

Categorical Exclusion Documentation and Decision Record

U.S. Department of the Interior
Bureau of Land Management
Coeur d'Alene District, Idaho

Project Name: *2012 Coeur d'Alene Abandoned Mine Closures*

NEPA Register No: DOI-BLM-ID-C010-2012-0005-CX

Office: Coeur d'Alene Field Office

Location: Near Mullan and Wallace, Shoshone County, Idaho; (see map)

Boise Meridian, T. 48 N., R. 5 E, Section 25 – Lottie L Mine
 T. 48 N., R. 4 E, Section 12 – Mayflower
 T. 47 N., R. 4 E, Section 2 – Placer Creek East

Project Description

Mitigation (closure) of hazardous openings at abandoned mines in the Coeur d'Alene Field Office. Such closures are authorized in accordance with the Federal Land Policy Management Act of 1976, as amended (43 USC 1701 *et seq*), and are included in the BLM's Abandoned Mine Land (AML) program strategic objectives; i.e., to protect public safety and reduce liabilities by eliminating or reducing hazards posed by abandoned mines (BLM Manual 3720.03). The name (and number) of the targeted openings in the Abandoned Mine Lands database are: Lottie L Mine (1), Placer Creek East (1), and Mayflower (1). The Lottie L Mine would be fitted with a bat gate; the Placer Creek East would be fitted with a bat grate; and the Mayflower would be closed with polyurethane foam (PUF). Any disturbances created during work completion would be seeded with an approved seed mix.

Compliance with the National Environmental Policy Act (NEPA)

The proposed action is categorically excluded from further documentation under NEPA in accordance with 516 DM 11.9 J.8. This exclusion is for "Installation of minor devices to protect human life (e.g., grates across open mine entrances)". Application of this categorical exclusion is appropriate in this situation. The BLM reviewed the project against the exceptions in 516 DM2, Appendix 2, and determined that there are no extraordinary circumstances that would require preparation of an environmental analysis.

In making this determination, I considered that the project has been planned to protect public safety and reduce liabilities posed at hazardous mine sites and none of the proposed mitigation would affect the potential for future development of mineral resources. Consultation with the State Historic Preservation Officer concluded no historic properties would be adversely affected.

Public notice of the project was initiated on May 2, 2012, and no objections or concerns for completing the project were received from the public.

Decision

It is my decision to authorize the closure of the identified abandoned underground mine openings in the Coeur d'Alene Field Office as described above, using approved funding sources.

Rationale

The actions will reduce threats to public safety, as well as liability of the BLM, mining claimants, and former mining operators. The mine openings are relatively small, scarce, and widely dispersed; typically in steep, rugged terrain and near or far away from populated areas and highways.

The actions are in conformance with the 2007 Coeur d'Alene Resource Management Plan. All closure efforts have been planned so as not to adversely affect sensitive species (plants/animals) or cultural resources.

There would be no meaningful impacts affecting the potential for future development of mineral resources as only the entrances of the underground workings would be closed. The mine workings would remain relatively accessible for exploration and development; although, most are caved and would require extensive work to safely conduct mineral operations. Furthermore, only unauthorized or abandoned workings would be closed. None of the sites are authorized by a surface management Notice or Plan of Operations with an appropriate financial guarantee (bond) in place as required by BLM's surface management regulations at 43 CFR 3809.

Approval

This project is approved for implementation effective upon my signature.

/s/ Kurt Pavlat
Kurt Pavlat
Field Manager

September 14, 2012
Date

Administrative Review Procedures

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and Form 1842-1. If an appeal is taken, your notice of appeal must be filed in writing at the Coeur d'Alene Field Office (address; 3815 Schreiber Way, Coeur d'Alene, Idaho, 83815) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

Pursuant to 43 CFR 4.21, if you wish to file a petition for a stay of the effectiveness of this decision, during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413), at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

»»»»»»» Standards for Obtaining a Stay «««««««

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- A. The relative harm to the parties if the stay is granted or denied,
- B. The likelihood of the appellant's success on the merits,
- C. The likelihood of immediate and irreparable harm if the stay is not granted, and
- D. Whether the public interest favors granting the stay.

Contact Person

For further information, contact Scott Sanner in writing at the BLM Coeur d'Alene Field Office, 3815 Schreiber Way, Coeur d'Alene, Idaho, 83815; by email at scott_sanner@blm.gov; or by phone at (208) 769-5032.

BLM Categorical Exclusion Documentation -- Extraordinary Circumstances Review

2012 Coeur d'Alene Abandoned Mine Closures

NEPA Register No: DOI-BLM-ID-C010-2012-0005-CX **CX Reference No:** 516 DM 11.9, CX # J.8

<i>The following must be answered negatively before the CX may be approved</i>	No	
<i>Will this project</i> have significant adverse effects on public health or safety?	X	<i>SS</i>
<i>Will this project</i> adversely affect such unique geographic characteristics as:		
historic or cultural resources;	X	<i>DS</i>
park, recreation or refuge lands, wilderness areas, wild or scenic rivers;	X	<i>KP</i>
sole or principal drinking water aquifers;	X	<i>MS</i>
prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988);	X	<i>SS</i>
or ecologically significant or critical areas, including those listed on the Department of the Interior's National Register of Natural Landmarks?	X	<i>SS</i>
<i>Will this project</i> have highly controversial environmental effects (NEPA section 102(2)(E))?	X	<i>SS</i>
<i>Will this project</i> have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	X	<i>SS</i>
<i>Will this project</i> establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects?	X	<i>SS</i>
<i>Will this project</i> be related to other actions with individually insignificant but cumulatively significant environmental effects?	X	<i>SS</i>
<i>Will this project</i> have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?	X	<i>DS</i>
<i>Will this project</i> have adverse effects on species listed or proposed to be listed on the List of Threatened or Endangered Species, or have adverse effects on designated Critical Habitat for these species?	X	<i>LA CW CH</i>
<i>Will this project</i> threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?	X	<i>SS</i>
<i>Will this project</i> have a disproportionately high and adverse effect on low income or minority populations? (Executive Order 12898 -- Environmental Justice)	X	<i>SS</i>
<i>Will this project</i> 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 – Sacred Sites)	X	<i>DS</i>
<i>Will this project</i> 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	<i>LA DE</i>

Reviewers and Comments

Specialist:	Name:	Comment	Date
Mining Engineer	S. Sanner (SS)	Project Lead - All considered during project design.	5/1/12
Archaeologist	D. Sisson (DS)	No expected impacts. See memo in file.	5/21/12
Native American Coord.	D. Sisson (DS)	Consult completed. See memo in file.	5/21/12
Biologist(wildlife)	C. Hugo (CH)	Expect no impacts. See clearance in file.	9/13/12
Recreation Planner	K. Pindel (KP)	No impacts. See email in file.	5/14/12
Hydrologist/Soil Scientist	M. Stevenson (MS)	Expect no impacts. See email to file.	6/28/12
Botanist	L. Abell (LA)	Should not contribute to the need to list any sensitive species as Threatened or Endangered. Inspection and treatment of closure sites for weed problems would decrease potential weed impacts. See clearance in file.	6/12/12
Biologist (fisheries)	C. Weston (CW)	No impacts to fish or aquatic habitat are anticipated. See clearance in file.	5/2/12
NEPA Coordinator	S. Endsley (SE)	LUP Conformance & applicable CX confirmation	9/14/12