

Categorical Exclusion Evaluation and Documentation of Extraordinary Circumstances

Coeur d'Alene District Abandoned Mine Closures
516 DM 11.9, J. 8

Extraordinary circumstances do not exist for the proposed action described within the categorical exclusion. The extraordinary circumstances were evaluated and those findings are documented in the following form.

Staff review, initial, date and add remarks to appropriate Yes or No column below:

The proposed categorical exclusion action will:	Yes	No
Have significant impacts on public health or safety.		
Have significant impacts on such natural resources and 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.		
Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E)).		
Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		
Have a direct relationship to other actions with individually insignificant but cumulative significant environmental effects.		
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.		
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.		
Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		
Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
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).		
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).		

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
COEUR D'ALENE DISTRICT, IDAHO**

**Abandoned Mine Closures
DECISION RECORD**

Proposed Action: To close the identified abandoned underground mine openings within the Coeur d'Alene District as described in Categorical Exclusion ID-410-2009-CE-3884.

CX Number: ID-410-2009-CE-3884

Location of Action:

Coeur d'Alene Field Office;

Carbonite: S17, T. 48 N., R. 2 E., Boise Meridian (Klondike Gulch, S. of Pinehurst)
Gold Back: S5, T. 49 N., R. 5 E., Boise Meridian (Cougar Gulch, E. of Murray)
Motherlode: S5, T. 49 N., R. 5 E., Boise Meridian (along Pritchard Cr., SE of Murray)
Nine Mile: S12, T. 48 N., R. 4 E., Boise Meridian (W. Fork of Ninemile Cr., N. of Wallace)

Cottonwood Field Office;

Fiddle Cr.: S23, T. 25 N., R. 1 E., Boise Meridian (along Hwy 95, N. of Riggins)
Blackhawk: S2, T. 26 N., R. 1 E., Boise Meridian (Blackhawk Bar, S. of Slate Cr.)

I. Decision

It is my decision to authorize the closure of abandoned underground mine openings in the Coeur d'Alene District (Coeur d'Alene and Cottonwood Field Office areas) as described above using approved funding sources. Such closures are authorized in accordance with the Federal Land and Policy Management Act of 1976, as amended (43 USC 1701 *et seq*), and are included in the BLM's Abandoned Mine Land 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).

II. Rationale

The proposed action would 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 throughout the Coeur d'Alene District; typically in steep, rugged terrain and may be located near or far away from populated areas and highways. The proposed action is in conformance with applicable land use plans. These actions are designed so as not to harm bats, and may enhance bat habitat by keeping people from entering the openings and disturbing bats or damaging their habitat. There would be no meaningful impacts to mineral resources as only the entrances of the underground workings would be closed. The mine workings would remain relatively accessible for future mineral exploration and development; although, most are caved and would require extensive work to safely conduct mineral exploration work. Furthermore, only unauthorized or abandoned workings would be closed, i.e., those not authorized by a surface management notice or plan of operations and appropriate financial guarantee, as required by 43 CFR 3809.

/s/ Eric R. Thomson
Eric R. Thomson
Field Manager
Coeur d'Alene Field Office

October 5, 2009
Date

/s/ Will Runnoe
William Runnoe
Field Manager
Cottonwood Field Office

October 1, 2009
Date

III. 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 this office (at the above address) 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 regarding this project, contact Scott Sanner in writing at 3815 Schreiber Way, Coeur d'Alene, Idaho, 83815, by email at scott_sanner@blm.gov, or by phone at (208) 769-5032.

Attachment: Categorical Exclusion ID-410-2009-CE-3884