

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

Project Name: Wood River Wetland Canal Water Control Structure Maintenance/Replacement

CX Log #: DOI-BLM-OR-L040-2010-28-CX

Project Location: Wood River Wetland

Lease or Serial #: N/A

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

A. Background

Description of Proposed Action:

The Wood River Wetland (WRW) is approximately 3,200 acres, and is located 25 miles north of Klamath Falls, Oregon. It is owned and managed by the Klamath Falls Resource Area of the Bureau of Land Management (BLM). The Wood River Canal lies between the Wood River and the associated wetland (see maps). It currently is managed as Oregon spotted frog (OSF) habitat and makes up the core of the WRW OSF site.

The work consists of removal of existing structures and installation of four new flashboard riser Water Control Structures (WCSs) with discharge culverts. The WCSs would be installed according to specifications supplied by BLM biologists and engineers.

The existing earthen crossing would be excavated in order to remove the existing WCS. Excavated material would be stockpiled nearby in order to be reused as fill. The old WCS would then be placed in the designated staging site near the installation site.

The new WSC would be placed at the appropriate elevation (base of canal) and according to specifications. Base material (rock) of appropriate size would be placed/compacted at thickness needed in order to provide stability below and around the WCS. The contractor would use material appropriate around the culvert to ensure a good seal. The earthen crossing would be reconstructed using base material and previously excavated native fill material. The surface of the crossing shall be restored and recontoured to government specifications.

Purpose and Need for the Project:

Oregon spotted frog (*Rana pretiosa*) populations have become isolated through habitat fragmentation and are believed to be extirpated from 79% to 90% of their historic range (Hayes et. al 1997; McAllister and Leonard 1997). Currently, the U.S. Fish and Wildlife Service regards the OSF as a candidate species for listing under the Endangered Species Act. Of 31 total known populations, 24 are in Oregon and listed as a state "critical" species. Listing as a threatened or endangered species is pending, thus immediate conservation actions are proposed.

Recently, the Oregon State OSF Working Group, in which BLM is an active part, facilitated the completion of the Conservation Assessment for the OSF. In this assessment, the WRW site was identified as having multiple threats, including water fluctuations, non-native predators and reed-canary grass establishment (Cushman and Pearl, 2007). The WRW OSF site can be susceptible to water fluctuations, especially during the breeding season in early spring (causing potential egg mass stranding) due to adjacent water management. Four (4) locations have been identified that currently

have non-functional water control structures (WCS's) and need maintenance/replacement. Maintenance/replacement of these structures would allow BLM personnel to actively control water levels within the OSF site.

In addition, invasive, non-native predators such as American bullfrog, pumpkinseed sunfish, bullhead, fathead minnow and yellow perch are all established at variable densities throughout the WRW OSF site. Properly functioning WCSs would allow managers to strategically draw down specific sections of the site in order to control bullfrog and non-native fish populations.

Proposed Implementation:

Funding is currently available and the contract for this project would be awarded in late FY2011, however the contractor shall be allowed to complete the project during late FY2011 and early FY2012.

B. Land Use Plan Conformance

The proposed action is in conformance with the LUP, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

The Upper Klamath Basin and Wood River Wetland Record of Decision, February 1996, (Wood River ROD) states within the Water Resources Objective that the “techniques used for wetland restoration will be a combination of existing and constructed water control structures (berms, ditches, screwgates, and flashboard dams)...” and within the Special Status Species Habitat Objective that the BLM shall “Maintain a viable population of spotted frogs on the property....”

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:

- 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

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, #1.7 for “*maintenance, renovations and replacement activities*”.

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.

CX Extraordinary Circumstances Documentation		
Will the proposed categorical exclusion action:	YES	NO
2.1 Have significant impacts on public health or safety.		X
There should be no significant impacts 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: Although there is potential to affect wetland soils and vegetation, any effects would be short term and insignificant. Long-term spotted frog monitoring data has been collected and no spotted frogs have been documented within the project sites during the planned period of performance. The other resources are not 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 effects or unresolved conflicts would occur.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: The structures will be replaced according to standard methodology. No unknown or uncertain risks are expected.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: No precedent would be established.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: There would be no cumulatively significant environmental 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: The project has been reviewed by the local archeologist; the area has been previously inventoried and it is believed no historic properties would be affected.		
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: There will be no significant impacts on the Oregon spotted frog or its habitat.		
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
Rationale: The proposed action will be completed in accordance with all applicable laws and regulations.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
Rationale: There will not be any different effect on low income or minority population than on other segments of the population.		
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: There are no such sites within the project boundary		
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: This project will not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species due to implementation of standard preventative measures.		

