

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

Project Name: Gerber Rock Core Sampling Log #: DOI-BLM-OR-L040-2009-0016-CX
Project Location: T40S, R14½E, Sec.13 E½NE¼, NE¼SE¼ County: Klamath County, Oregon
BLM Office: Lakeview District, Klamath Falls Resource Area

A. Background

Purpose and Need for the Project:

The purpose of the proposed action is to explore the existing area for a new rock quarry site to support the stimulus road rocking and for future road surfacing projects. There is a need to identify and develop rock sources and there are currently no hard rock quarries in the area. There is a need to put rock surfacing on BLM roads and the public and agency personnel will benefit tremendously by having all weather roads.

Description of Proposed Action:

Exploration would consist of drilling up to 100 drill holes, one to four inches in diameter and 50-feet deep, using a track mounted air drill. Drill sites would be placed on an approximate 100-foot grid and would be accessed by overland travel. Based on initial results of air-tracking, further exploration would be completed to collect core samples. Approximately 20 acres would be explored. All air track drill holes will be plugged after completion. If rock is found, there will be a separate analysis for quarry development (Phase 2).

Description of Affected Area:

Access is across BLM controlled roads. No utilities are found in area. The site is away from main roads so visual impact is not an issue. BLM has used the access road for timber hauling. No merchantable timber will need to be removed. There is scattered juniper growing on scab rock flats that would not be removed under exploration phase. There also are pockets of large rock that will not need to be cleared. Core drilling is located outside of riparian areas. The area has been surveyed for cultural resources.

Proposed Implementation:

This project is expected to be implemented in 2009.

B. Land Use Plan Conformance

Land Use Plan Name, Date Approved:

Klamath Falls Resource Area Record of Decision and Resource Management Plan (KFRA ROD/RMP), approved December 2008.

The proposed action is in conformance with the applicable Land Use Plan (LUP) because it is specifically provided for in the following LUP decision(s): “*Utilize new and existing quarry and pit sites to provide economical sources of rock and aggregate* (RMP page 44); and “*Manage existing roads to protect resource values, provide for safety, protect facility investment and provide access for management activities.*” (RMP page 51).

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

- 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)
- National Fire Plan (A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-Year Comprehensive Strategy) (2001)
- 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)
- Standards for Land Health for Lands Administered by the Bureau of Land Management in the States of Oregon and Washington (1998)
- Interior Columbia Basin Strategy Scientific Documentation (2003)
- National Sage-Grouse Habitat Conservation Strategy (2004)
- Greater Sage-Grouse Conservation Strategy and Assessment for Oregon, Draft (2005)

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, F(9) – which deals with sampling for mineral deposits. 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:

CX Extraordinary Circumstances Documentation		
The proposed categorical exclusion action will:	Yes	No
2.1 Have significant impacts on public health or safety.		X
Rationale: There would be no effect on public health or safety.		
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
Rationale: These resources are not present in the proposed area of exploration.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: This is a standard operation with no controversial effects.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: This is a standard operation with no unique or unknown risks.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: This is a standard operation that will not establish a precedent.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: There will be no significant cumulative effects.		
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
Rationale: There are no listed or eligible properties in the affected area.		
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		X

Habitat for these species.		
Rationale: There are no species listed or proposed for listing in the affected area.		
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
Rationale: No laws will be violated.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
Rationale: No disproportionately high and adverse effects on low income or minority populations will occur.		
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
Rationale: Access to and ceremonial use of Indian sacred sites on Federal lands will not be affected.		
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
Rationale: Actions will be taken to limit the introduction, continued existence, or spread of noxious weeds or non-native invasive species.		

The proposed action would not 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.

