

**RECORD OF PLAN CONFORMANCE AND
CATEGORICAL EXCLUSION (CX) DETERMINATION
Bureau of Land Management (BLM)**

Project Name: Stukel Mountain Road Use Right-of-way CX Log #: OR-014-CX-08-04

Location: Stukel Mtn. sections 3, 4, 5, 10, and 15 of T. 40S., R. 10 E., Willamette Meridian , Klamath County, OR

BLM Office: Lakeview District , Klamath Falls Resource Area County: Klamath County, Oregon

DESCRIPTION OF THE PROPOSED ACTION (INCLUDING PURPOSE AND NEED)

Communication site users want to utilize the road built by FAA to Stukel Mountain Communication site (see attached map Exhibit A). The road starts at County Road 566 in Section 5, ending at the communication site in Section 15 and is 6.6 miles in length and 30 ft. wide. There is no alternate public route that can be used. This document covers several different users that utilize this access to Stukel Mountain Communication Site. Road use is needed year-round including the period between November 1, and April 15th when the area is typically closed to non-authorized motorized travel. Users must be able to access the site to repair equipment malfunctions. This permit will allow communication site users to access the area all year.

IMPLEMENTATION DATE

This project is expected to be implemented in February 2008.

PLAN CONFORMANCE

The proposed project has been reviewed and found to be in conformance with one or more of the following BLM plans, programmatic environmental analyses or policies.

Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (KFRA ROD/RMP/RPS), approved June 1995 Page 66.

- Northwest Area Noxious Weed Control Program FEIS and ROD (1985) and Supplement (1987)
- Integrated Weed Control Plan (IWCP) 1993
- Lakeview District Fire Management Plan – Phase 1 (1998)

IDENTIFICATION OF EXCLUSION CATEGORY

The proposed action has been identified as a categorical exclusion under Bureau of Land Management Categorical Exclusions (516 DM 11.5) 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) provided none of the Extraordinary Circumstances listed in 516 Departmental Manual 2, Appendix 2 (5/27/04) are met. The proposed action will:

Extraordinary Circumstances	Yes	No
2.1 Have significant adverse effects on public health or safety?		X
2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas?		X
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		X
2.4 Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks?		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?		X
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office?		X
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		X
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		X
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		X

The proposed action would not create adverse environmental effects, meet any of the above extraordinary circumstances, or fail to comply with Executive Order 13212 (Actions to Expedite Energy-Related Projects) – to avoid direct or indirect adverse impact on energy development, production, supply, and/or distribution

DOCUMENTATION OF RECOMMENDED MITIGATION

None of the conditions for the above extraordinary circumstances are met so no mitigation is needed. The ROW Grant will include Terms and Conditions for use of the road.

SURVEYS AND CONSULTATION

Surveys and/or consultation may be needed for special status plants and animals, for cultural resources, and other resources as necessary (appropriate fields are Initialed and Dated by responsible resource specialist):

Surveys	Are Completed	Will Be Completed	Are Not Needed
SS Animals			SGH 02/05/08
SS Plants			LW 02/07/08
Cultural Resources			MAD 02/7/08
Consultation	Is Completed	Will Be Completed	Is Not Needed
SS Animal Consultation*			SGH 02/05/08
Botanical Consultation			LW 02/07/08
Cultural Consultation			MAD 02/07/08
*(SS = Special Status)			

Remarks: Road is used during closure months from Nov. 1, thru April 15th. However, this permit will allow communication site users to access the area during the closure period. Surveys for cultural resources are not required unless maintenance is proposed.

SUMMARY OF FINDINGS AND CX DETERMINATION

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: Linda Younger, Realty Specialist

Reviewed by: Klamath Falls Interdisciplinary Team

Approved By: (Signature)	Name: <i>/s/ Donald J. Holmstrom</i>	Title: Field Manager	Date: 02/26/08
-----------------------------	---	----------------------	-------------------

CONTACT PERSON

For additional information concerning this project, contact:

Linda Younger, 541-885-4150, Klamath Falls Resource Area, 2795 Anderson Avenue, Building 25, Klamath Falls, Oregon 97603-7891 or telephone: 541-883-6916.

Exhibit A

