

RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION (CX) DETERMINATION

CX Log #: OR-014-CX-04-01 Lease or Serial #: N/A
Project Name: Section 1 Exploration (quarry expansion drilling)
Location: T.40 S., R.6 E., Sec. 1, N1/2NW1/4 County: Klamath County
BLM Office: Lakeview District, Klamath Falls Resource Area Phone #: 541-883-6916
Applicant: Oregon Department of Transportation
Address: 63034 O.B.Riley Rd, Bend, OR 97701

DESCRIPTION OF THE PROPOSED ACTION:

To support the upcoming Spencer Bridge replacement and road realignment project on State Highway 66, the Oregon Department of Transportation (ODOT) proposes to conduct an exploration drilling program in and surrounding the existing 3 acre BLM quarry at this location to identify a source for rock fill, base rock, surface rock and aggregate for concrete. Exploration would consist of drilling 50 to 100, one to four inch diameter drill holes 50-foot 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-track drilling, further exploration would be completed to collect core samples. At high potential sites, 1 to 5, 3.5-inch diameter, core sample drill holes would be drilled 50-foot deep, using a truck- or track-mounted rotary drill rig and a water supply truck. Approximately 30-40 acres would be explored to define the best 5 to 10 acre area for possible quarry expansion.

Total time for drilling operations should take 5-8 days after move in.

The attached best management practices would be followed for drilling activity. All trees would be avoided and there would be minimal other vegetation disturbance expected from track drilling. All air track drill holes would be plugged according to Oregon Department of Water Resources regulations. Core sample drill sites would be also be planned to avoid trees. All drill holes outside the existing quarry opening would be plugged according to Oregon Department of Water Resources regulations. Drilling will avoid the 160-foot riparian reserve associated with the stream flowing through the Southwest corner of the BLM parcel. No water is expected above the 50-foot depth.

Photos of the type of air track and rotary drill rigs that would be used for exploration are attached. A map showing the proposed exploration area is also attached.

Note: At the end of exploration, if greater than 120,000 cubic yards of rock in place is confirmed, ODOT expects to submit a quarry expansion and reclamation proposal that would increase the quarry size 5 to 10 acres. However, any quarry expansion proposal would be subject to a separate, more detailed, environmental analysis. The proposed exploration in no way establishes any precedent for future action, nor represents any decision in principal about future actions. ODOT's possible future quarry use would have a planned life of 10 years, with the possibility of an additional 10 years, and possibly an additional 10 acres of disturbance, if a quarry mine plan is approved and acceptable to the BLM. As the rock resource is removed, portions of the quarry would be reclaimed so that total open disturbance would be maintained at 10 acres. The BLM plans to continue to utilize this quarry on a long term basis for future rock needs.

PLAN CONFORMANCE

The above project has been reviewed and found to be in conformance with one or more of the following BLM plans (reference appropriate section/pages of the plan):

A. Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary, June 1995 (KFRA ROD/RMP/RPS). Refer to **Page 59**.

B. Klamath Falls Resource Area Integrated Weed Control Plan (EA dated July 21, 1993).

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, #5.4 F(9))**.

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) in accordance with 516 DM2, Appendix 1, 1.12 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:

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)

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

DOCUMENTATION OF RECOMMENDED MITIGATION

For any item checked "Yes", if no mitigating measures are identified that can prevent the potential adverse impacts, the conditions for a categorical exclusion cannot be met.

<u>Item No.</u>	<u>Can Be Mitigated</u>	<u>Cannot Be Mitigated</u>	<u>Mitigation Measures</u>
2	Yes	--	Number 2 above discusses <u>adverse</u> effects on cultural resources. The project could potentially adversely affect cultural resources; therefore, specific mitigation for cultural resources follows: <ul style="list-style-type: none"> A cultural site is located in the vicinity. It shall be avoided during project activities. (Contact the Resource Area archaeologist for contract specifications on avoidance).
8	Yes	--	Number 8 above discusses <u>adverse</u> effects to sensitive species. The project could potentially adversely affect sensitive owls or goshawks; therefore, specific mitigation for timing of operations follows: <ul style="list-style-type: none"> An osprey nest is located within 0.1 mile of proposed drilling area. "Restrict some management activities within ¼ mile of known nest sites May 1 – August 1" (Resource Management Plan, page 34). Surveys for Great Grey Owl and Northern Goshawk are ongoing. Until presence, or absence, are verified, no disturbance activities will be allowed during the typical nesting season (March 1 to August 31).

