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

Project Name:	Round Valley Juniper Cutting	CX Log #:	OR-014-CX-07-07
Location:	T39S R 14E Sec 17, 19, 20, 21, 22, 27, 28, 29, 30, 32, 33, 34		
BLM Office:	Lakeview District , Klamath Falls Resource Area	County:	Klamath County, Oregon

DESCRIPTION OF THE PROPOSED ACTION (Including Purpose and Need)

The proposed project is designed to remove encroaching western juniper from round valley water spreader and adjacent sagebrush steppe. The area is a historic sage grouse lek and has not been active since the early 1990's. This project will improve habitat conditions by removing encroaching juniper and maintaining/improving the sagebrush under story. ODFW is considering reintroduction of sage grouse into the area. This project will further the habitat improvements that may increase the likelihood of reintroduction. The total area is approximately 3400 acres of which approximately 1600 acres has juniper encroaching on it.

The cutting of juniper would be done by chainsaw or other manual methods. All junipers, except those junipers considered "old" juniper (see Appendix 1), would be hand felled. After falling of the trees, all portions of the tree that were higher than 4 ft would be lopped off and left on site. ATV use would be allowed for use by the contractor and contract administrator to deliver equipment and fuel within the project area. Project Design features would be in place to regulate use of the ATV's (Appendix 2).

IMPLEMENTATION DATE

This project is expected to be implemented in early FY2007 and completed by the end of FY 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 (Pgs. 32, 34 RMP/ROD).
- Vegetation Treatment on BLM Lands in Thirteen Western States FEIS and ROD (1991)
- 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)
- Rangeland Reform '94 FEIS and ROD (1995)
- Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management in the States of Oregon and Washington (1997)
- National Sage-Grouse Habitat Conservation Strategy (2004)
- Greater Sage-Grouse Conservation Strategy and Assessment for Oregon, Draft (2005)

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) # C4 (Thinning with small mechanical devices).

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) 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?

Exception	Yes No
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 listed on the National Register of Natural Landmarks. This also includes significant caves, ACECs, National Monuments, WSAs, RNAs.	( ) (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 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)
17. Have a significant adverse effect on Migratory Landbirds (Executive Order 13186).	( ) (X)

The proposed action would not create adverse environmental effects or meet any of the above exceptions.

DOCUMENTATION OF RECOMMENDED MITIGATION

The proposed project has a Bald Eagle nest adjacent to the boundary. No activity associated with this project would occur from January 1st – August 31st within ½ mile of an active nest site.

Archeological sites within the project area are flagged and will be avoided during operations.

Note: although none of the conditions for the above exceptions are met, the resources discussed are potentially affected. Mitigation measures and Project Design Features below are applied to prevent the adverse conditions discussed in the exceptions:

Exception No.	Can Be Mitigated	Cannot Be Mitigated	Mitigation Measures and/or Project Design Features

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	SH 5/9/07		
SS Plants	LW 5/8/07		
Cultural Resources	MD 5/9/07		
Survey and Manage			DKH 5/21/07
Consultation	Is Completed	Will Be Completed	Is Not Needed
SS Animal Consultation*			SH 5/9/07
Botanical Consultation			LW 5/8/07
Cultural Consultation	MD 5/9/07		
*(SS = Special Status)			

Remarks:

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: Steve Hayner

Reviewed by: Klamath Falls Interdisciplinary Team

Approved By: (Signature)	Name: Don Holmstrom *Donald J. Holmstrom*	Title: Resource Area Manager	Date: 5/31/07

CONTACT PERSON

For additional information concerning this project, contact:

