

Chapter 6 - Coordination and Consultation



Chapter 6 – Klamath River Rafters

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Introduction

The Draft Upper Klamath River Management Plan/EIS (henceforth called the River Plan) was prepared by an interdisciplinary team of resource specialists from the BLM, Lakeview District, Klamath Falls Resource Area Office with cooperation from the BLM, Redding Field Office and the Oregon Parks and Recreation Department. The official start of the preparation of the River Plan was initiated with the publishing of a “Notice of Intent” to prepare a Draft Environmental Impact Statement in the Federal Register on November 27, 2000. This notice also included an invitation to the public to suggest issues to be addressed in the River Plan and to provide comments concerning the management of the public lands. The planning process began in earnest in early 2001 with scoping meetings with the public, local governments, and organizations.

The River Plan is quite complex and requires extra coordination due to the fact that the planning area covers portions of two states. Multiple federal, state, and local government agencies were coordinated with to ensure that regulations would be adhered to during the preparation of this plan. In addition, PacifiCorp coordinated with the BLM in sharing natural resource information on their lands that are considered in the River Plan.

Coordination

Federal Agencies

The BLM is involved with the U.S. Fish and Wildlife Service, U.S. Forest Service, Environmental Protection Agency, U.S. Geological Survey, Bureau of Reclamation, and National Resource Conservation Service on projects such as watershed analysis, water quality improvement projects, in addition to this plan. In addition, personnel from these agencies have been involved in planning, conflict resolution, and Section 7 consultation under the Endangered Species Act.

The Regional Interagency Executive Committee, Klamath Provincial Advisory Committee, Klamath Basin Ecosystem Restoration Office, and the Regional Ecosystem Office, established under the Northwest Forest Plan, have increased BLM’s interagency role as well.

Klamath Basin Ecosystem Restoration Office

The Ecosystem Restoration Office (ERO) is an interagency office, which is operated cooperatively by the U.S. Fish and Wildlife Service, Bureau of Reclamation, U.S. Forest Service and the BLM. This interagency office provides funding, technical assistance, and monitoring for watershed restoration projects which are proposed by private landowners, private and public organizations and agencies, and the Upper Klamath Basin Working Group. The ERO works closely with the Klamath Provincial Advisory Committee and watershed councils within the Klamath Basin. BLM has helped support this office since 1997. Proposed projects in this plan were discussed with ERO staff.

State Agencies

The Klamath Falls Resource Area has a long term working relationship with Oregon Department of Forestry, Oregon Department of Fish and Wildlife, Oregon Department of Agriculture, Oregon Parks and Recreation Department, State Historic Preservation Office, and the Oregon Department of Environmental Quality. BLM is involved with these agencies in diverse activities such as recreation and timber sale planning, fish habitat inventory, water quality monitoring and TMDL development, noxious weed management, hazardous material cleanup, air quality maintenance, and wildfire suppression.

A presentation was made to the California Resources Agency on public issues and proposed alternatives. Preliminary information on the proposed plan was shared with California Water Resources Control Board, California Department of Fish and Game, and California Department of Forestry.

Oregon Parks and Recreation Department - The Oregon Scenic Waterways Program is administered under the authority of the Oregon State Parks and Recreation Commission (ORS 390.805 to 390.925). Administrative rules (OAR 736-040-005 to 736-040-0095) have been adopted to govern the program. In addition to the general rules governing the program, specific rules are created through the management of each river segment in the system. These rules are created through the management planning process, and tailored to the actions necessary to maintain the existing character of the designated river corridor.

The Act and Commission's rules require the evaluation of proposed land use changes within one-quarter mile from each side of the river for their potential impacts on aesthetic and scenic values, as viewed from the river. Property owners wanting to build road or houses, develop mines, harvest timber, or other similar projects, must provide written notification to the Oregon Parks and Recreation Department. The OPRD evaluation of the project will be coordinated with other natural resource agencies (federal and state) having regulatory responsibility and with the local jurisdiction. OPRD relies on its river classification and administrative rules for each segment of the scenic waterway to determine whether the proposed project is incompatible or inconsistent with the designated classification. State Parks will work with the landowner to reach a mutually satisfactory resolution of any conflicts. Where such a resolution cannot be reached, the Commission must decide, within one year of the original notification, whether to pay the property owner for the land or the development rights, or allow the landowner to proceed in accordance with the original written notification.