SURVEYS AND CONSULTATION

Surveys and/or consultation may be needed for special status plants and animals, for cultural resources, and other resources as necessary: (Initial and Date appropriate fields)

<u>Surveys & Consultation:</u>	1) are completed	2) will be completed	3) are not needed
SS Plants	<u> X </u>	<u> </u>	<u> </u>
SS Animals	<u> </u>	<u> August 2004 – S.H. </u>	<u> </u>
Cultural Resources	<u> X </u>	<u> </u>	<u> </u>
Other Surveys	<u> </u>	<u> </u>	<u> X </u>
SS Animal Consultation	<u> </u>	<u> </u>	<u> X </u>
Botanical Consultation	<u> </u>	<u> </u>	<u> X </u>
Cultural Consultation	<u> </u>	<u> December 2003 – T.C. </u>	<u> </u>

(SS = Special Status)

Remarks:

- The first year of Great Grey Owl and Northern Goshawk surveys were completed in 2003. A second year of surveys will be completed by August 31, 2004. If either species is located, appropriate measures as specified in the RMP and Northwest Forest Plan will be followed.

SUMMARY OF FINDINGS and CX DETERMINATION

Based on the available information and a review by the interdisciplinary team, it is my determination that the proposed action does not constitute a significant impact affecting the quality of the human environment greater than those addressed in the:

- Final Klamath Falls Resource Area Management Plan and EIS.
- Klamath Falls Resource Area Integrated Weed Control Plan EA.

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 fall under any exception. The proposed action is, therefore, categorically excluded from NEPA documentation.

Prepared By: Rebecca S. Lange 12/18/03
 Rebecca Lange, District Geologist Date

Reviewed By: DK Hoffheins 12/19/03
 Don Hoffheins, Planner Date

Approved By: Jon Raby 12/23/03
 Jon Raby, Manager Date
 Klamath Falls Resource Area

DRILLING BEST MANAGEMENT PRACTICES

ODOT will employ the following best management practices to minimize impacts on the environment while air track drilling:

- No vegetation will be removed. The track mounted rig can drive directly over brush and grass with minimal disturbance.
- Mobilization of the drill rig from hole to hole on the site will be restricted to dry or frozen conditions where there is a soil cover.
- ODOT will comply with all fire regulations.
- Drill rigs and equipment will be steam cleaned prior to entering the site.
- Drill rigs will be inspected before the project and daily during the project. Any leaks will be repaired prior to drilling.
- The drill rigs will be equipped with spill containment equipment. In the event of a spill, drilling will be suspended, all contaminants will be cleaned up, and the drill rig repaired before drilling resumes.
- An ODOT geologist will be on site to supervise drilling operations and enforce best management practices.

In addition to the air track drilling, ODOT may obtain rock core samples in 1-5 holes using a truck- or track- mounted rotary drill rig and a water supply truck. The best management practices that ODOT would employ to minimize environmental impacts for rotary drilling are as follows:

- The drilling fluid will be clean water or environmentally safe mud.
- No vegetation will be removed. Holes will be located in sites that require minimal disturbance.
- Mobilization of the drill rig from hole to hole on the site will be restricted to dry or frozen conditions in areas where there is a soil cover.
- ODOT will comply with all fire regulations.
- Drill rigs and equipment will be steam cleaned prior to entering the site.
- Drill rigs will be inspected before the project and daily during the project. Any leaks will be repaired prior to beginning work.
- The drill rigs will be equipped with spill containment equipment. In the event of a spill, drilling will be suspended, all contaminants will be cleaned up, and the drill rig repaired before drilling resumes.
- An ODOT geologist will be on site to supervise drilling operations and to enforce best management practices.
- Water or fluid used for drilling will be clean, contained on the drill site, and erosion control measures will be deployed as necessary. No drilling fluids will be allowed to enter streams or water bodies.
- All petrochemicals will be stored in leak proof containers.