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Appendix 1

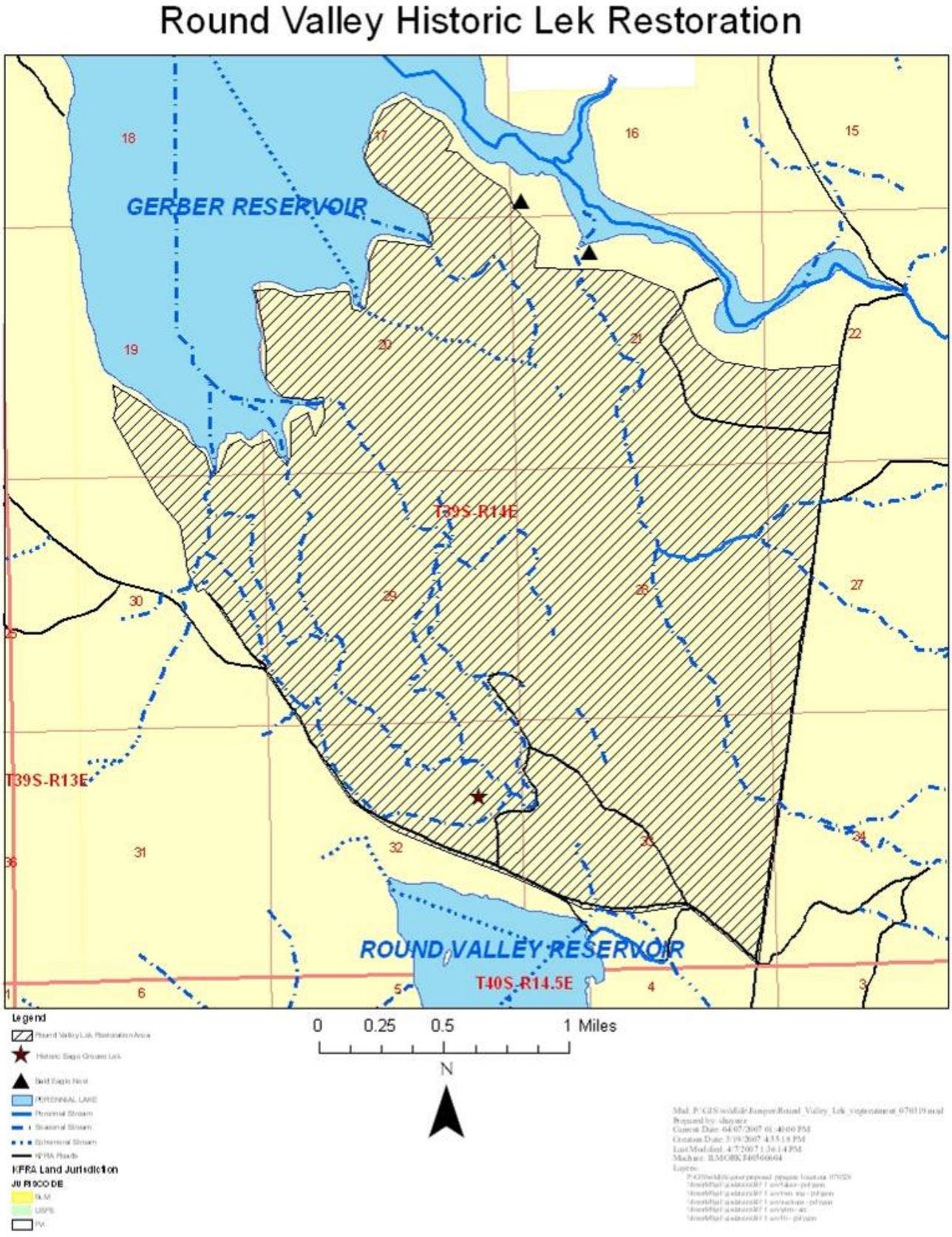
Older juniper: Juniper that originated in the "presettlement" period, before 1870. It is assumed that these trees are growing on sites that they are adapted to, since they began growing there under "natural conditions" when natural processes (including lightning fires) determined vegetation patterns. Older junipers are usually found in rocky areas where vegetation is sparse and natural fire frequency is low. Some typical characteristics of older juniper are:

- Crown is flat, rounded, broad at top, or irregular (as opposed to the more pointed tops of younger trees)
- Spike top
- Numerous dead branches
- Branches covered with a coarse, bright yellow-green lichen (*Letharia*, or wolf lichen)
- Large diameter lower branches
- Large diameter trunk relative to height
- Trunk has spirally-twisted bark, deep furrows
- Hollow trunk

It is rare for an older juniper to have all of the above features, but more commonly will have at least three or four. Also, older juniper is not always the largest trees; on drier, rocky sites, they can be short, stubby, gnarly trees.

Appendix 2

Project Design Features:

- Off road use would be limited to dry or frozen conditions
- During wet periods vehicles would be limited to roads
- During wet periods vehicle use would be stopped when ruts greater than 4 inches occur on roads
- No vehicle use within 100 ft of riparian or spring areas
- No refueling within 100ft of riparian or springs

Map 1. Round Valley Lek Restoration Project Boundary