By virtue of the Scenic Waterways Act or other laws applying to the use of lands/waters along Oregon's rivers, OPRD has several management partners. Each of the following agencies has regulatory authority affecting a scenic waterway, and each provides technical information to help enhance and protect the natural and scenic values of private property:

Oregon Water Resources Department - The Oregon Water Resources Department issues water rights on all waters in the state and enforces the exclusion of dams, impoundments and certain types of placer mining in scenic waterways and on tributary streams within scenic waterway boundaries. In addition, the Scenic Waterways Act requires the Water Resources Commission to review proposed land condemnations and to review scenic waterway additions proposed by OPRD for designation by the Governor. The Commission must also assure no adverse effects occur to fish, wildlife and recreation by the issuance of any new water right in or above scenic waterways.

Oregon Division of State Lands - The Division of State Lands is the staff agency for the State Land Board (the Governor, Secretary of State and State Treasurer). It is responsible for protecting and conserving the beds and banks of scenic waterways. Any riverbank alteration, such as filling or removing material from the river, requires Land Board approval and a permit

from the Division of State Lands. In addition, the Division of State Lands owns the beds and banks of many navigable rivers and lakes throughout the state. The Division of State Lands works closely with OPRD to insure that any changes made to the beds and banks of scenic waterways are consistent with the scenic waterway management plan.

Oregon State Marine Board - The Oregon State Marine Board regulates the use of boats on Oregon waters and registers motorized craft. Fishing, hunting and rafting guides who operate in Oregon are also required to register with the Marine Board. The Marine Board has the authority to adopt rules governing the operation of recreational watercraft. State boating laws and operating rules are enforced by county sheriffs and State Police. The Marine Board contracts for local enforcement services and provides the necessary funding for staff, equipment and training for marine programs in various counties. In addition to law enforcement, marine patrols conduct safety inspections, place and maintain uniform waterway markers and navigational aides, and provide search and rescue services.

Oregon Department of Fish and Wildlife - The Department of Fish and Wildlife manages fish and wildlife resources in the state, regulates all commercial and recreational harvests, and is responsible for habitat preservation. The department is authorized to request in-stream water rights to protect fish and wildlife resources. Agency technicians and biologists provide technical assistance for riparian habitat protection and maintenance, riverbed or riverbank alteration, water withdrawal, or any use of the water's surface.

California Department of Fish and Game - The California Department of Fish and Game manages fish and wildlife resources in the state, regulates all commercial and recreational harvests, and is responsible for habitat preservation. Meetings and field trips have been held with California Department of Fish and Game employees throughout the development of the proposed River Plan.

Oregon Department of Environmental Quality - As the regulator of air and water quality in the state, the Department of Environmental Quality guards against the degradation of air and water quality in Oregon and along scenic waterways. The department is authorized to request in-stream water rights for the purpose of pollution abatement as well as to set water quality standards to protect scenic waterway values. The Department of Environmental Quality is the best resource for information about the water quality of a river or stream.

Oregon and California Departments of Forestry - Besides managing certain state-owned forests, the Oregon and California Departments of Forestry enforces the Forest Practices Act (in each state), which is designed to protect water quality and fish and wildlife from the adverse impacts of forestry activities such as logging and road construction. A forest operations permit from the department is required for logging and other forestry activities. The department also provides advice to private timber landowners and other state agencies in working to protect waterways.

California Water Resources Control Board - The State Water Resources Control Board (SWRCB) was created in 1967 by combining the Water Rights and Water Pollution Control Boards into a single body. The mission of the Board is to protect the quality of the State's surface, ground, and coastal waters, and to allocate water rights by issuing water right permits for appropriative surface water rights. Both the State and Regional Boards are backed by the Dickey Water Pollution Act of 1949, the Porter-Cologne Water Quality Act of 1969, and the Federal Clean Water Act of 1972, and the Clean Water Enforcement and Pollution Prevention Act of 1999. Meetings were held with SWRCB employees to review the proposed River Plan.