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 (appropriate fields are Initialed and Dated by responsible resource specialist):

Surveys	Are Completed	Will Be Completed	Are Not Needed
SS Animals	SGH 09/21/11		
SS Plants	DLE 9/22/11		
Cultural Resources	BMB 9/19/11		
Consultation	Is Completed	Will Be Completed	Is Not Needed
SS Animal Consultation*			SGH 09/21/11
Botanical Consultation			DLE 9/21/11
Cultural Consultation	BMB 9/22/11		
*(SS = Special Status)			

E. Contact Person

For additional information concerning this CX review, contact:
 Rob Roninger, 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 shall be mowed to ground level before 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.
- All gravel and other fill material delivered to the site should be from a weed free source.

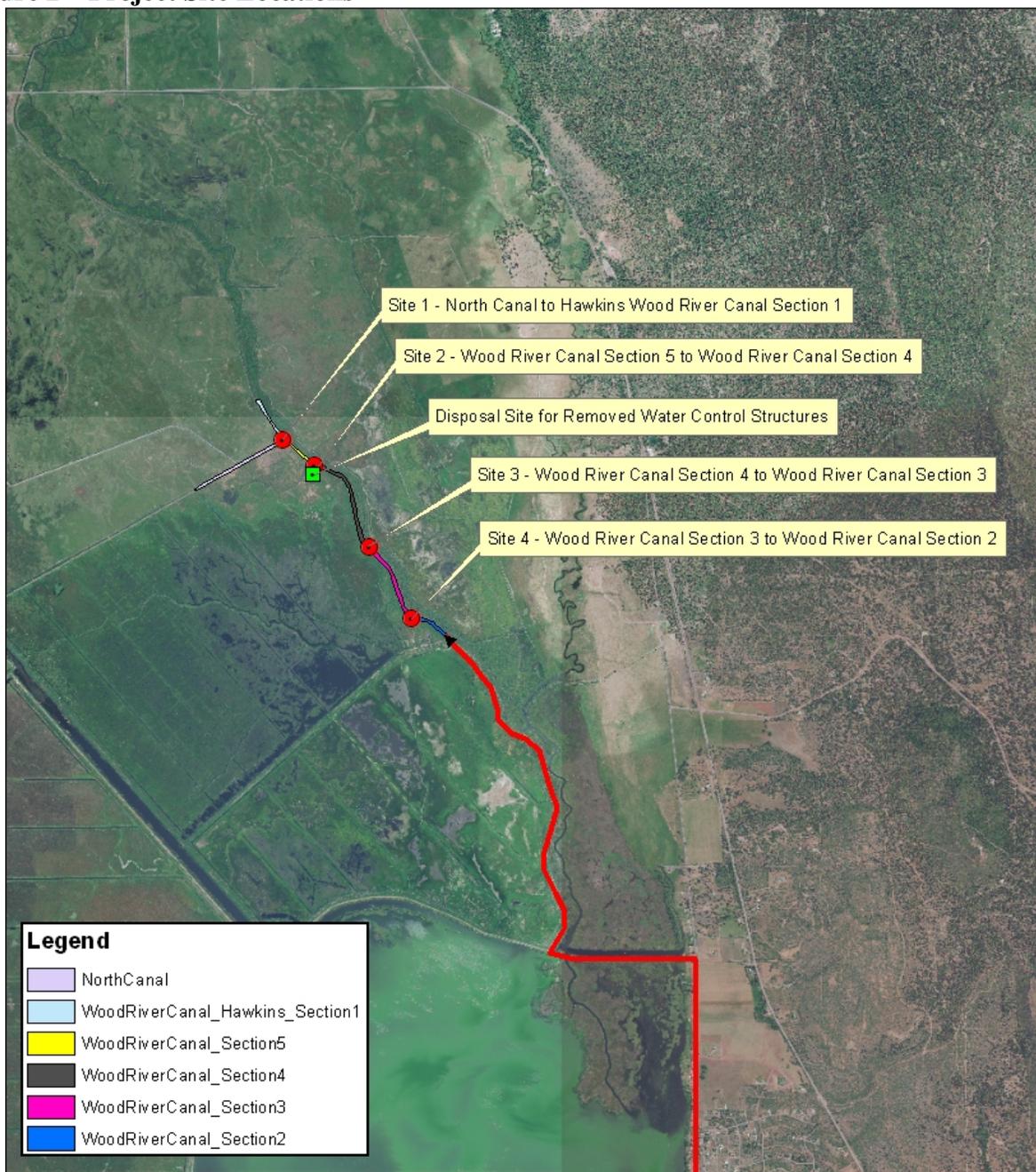
Appendix B – Soils Quality PDFs and BMPs Soil Quality PDFs and BMPs