D. Surveys and Consultation

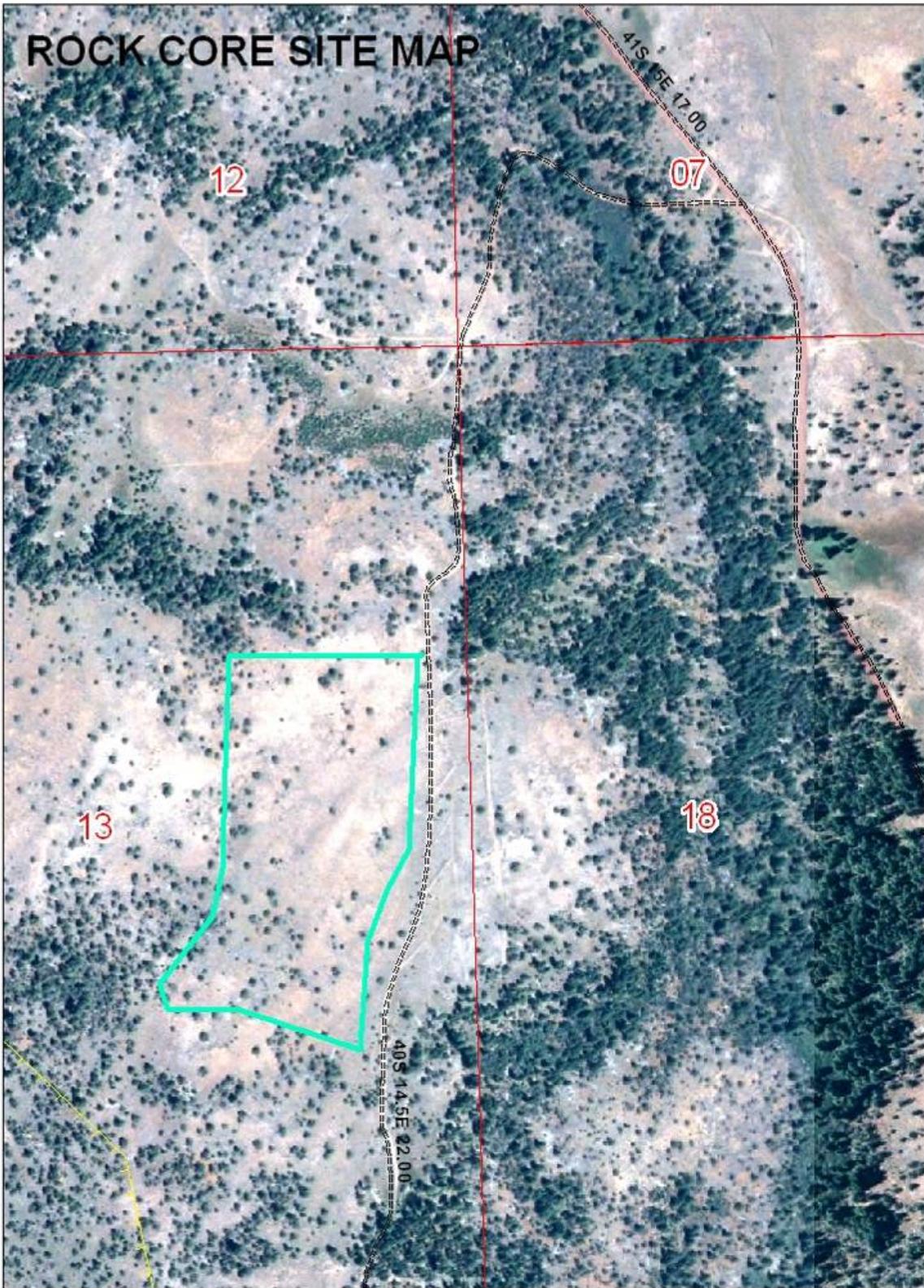
Surveys and/or consultation may be needed for special status plants and animals, for cultural resources, and other resources as necessary.

Surveys	Are Completed	Will Be Completed	Are Not Needed
SS Animals			SGH 06/24/09
SS Plants	MJB 6/24/09		
Cultural Resources	BMB 6/23/09		
Consultation	Is Completed	Will Be Completed	Is Not Needed
SS Animal Consultation*			SGH 06/24/09
Botanical Consultation			MJB 6/23/09
Cultural Consultation			BMB 6/23/09
*(SS = Special Status)			

E. Contact Person

For additional information concerning this CX review, contact:

Brian McCarty, Klamath Falls Resource Area, 2795 Anderson Avenue, Building 25, Klamath Falls, Oregon 97603-7891 or telephone: 541-883-6916.



Appendix A – Weed Mitigation Measures

All vehicles and equipment will be cleaned off prior to operating on BLM lands. Removal of all dirt, grease, and plant parts that may carry noxious weed seeds or vegetative parts is required and may be accomplished with a pressure hose.

High concentrations of noxious weeds in the immediate area of mechanical operations, including a population of musk thistle found in the N½NE¼ of Section 13, shall be avoided, treated, or mowed to ground level prior to the start of project activities.

All equipment and vehicles operating off of main roads shall be cleaned off prior to leaving the job site when the job site includes noxious weed populations. Removal of all dirt, grease, and plant parts that may carry noxious weed seeds or vegetative parts is required and may be accomplished with a pressure hose.

Appendix B – Soils Quality PDFs and BMPs

Soil Quality PDFs and BMPs

- Limit mechanical operations to soil moistures below 20 percent at a six inch depth. Even lower soil moisture levels are preferable on fragile soils.

Roads

- No new roads will be constructed in project area.

Appendix C – Water Quality and Fish Mitigation

Area is outside of any riparian areas.

- Apply Road Use and Dust Abatement BMPs (RMP page C-15), and Salable Minerals BMPs (RMP page 44), and for Spill Prevention and Abatement BMPs (RMP page C-46 and C-47). Specific BMPs that apply to this project are R71, M19 and 20, and SP 1, 2, 3, 4, and 5.

DECISION
Gerber Rock Core Sampling
#DOI-BLM-OR-L040-2009-0016-CX

Decision

I have reviewed the Categorical Exclusion documentation, including the plan conformance, NEPA compliance review, and extraordinary circumstances review. It is my decision to proceed with the Proposed Action as described and shown on the map attached to the CX.

Rationale

The proposed action has been reviewed by the Klamath Falls Resource Area staff and appropriate Project Design Features, as specified, will be incorporated into the proposal. 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.

Based on the attached NEPA (National Environmental Policy Act) Categorical Exclusion, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required.

Signature

Authorizing Official: /s/ Donald J. Holmstrom
(Signature)

Date: 7/09/2009

Name: Donald J. Holmstrom
Title: Manager, Klamath Falls Resource Area

Administrative Remedy

Notice of the decision made on the action described in this categorical exclusion will be posted on the District internet website. The action is subject to protest under 43 CFR, Section 4.450-2. A decision in response to a protest is subject to appeal to the Interior Board of Land Appeals under 43 CFR Part 4.