

**RECORD OF PLAN CONFORMANCE AND  
CATEGORICAL EXCLUSION (CX) DOCUMENTATION for  
CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE  
Bureau of Land Management (BLM)**

BLM Office: Lakeview District, Klamath Falls Resource Area

Proposed Action Title/Type: Lower Spencer Creek District Designated Reserve (DDR)

**Boulder Removal**

NEPA Log #: DOI-BLM-OR-L040-2013-003-CX

Project Location: Lower Spencer Creek DDR, Klamath County, Oregon (see map)

**A. Background**

The Spencer Creek culvert under the Spencer Hookup Road was replaced in 2004. During the project, the fill removal process generated approximately 600 boulders (approximately 350 at 1-3 feet in diameter and approximately 250 greater than 3 feet in diameter) that were deemed unsuitable fill replacement material. The boulders were stockpiled on Bureau of Land Management (BLM) land in a 0.2 acre landing on the edge of the Lower Spencer Creek District Designated Reserve (DDR). The site is about 200 meters north of the Spencer Hookup Road (39-6E-5), on the BLM maintained/surfaced 38-6E-34 road, then about 45 meters east of the road through a set of landings (see Figure 1).

**Proposed Action:**

The site will be accessed from the BLM maintained/surfaced 38-6E-34 road. The boulders will be removed from the site using a large tracked excavator, dump truck and flatbed trailer. The excavator will be offloaded from a lowboy trailer from the 38-6E-34 road and will walk approximately 45 meters east to the boulder site. The boulders will then be carried to and placed in the dump truck or strapped on the flatbed trailer, depending on the size. The action will be conducted during summer, well after minimum soil moisture thresholds are met. After boulder removal is completed, the site will be restored by grading/recontouring and revegetating/planting with native vegetation (ponderosa pine and Douglas fir trees).

**Purpose and Need for the Project:**

Removal of the boulders will aid in the achievement of the DDR management objectives described in the 1995 KFRA RMP: Plan and implement activities in DDRs that are beneficial to the creation and maintenance of late-successional habitat. Future forest health treatment projects will implement thinning in the Lower Spencer Creek DDR and will possibly need this site as a landing. In order to make this landing suitable, all the boulders will need to be removed. In addition, the U.S. Fish and Wildlife Service Partners Restoration Program (Service), Klamath Falls Office, is currently working on a stream restoration project in lower Spencer Creek on private land. The Service will be removing the boulders from this project site and using them as part of their project.

**B. Land Use Plan Conformance**

Land Use Plan Name: Klamath Falls Resource Area Resource Management Plan

Date Approved/Amended: June 1995

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): The Klamath Falls Resource Area Record of Decision and Resource Management Plan states “ Plan and implement non-silvicultural activities inside Late-successional Reserves/District Designated Reserves that are neutral or beneficial to the creation and maintenance of late-successional habitat.”(KRMP/ROD, 1995, Late-Successional/District Designated reserves, Management Actions/Direction section).

**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 2, Appendix 1, F. Solid Minerals 10. Disposal of mineral materials such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. The following documentation describes whether or not the extraordinary circumstances apply to the project:

<b>CX Extraordinary Circumstances Documentation</b>		
<b>Will the proposed categorical exclusion action:</b>	<b>YES</b>	<b>NO</b>
2.1 Have significant impacts on public health or safety.		X
Rationale: Consulted with field/district office health and safety specialist and no significant impacts were identified.		
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: The project area was reviewed on the ground and resource specialists were consulted and no unique features are present.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: No highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources were identified by resource specialist during project analysis.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: No highly uncertain and potentially significant environmental effects or unique or unknown environmental risks were identified by resource specialist during project analysis.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: BLM resource specialists have determined that this will not establish a precedent for future action, or represent a decision in principle about future actions with potentially significant environmental effects, because this is a minor and routine action.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: No direct relationships to other actions with individually insignificant but cumulatively significant environmental effects were identified by resource specialists during project analysis.		

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: This is managed forested land and has been determined by the BLM to not eligible for listing, on the National Register of Historic Places.		
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
Rationale: BLM resource specialists have determined that there will be no 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.		
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
Rationale: Does not violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
Rationale: Review of the project area location shows no disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
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: Does not 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).		
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: Refer to Appendix A (attached), project design features (PDFs) and best management practices (BMPs).		

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, or impact RMP exclusion and avoidance areas.

### **Surveys and Consultation**

Surveys and/or consultation are not 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):

<b>Surveys</b>	<b>Are Completed</b>	<b>Will Be Completed</b>	<b>Are Not Needed</b>
SS* Animals			MDB 1/8/14
SS* Plants			JLB 5/27/14
Cultural Resources			SAH 2/19/2014
ROWs or Cadastral			
<b>Consultation</b>	<b>Is Completed</b>	<b>Will Be Completed</b>	<b>Is Not Needed</b>
SS* Animal Consultation			MDB 1/8/14
Botanical Consultation			JLB 5/27/14
Cultural Consultation			SAH 2/19/2014
*(SS = Special Status)			

**Contact Person**

For additional information concerning this CX review, contact:

Robert Roninger, Fish Biologist, Klamath Falls Resource Area, 2795 Anderson Avenue, Building 25, Klamath Falls, Oregon 97603-7891 or telephone: 541-883-6916

**Determination for Lower Spencer Creek DDR Boulder Removal  
DOI-BLM-OR-L040-2013-03-CX**

I have determined that it is appropriate to proceed with the Proposed Action as described and shown on the attached map(s) in the Lower Spencer Creek DDR Boulder Removal Categorical Exclusion.

**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 Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required.

**Signature**

Authorizing Official: Donald J. Holmstrom Date: 6/05/2014  
(Signature)

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

**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 shall be 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.