- Retain and establish adequate vegetative cover in accordance with RMP BMPs to reduce erosion.
- Rehabilitate disturbed areas (disturbed soils at worksite, ruts created in roads, etc.).

Appendix C – Water and Fish Mitigation

- Inspect and clean heavy equipment as necessary prior to moving on to the project site, in order to remove oil and grease, noxious weeds, and excessive soil.
- Inspect hydraulic fluid and fuel lines on heavy-mechanized equipment for proper working condition.
- Locate equipment washing sites in areas with no potential for runoff into wetlands, riparian management areas, floodplains and waters of the state. Do not use solvents or detergents to clean equipment on site.
- Where possible, maintain and refuel equipment a minimum of 100 feet away from streams and other waterbodies.
- In the event of a spill or release, all reasonable and safe actions to contain the material will be taken. Specific actions are dependent on the nature of the material spilled.
- Spill Containment Kit (SCK): All operators shall have a SCK as described in the SPCC plan on-site during any operation with potential for run-off to adjacent water bodies. The SCK will be appropriate in size and type for the equipment and oil or hazardous material carried by the operator.
- Place excavated material from removed stream crossings on stable ground outside of wetlands, riparian management areas, floodplains and waters of the State. In some cases material could be used for recontouring old road cuts or be spread across roadbed and treated to prevent erosion.

Figure 2 – Project Site Locations



Wood River Canal Water Control Structure Maintenance Project - 2011



Figure 3 – Site 1



Wood River Canal Water Control Structure Maintenance Site #1

 Water Control Structure Replacement Site



Vehicle Access to Site



0 0.025 0.05 0.1 Miles

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. If original data were corrected, those corrections may be updated without notification.



Figure 4 – Site 2



Wood River Canal Water Control Structure Maintenance Site #2

 Water Control Structure Replacement Site  Vehicle Access to Site



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Figure 5 – Site 3



Wood River Canal Water Control Structure Maintenance Site #3

 Water Control Structure Replacement Site

 Vehicle Access to Site



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Figure 6 – Site 4



Wood River Canal Water Control Structure Maintenance Site #4

 Water Control Structure Replacement Site  Vehicle Access to Site



0 0.025 0.05 0.1 Miles

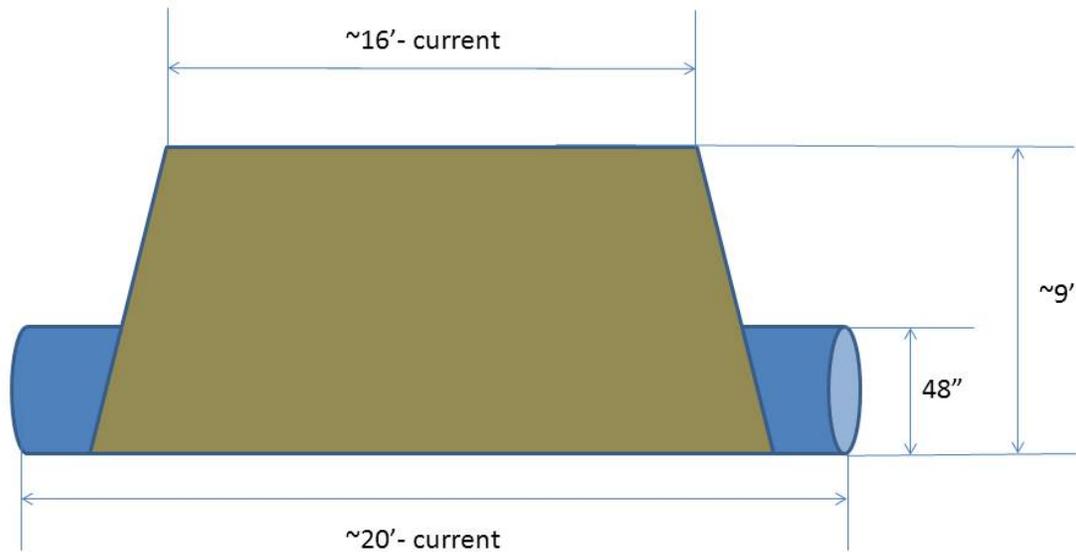


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Figure 7 – Site 1 – Present and Proposed Designs