Counties

The Klamath Falls Resource Area (KFRA) is located within Klamath County, Oregon. The Redding Resource Area is located in Siskiyou County, California. There has been periodic

communication between the KFRA and Klamath county commissioners, Siskiyou County Supervisors, and other county staff. The commissioners and supervisors and their staff are also on the Upper Basin subcommittee of the Klamath Provincial Advisory Committee or the Interagency Task Force (see Appendix A) or both.

PacifiCorp

PacifiCorp is the major private landowner in the planning area. PacifiCorp has requested, in writing, that BLM explore the possibility of land tenure adjustments during the development of the EIS. PacifiCorp has provided resource information on their lands to be used in the River Plan.

PacifiCorp has submitted a map to the BLM that identifies parcels of their land to be considered for possible land trade, acquisition, or a mutually beneficial land management arrangement

Consultation

US Fish and Wildlife Service – The 1973 Endangered Species Act identified on a National List, any plant, animal or fish that is in danger of extinction throughout all or a significant portion of its range. Species that are threatened, proposed and candidate status have a consultation process for projects with the USFWS, which administers the National List. A Biological Opinion (BO) will be prepared on the final preferred alternative that will make a determination on endangered fish or wildlife species and habitat. This opinion evaluates the potential impacts to species from a specific project and provides recommendations for protection of the viability of the species. To date, consultation with the USFWS has been informal through discussions with BLM staff.

Tribes - The Lakeview District is in the process of developing a Memorandum of Understanding (MOU) between the BLM and the Klamath Tribes. It is anticipated the MOU will be finalized in FY 2003. The KFRA has consulted with the Klamath Tribes on the Klamath River Management Plan/EIS. Government-to- government meetings have been held that have included presentations to the Tribal Council. Regular updates have been given to the Tribes Cultural and Heritage Resource specialists during bi-monthly meetings.

Government-to-government consultation meetings were also held with various Tribes in California. The KFRA had consulted with the Shasta Nation (both Oregon and California groups), Hupa, Karuk, and Yurok Tribes regarding the proposed River Plan.

State Historic Preservation Officer - Because the sites would potentially be affected by activities in the canyon, consultation will be necessary. To date no formal consultation has occurred although the Oregon and California SHPO officer has been contacted. An “effects determination” will be made on the final preferred alternative in consultation with the State Historic Preservation Officers in both Oregon and California.

Chapter 7 – Implementation and Monitoring



Chapter 7 – Raft Launch below J.C. Boyle Powerhouse

Chapter 7 – Implementation and Monitoring

The objectives of the implementation and monitoring plans are based on the assumption that annual budget allocations will support full implementation of the Klamath River Management Plan. If actual budgets were significantly different from those projected, project implementation, desired restoration and enhancement activities would necessarily be reduced, along with the monitoring actions that are associated with them. However, project implementation, monitoring and evaluation would continue at a level commensurate with the management actions that are implemented, and to ensure that the outstandingly remarkable values of the Klamath River are protected.

Implementation

A detailed implementation time schedule will be developed in the FEIS. For the River Plan/DEIS, it was assumed that actions identified in Appendix H would be implemented in ten years with annual maintenance needed there after. The life span of this plan is estimated to be twenty years.

The total cost estimates for implementing the specific actions for each alternative are displayed in Table 7-1. BLM has prepared cost estimates for the recommended actions that occur on PacifiCorp lands. This was done to abide by PacifiCorp's written request to consider their lands in this River Plan/DEIS.

There were common assumptions made when developing the cost estimates for implementing each alternative.

Cost estimates were based on contracting all work to complete the specific actions.

No cost estimates were made for land tenure acquisitions.

Maintenance costs were determined to be critical after the ten-year implementation period. Maintenance costs were determined by estimating 10% of the total cost per alternative per year. Maintenance costs are for recreation facilities, roads, and vegetation follow-up treatments or new treatments.

Monitoring

BLM is required to monitor land use plan decisions (43 CFR 1610.4-9) and to adopt a monitoring program for any mitigation incorporated into decisions based on environmental impact statements (40 CFR 1505.2[c]). In addition, protection and enhancement of outstandingly remarkable river values is a mandate of the Wild and Scenic Rivers Act. In order to verify the trend of river resource conditions and to guide future management decisions, it is desirable to systematically sample public land, file the data in an organized fashion, and provide for periodic evaluation of the information obtained.