Air track and rotary drill rigs that would be used for exploration.



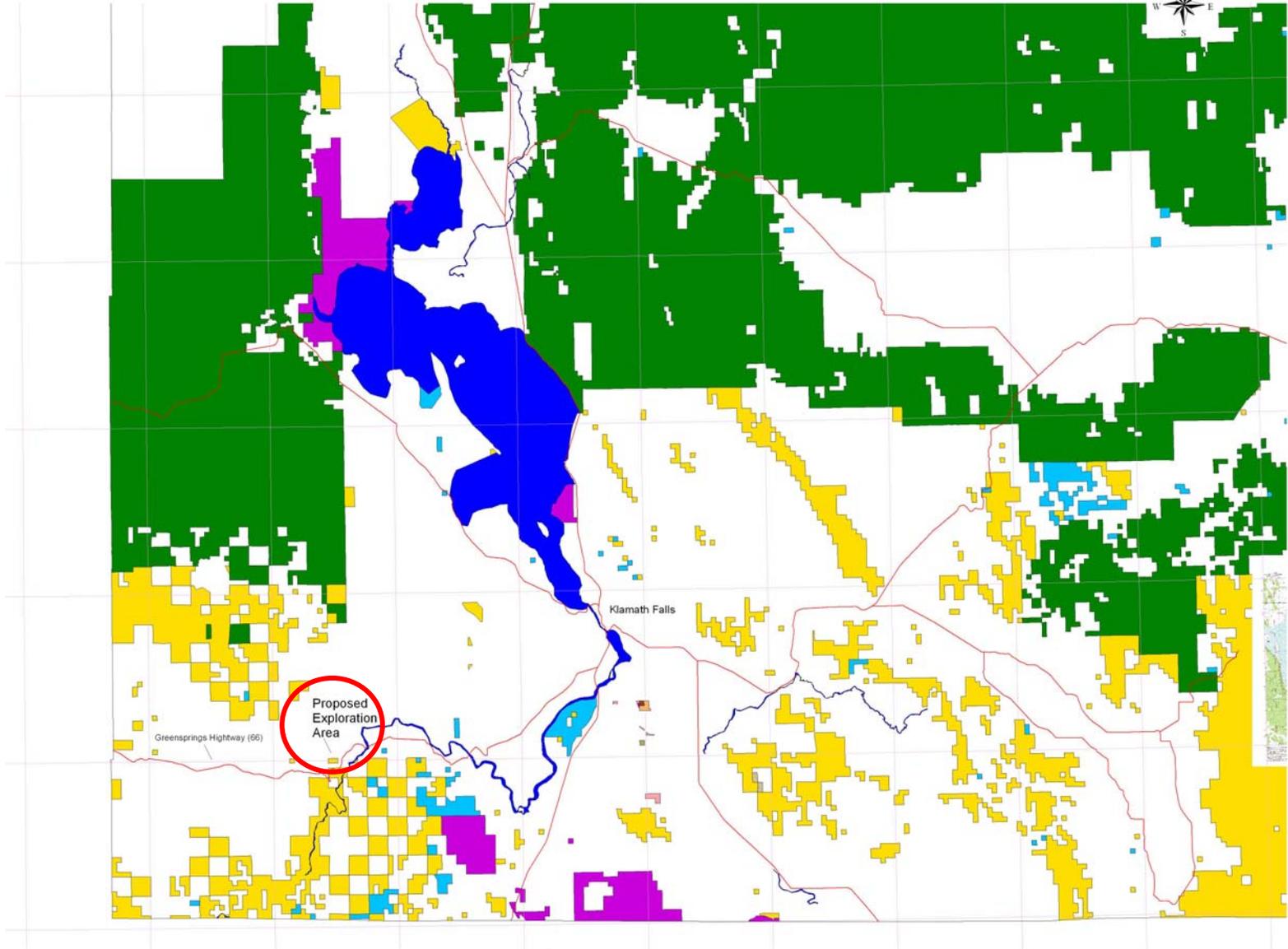
Example of Air Track Drilling Rig.