Site 1 - NC to HWRC#1 – Present Condition



Site 1 - NC to HWRC#1 – Proposed Flashboard Structure/Crossing Specifications

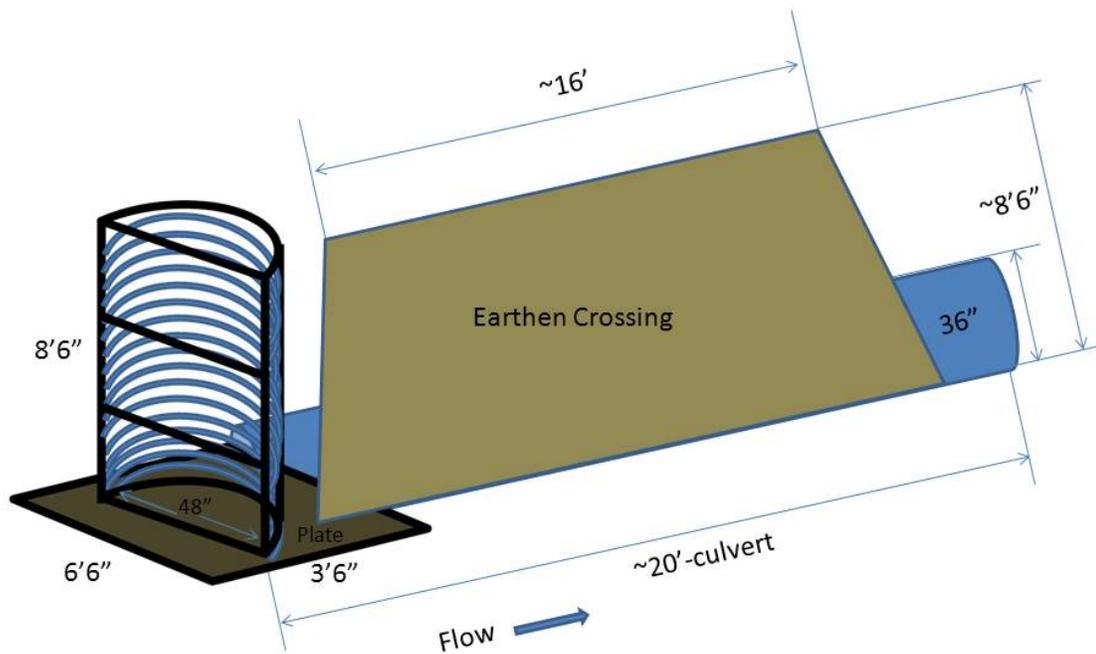
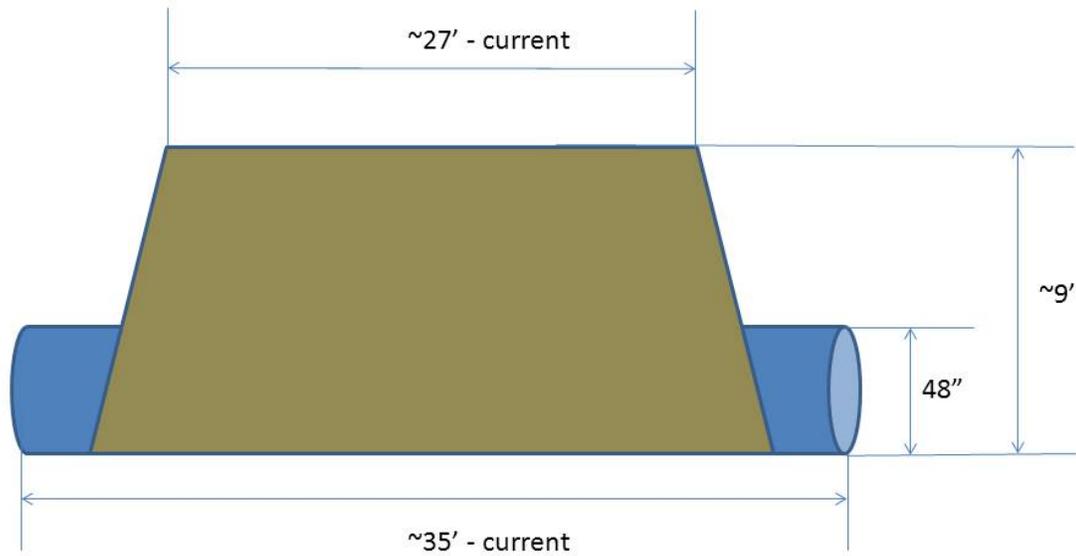


