A (3), which provides for construction of structures for wildlife use.

REVIEW OF CX EXCEPTIONS

The proposal has also been screened to determine if any special circumstances exist that would warrant NEPA analysis and documentation. This project does not meet the criteria for exception under 516 DM 2, Appendix 2 as summarized below:

<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. <i>This includes connected actions on private lands (40 CFR 1508.7 and 1508.25(a)).</i>
()	(X)	7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places. <i>This includes Native American religious or cultural sites, archaeological sites, or historic properties.</i>
()	(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. <i>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.</i>
()	(X)	9. Fail to comply with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act (<i>water resource development projects only</i>).
()	(X)	10. Violate a Federal, State, Local, or Tribal law, regulation or policy imposed for the protection of the environment, <i>where non-Federal requirements are consistent with Federal requirements.</i>

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.

<u>Item No.</u>	<u>Can Be Mitigated</u>	<u>Cannot Be Mitigated</u>	<u>Mitigation Measures</u>
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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 7/2/03
SS Animals	_____	_____	SAA 6/24/03
Cultural Resources	TC 9/22/03	_____	_____
Other Surveys	_____	_____	_____
SS Animal Consultation	_____	_____	_____
Botanical Consultation	_____	_____	JW 7/2/03
Cultural Consultation	TC 9/22/03	_____	_____

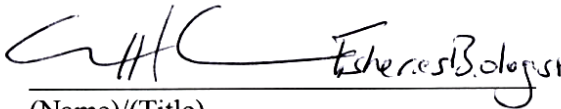
(SS = Special Status)

Remarks: A review of the proposed action was completed by resource specialists and their concerns have been incorporated into project design. Potential impacts can be further mitigated by the following measures:

- 1.) Any machinery used will be washed off prior to coming on site to prevent the potential spread of noxious weeds.

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:  Fisheries Biologist 9/30/03
(Name)/(Title) Date

Reviewed By: Kathy Lindsey Writer-Editor 9/30/03
(Name)/(Title) Date

Approved By:  9/30/03
Jon Raby/Field Manager Date

Willow Valley Treatment Sites