Example of track mounted rotary drilling rig, and water truck in the background.

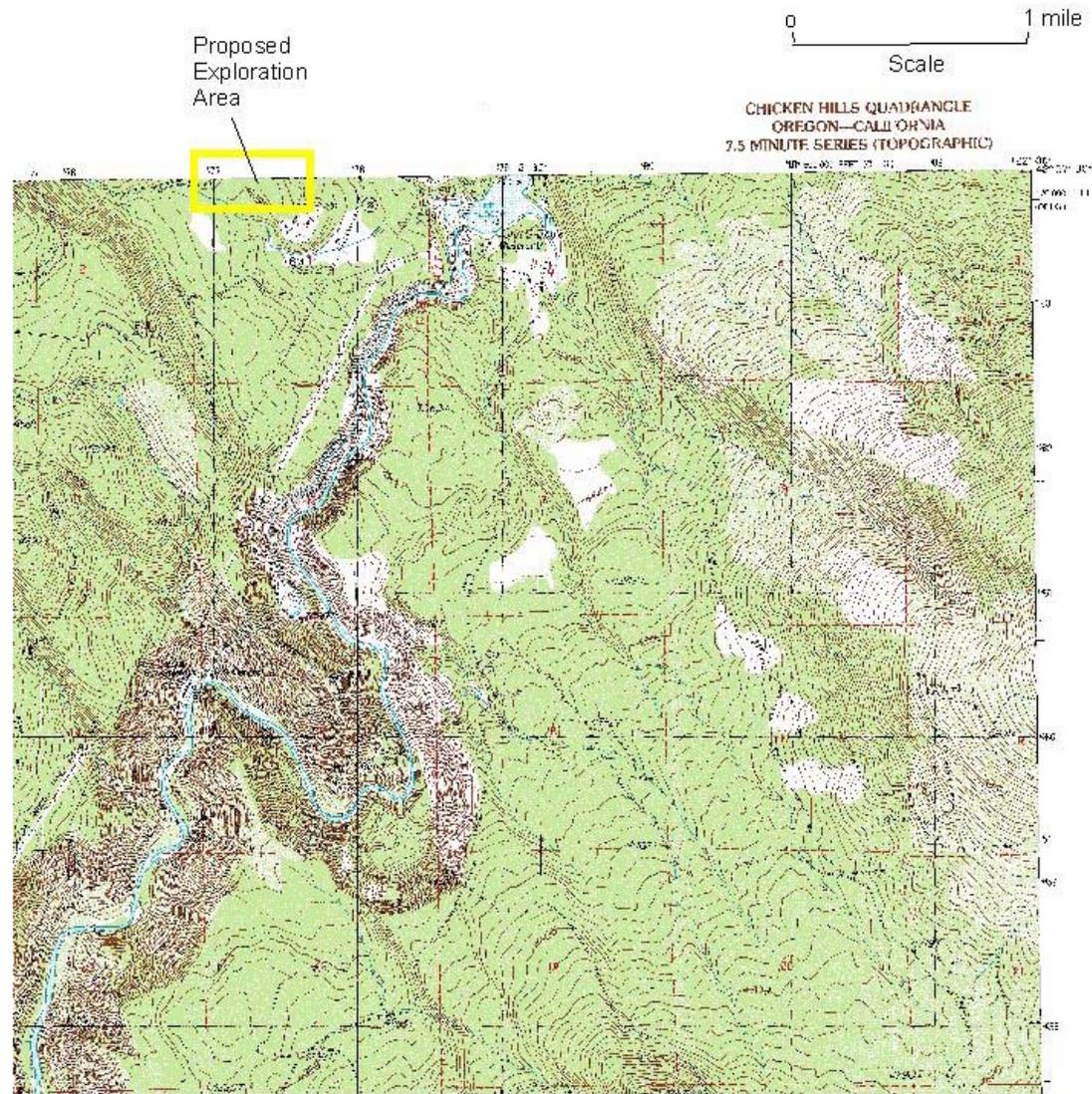
Scale: 0 6 miles

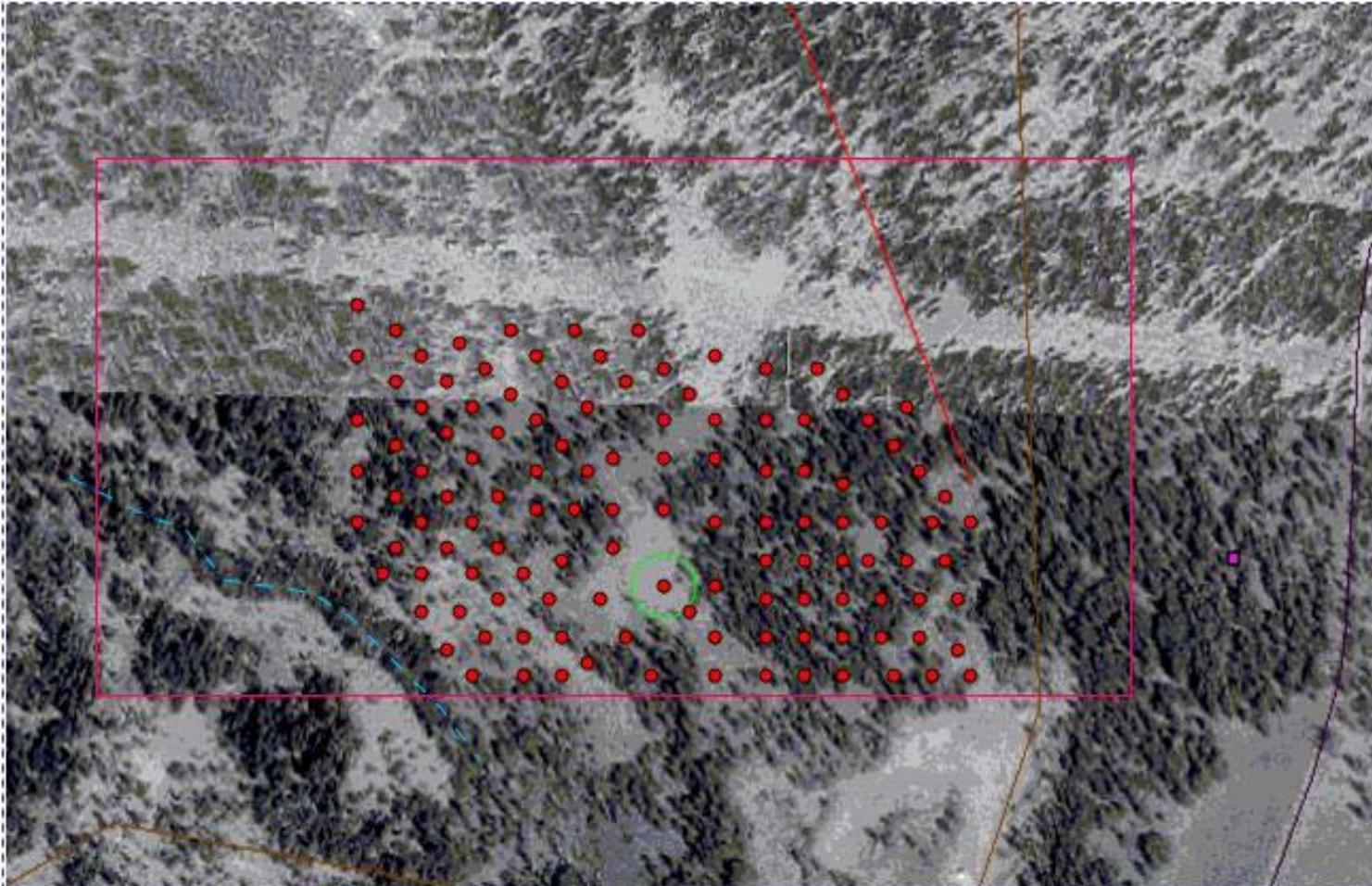