Figure 8 – Site 2 – Present and Proposed Designs

Site 2 - WRC#5 to WRC#4 – Present Condition



Site 2 - WRC#5 to WRC#4 – Proposed Flashboard Structure/Crossing Specifications

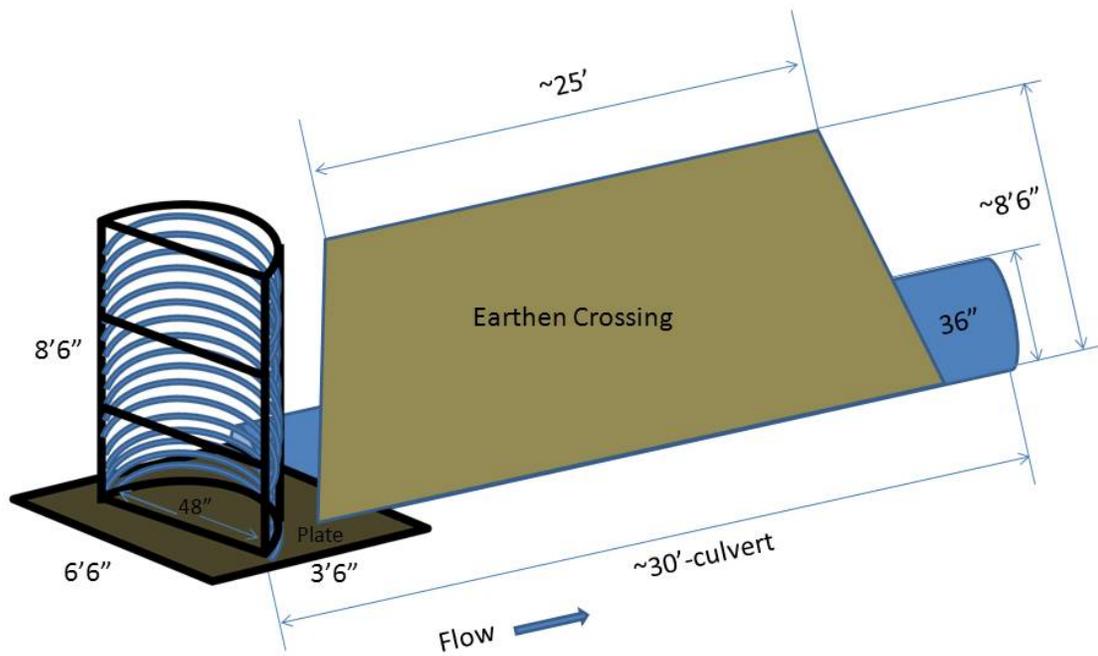
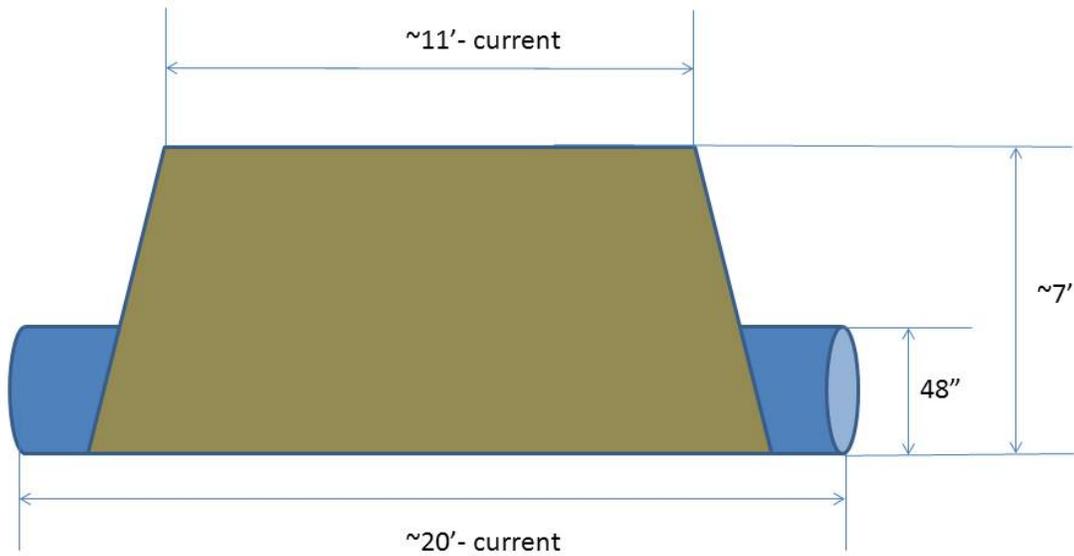


