



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Spokane District Office
1103 N. Fancher
Spokane Valley, Washington 99212-1275

IN REPLY REFER TO:

2700 (ORW030) P
WAOR 66436
EA# DOI-BLM-OR-135-2010-0025

November 3, 2010

SCOPING/INFORMATION PACKAGE

City of West Richland Conveyance of Reversionary Interest
Environmental Assessment

Border Field Office, Spokane District

Introduction

This information package summarizes a Bureau of Land Management (BLM) proposal to sell and release to the City of West Richland the reversionary interest held by the United States for up to 40 acres of land located in Benton County, Washington.

Federal actions must be analyzed in accordance with the National Environmental Policy Act (NEPA) and other relevant Federal and state laws and regulations to determine potential environmental consequences.

The purpose of this information package is to inform interested and affected parties of the proposal and to solicit comments to assist with the NEPA review of the proposal. The analysis of the proposal is underway and will be documented in an Environmental Assessment (EA) with an estimated completion date of spring 2011. Public comments received in response to this solicitation will be used to identify potential environmental issues related to the proposed action and to identify alternatives to the proposed action that also fulfill the purpose of and need for the project.

Proposed Action

The BLM Spokane District is proposing to sell and release to the City of West Richland the reversionary interest held by the United States for up to 40 acres of land described as:

Willamette Meridian, Benton County, Washington,
T. 9 N., R. 27 E., Section 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The exact legal description will change depending on the results of the cadastral survey, scheduled for February 2011.

The parcel is located within the city limits of West Richland in Benton County, Washington at the corner of Keene and Belmont roads as depicted on the attached map. The parcel is located within the Scattered Tracts Management Area of the Spokane District's Border Field Office (BLM 1985).

Background

On January 13, 1983, the City of West Richland (City) received a patent (deed) to a 40-acre parcel from the United States of America for the public purpose of constructing and operating a sewer interceptor and treatment facility. The patent was issued under the Recreation & Public Purposes Act (R&PP) of 1926, as amended and supplemented. The R&PP Act allows the Federal government to convey land to municipalities for recreational or public purposes at less than fair market value and requires the United States to reserve the mineral estate and a reversionary interest in the lands that may be invoked if the land is utilized for a purpose other than that for which the lands were conveyed, or if the patentee attempts to transfer title to, or control over the land that was conveyed, without the consent of the BLM.

The City no longer needs the parcel for the purpose identified in their patent. The City formally requested to acquire the reversionary interest from the United States on May 4, 2010. The City wishes to retain ownership of the land with the flexibility to use the parcel for purposes that may or may not be compatible with the existing patent and R&PP Act overall.

Purpose and Need for Action

The need for the action arises from the BLM's responsibility to respond to a request for conveyance of reversionary interests under FLPMA Section 203.

At the time the original R&PP patent was issued (January 13, 1983), the Spokane District's *Southeast Planning Area Management Framework Plan* determined that the subject parcel "[lacked] any amenities which would contribute significantly to any multiple-use programs or development..." It was determined at that time that "...The best use for this parcel [appeared] to be for a public purpose project..."

FLPMA provides for direct sales of lands when the disposal of such tracts will serve important public objectives, including but not limited to, expansion of communities and economic development, which cannot be achieved prudently or feasibly on land other than public land and which outweigh other public objectives and values. The purpose of this action is to convey the reversionary interest for all or a portion of the 40-acre parcel to the City consistent with the R&PP Act, as amended, and FLPMA Section 203.

Decision to be Made

The BLM will decide whether or not to convey the reversionary interest for all or portions of the 40-acre parcel to the City. In the decision, the decision maker will consider the following criteria, at a minimum:

- Does retaining the reversionary interest to this parcel significantly impact any BLM multiple-use programs and/or current resource management goals and objectives?

Preliminary Alternatives under Consideration

Currently, the BLM is considering two alternatives:

1. Proposed Action Alternative – Convey the reversionary interests for all or a portion of the 40-acre parcel

Under the **Proposed Action Alternative**, the United States would sell the reversionary interest to all or portions of the 40-acre parcel to the City at the current fair market value (FMV). This action constitutes a direct land sale pursuant to Section 203 of FLPMA (43 CFR 2711.3-3).

Conveyance of the reversionary interest would eliminate the restrictions on the City's title and use of the parcel. With the conveyance of the reversionary interest through Section 203 of FLPMA, along with the interests conveyed under the original R&PP patent, the City would own all of the rights to the parcel with the exception of the remaining standard Federal interests such as the mineral estate and ditches and canals. Ultimately, the Proposed Action would result in the issuance of a clear title to the City for all or portions of the 40-acre parcel.

2. No Action Alternative – Deny the City's request to acquire the reversionary interest for all or portions of the parcel

Under the **No Action Alternative**, the City would retain surface ownership of the parcel and the United States would retain the reversionary interest in the parcel. The City's use of the parcel must remain in conformance with intended use of the property (a wastewater interceptor site) as defined by the original R&PP patent unless the City submits a change of use application, consistent with the R&PP Act and any required environmental review processes.

Public Input Needed

Please submit your comments on the proposed action and other issues to be considered to the address noted below by **November 29, 2010**.

Public comments may be submitted electronically or by U.S. Mail to the addresses noted below.