ODOT Exploration Proposal Vicinity Map



○ - Proposed Exploration Area

Proposed Exploration Site





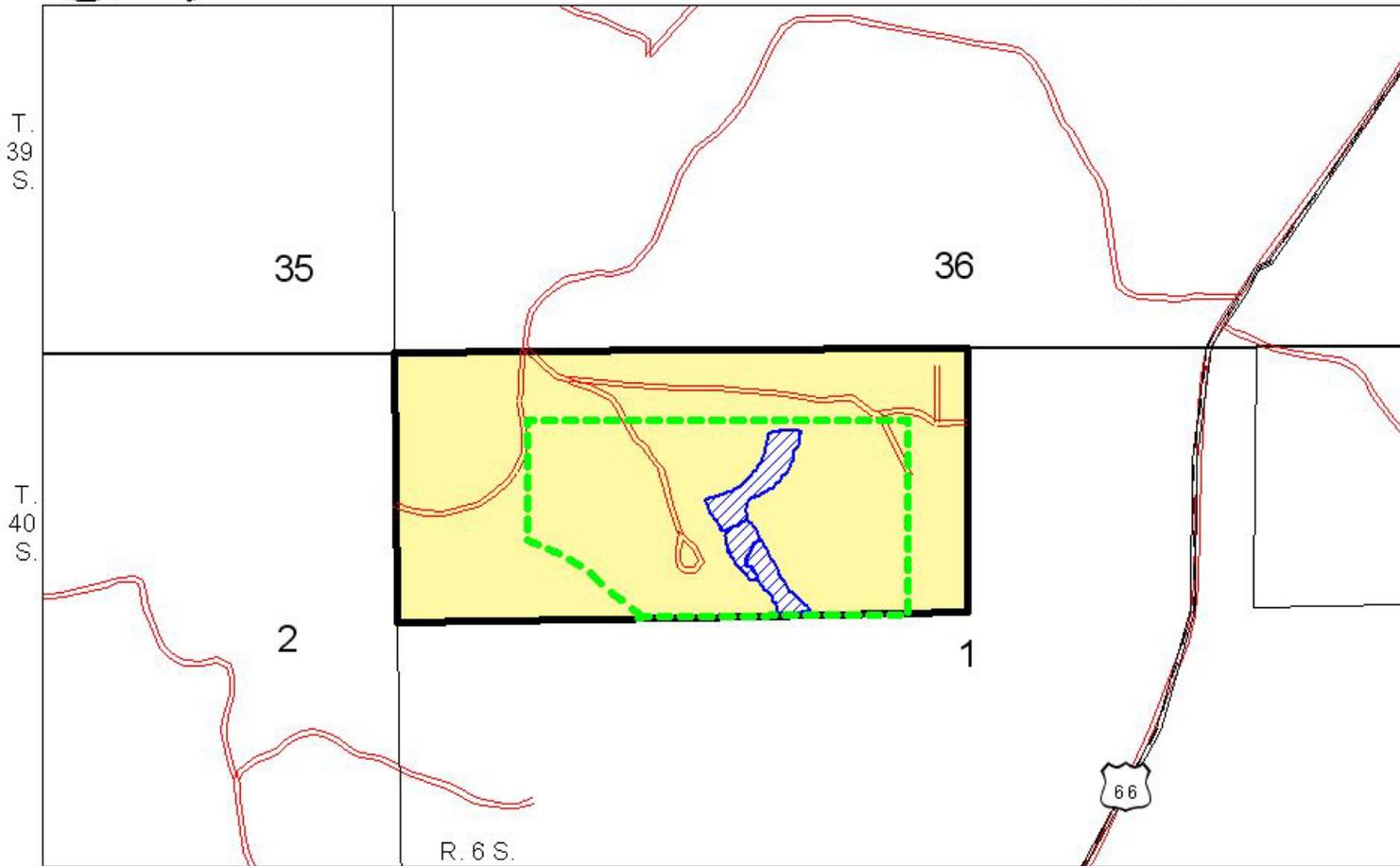
● Approximate Drilling Locations- 100 to 200 ft Grid. Number and location of holes depends on money available, environmental constraints, and results of exploration. Drill locations will be modified in the field during drilling.