The area included in this monitoring plan consists of all public land administered by the BLM from rim to rim along the Klamath River mainstem (see Maps 9 thru 12). For this River Plan/DEIS a monitoring program was developed to determine monitoring actions, what type of monitoring would be necessary and how much would it cost. The specific costs and levels of monitoring are compared to each alternative in a detailed monitoring plan found in Appendix M. Table 7-2 reviews the total costs associated with monitoring by each alternative. The monitoring plan identifies 3 levels of monitoring that could be conducted. These

Table 7-1.–Implementation Costs for the Upper Klamath River Management Plan

Management Actions	Alternative 1*		Alternative 2*		Alternative 3*		Alternative 4*	
	BLM	PC	BLM	PC	BLM	PC	BLM	PC
Scenery	Included in veg treatment							
Recreation	\$ 352	\$ 118	719	1,953	255	729	2,239	2,648
Road Treatments	55	42	150	152	115	130	612	189
Cultural Resources	267	19	64	89	87	159	117	155
Vegetation Treatments	416	36	905	1,469	1,273	1,928	939	562
Wildlife Species Habitat Treatments	3	52	27	88	39	195	75	126
Water Quality/ ACS Objectives	Included in Road & Veg Treatment							
Aquatic Species Habitat	0	0	1,100	780	2,280	7,889	331	392
Grazing	13	0	13	0	13	0	13	0
Fire/Fuels	Included in veg treatment							
Total Cost/Decade	\$ 1,106	\$ 267	\$2,978	\$4,531	\$4,062	\$11,030	\$4,326	\$4,072
Annual Maintenance after first decade (the implementation period)	105	27	298	453	400	400**	433	407

*All cost totals are in \$1,000 and displayed for a ten year time period

** Annual maintenance costs based on less than 10% factor

monitoring levels are compared to each monitoring action and alternative (see Appendix M). The following reviews the 3 levels of monitoring that could be completed after projects implementation.

Implementation Monitoring — When determining whether a course of action is having the desired effects, the first step to take is implementation monitoring. This type of monitoring answers the question: “Were the actions detailed in the Record of Decision accomplished as designed?” Implementation monitoring will be conducted on each mitigation measure incorporated into the Klamath River Management Plan, and disclosure of accomplished actions will be documented in achievement reports. For many mitigation measures, such as standard Best Management Practices, the only monitoring necessary would be implementation monitoring.

Effectiveness Monitoring — If more monitoring information is desired, the second phase of monitoring is to determine whether the actions documented in the implementation phase of monitoring are having any effect. This phase answers the question: “Did the actions accomplished meet the objectives in the Record of Decision?” Thus, effectiveness monitoring includes obtaining field observations that meet approved protocol, and evaluating the data gathered to determine whether conditions remain within the bounds and intent of Plan direction.

Validation Monitoring — The validation phase of monitoring seeks to resolve whether the course of action is having the desired effects. Validation answers the question: “Were the initial assumptions used to develop the Klamath River Management Plan correct?” The validation phase also forms the background for adaptive management, and would become the initial data set for the next round of decision making.

Table 7-2.—Monitoring costs for the Upper Klamath River Management Plan

Monitoring Activities	Alternative 1*	Alternative 2*	Alternative 3*	Alternative 4*
Scenic Qualities	\$ 70	\$ 70	\$ 70	\$ 70
Recreation	80	130	95	130
Cultural Resources	14	24	16	24
Vegetation/special status plants & noxious weeds	50	92	111	42
Soils	10	20	30	20
Wildlife	66	118	153	125
Watershed/water quality	57	126	126	108
Aquatic Species Habitat	30	270	160	270
Grazing	6	6	3	6
Wild Horses	1	1	1	1
Fire and Fuels	Included in Vegetation	Included in Vegetation	Included in Vegetation	Included in Vegetation
Total Cost/Decade	\$384	\$857	\$765	\$796

*All cost totals are in \$1,000 and displayed for a ten year time period