Figure 9 – Site 3 – Present and Proposed Designs

Site 3 - WRC#4 to WRC#3 – Present Condition



Site 3 - WRC#4 to WRC#3 – Proposed Flashboard Structure/Crossing Specifications

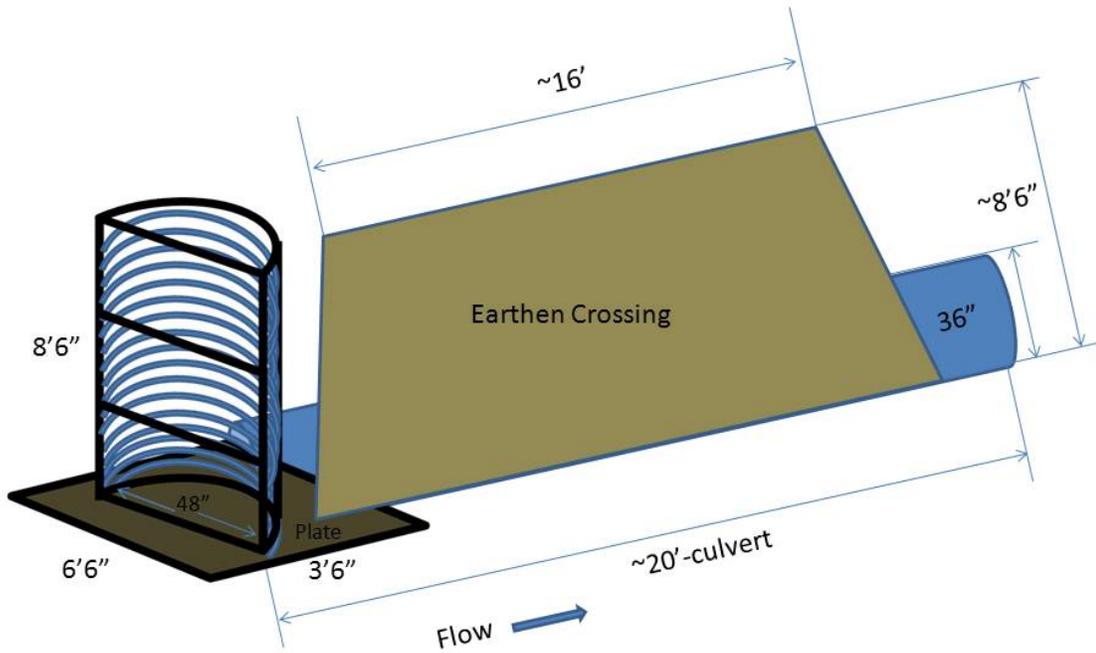
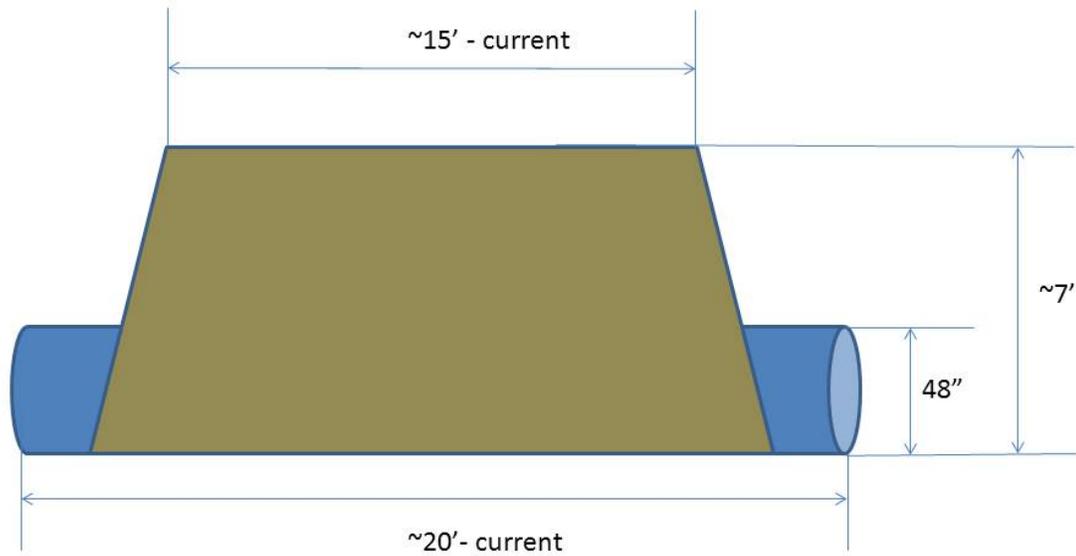
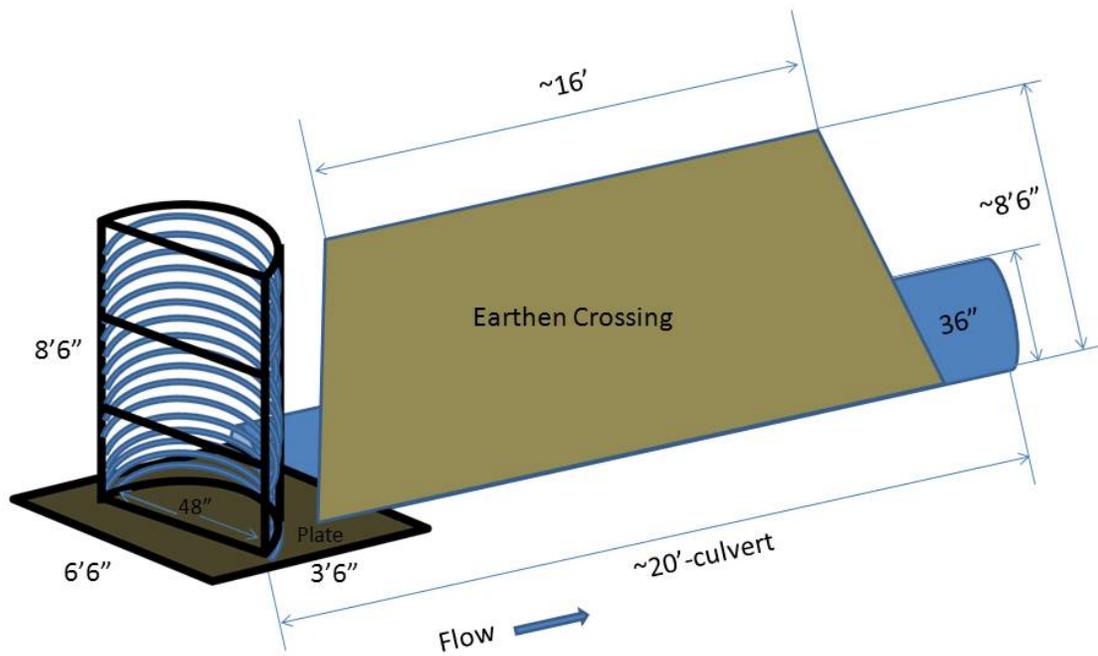


Figure 10 – Site 4 – Current and Proposed Designs

Site 4 - WRC#3 to WRC#2 – Present Condition



Site 4 - WRC#3 to WRC#2 – Proposed Flashboard Structure/Crossing Specifications



**Determination for Wood River Wetland Control Structure
Maintenance and Replacement
(DOI-BLM-OR-L040-2010-28-CX)**

I have determined that it is appropriate to proceed with the maintenance and replacement of water control structures at Wood River Wetland as described and shown on the attached 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 significant 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: 9/30/11
(Signature)

Name: Donald J. Holmstrom

Title: Manager, Klamath Falls Resource Area