○ Existing quarry



**Klamath Falls Resource Area
Lakeview District, Oregon**

**Section 1 Exploration
CX-04-01**



- Odot Proposal
- Roads
- BLM land
- Existing & Proposed BLM Quarry



500 0 500 1000 Feet

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. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

Klamath Falls Resource Area NEPA Document Routing Slip for Internal Review

Project Name: OR 014 CX-04-01 Section 1 Exploration
Date Initiated: 11/7/03

Resource or Staff Responsible	Review Priority	Preliminary Review Date/Initials	Comments Attached/Incorporated	Final Review Date/Initials
Manager: Jon Raby	Last			JR 12/23/03
Branch Chief: Barbara Ditman	Second to Last			
Branch Chief: Larry Frazier	Second to Last			
Branch Chief: Rod Johnson	Second to Last 11	RJM 12/2/03		RJ 12/5/03
Planner/EC: Don Hoffheins, Kathy Lindsey	Third from Last 10	12/1/03 DKH		12/16/03 DKH 12/14/03 DKH
Range: Bill Lindsey, Dana Eckard	—			
Wild Horses: Tonya Pinckney	—			
Fire/Air Quality: Joe Foran	—			
Silviculture: Bill Johnson, Gabi Sommerauer	—			
Timber: Mike Bechdolt	9	12/4/03 (mb)	one comment	12/10/03 (mb)
Botany/ACEC/Noxious Weeds: Lou Whiteaker	8	11/20/03 (LW)	No special status plants Noxious weed - St. John's wort - in riparian area	11/25/03 (LW)
Soils:				
Cultural: Tim Canaday	7	TC 12/8/03	survey complete - one site within riparian buffer	12/8/03 TC
Minerals/HazMat: Tom Cottingham				
Lands/Realty: Linda Younger	6	LY 11/25/03	100% to 100% full -	LY 12/16/03
Recreation/Visual/Wilderness: Scott Senter	5	SS 11/25/03		
Hydrology/Riparian: Mike Turaski, Andy Hamilton	4	MRT 11/25/03		MRT 12/16
Wildlife/T&E: Steve Hayner	3	SH 11/25/03	Incorporated	SH 12/16/03
Fisheries/T&E: Scott Snedaker	—		See Mike T's comments	SS 11/30/03
W/S Rivers: Grant Weidenbach	—			
Engineering: Brian McCarty	2	BMC 11/25/03	Yes	BMC 12/16
Survey/Manage: Molly Juillerat	1			MS 11/20 Sun 11/20/03
Clearances/Surveys	Needed	Done/Attached	<p>*This document will not sit on your desk for more than 8 hours. Please check on calendar to make sure that the next person will be available to review the document.</p> <p>**Some resource areas may not apply for all projects. If so, just mark "N/A" in "Review Priority" column.</p>	
✓ Cultural		Done TC 12/8/03		
✓ Botanical		Done LW 11/25/03		
✓ T&E, BA & or Consultation	no sat 11/25/03			
R-O-W Permits				