Please send electronic comments to:

OR_Spokane_Mail@blm.gov with "City of West Richland EA" in the subject line.

Please send U.S. Mail comments to:

Attn: City of West Richland EA
1103 N. Fancher Road
Spokane, WA 99212
(509) 536-1200

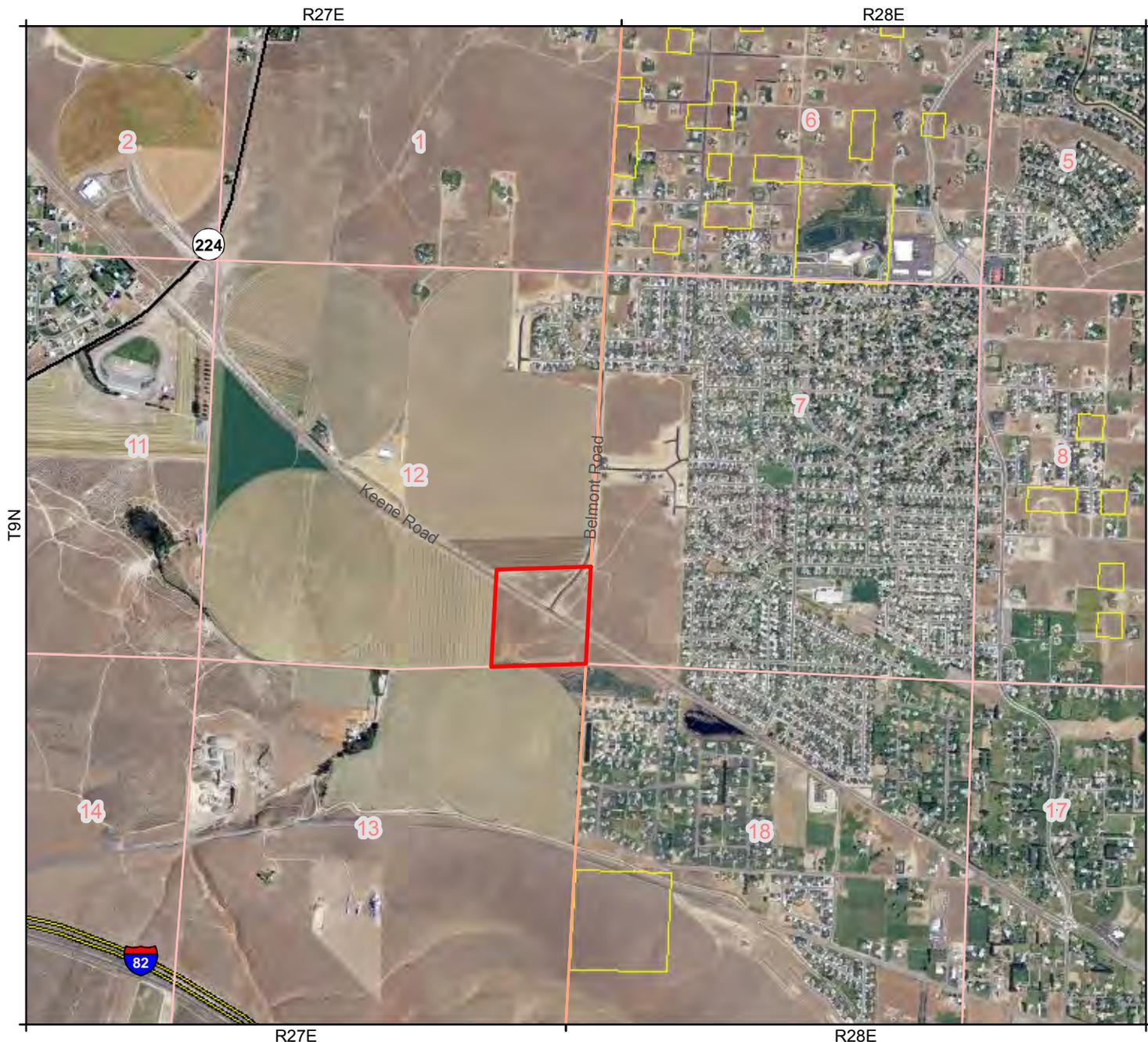
For all comments submitted, please identify whether you are submitting comments as an individual or as the designated spokesperson on behalf of an organization.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

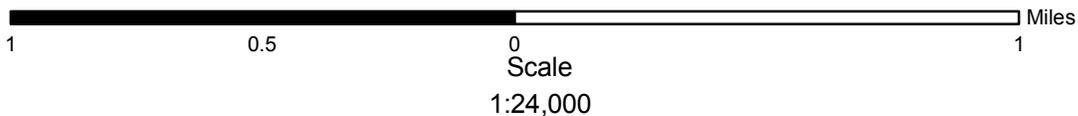
If you have questions, please contact Mark Hatchel, Lands and Realty Specialist, at (509) 536-1200.

Enclosures - Map

City of West Richland Reversionary Interest Direct Sale WAOR-66436



2009 NAIP Imagery



Willamette Meridian, Benton County, Washington
T.9 N., R.27 E., Section 12, SE 1/4 SE 1/4.
(40 acres)

USDI – Bureau of Land Management
 Spokane District Office
 1103 N. Fancher Rd.
 Spokane Valley, WA 99212
 (509) 536-1200

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 and may be updated without notification.

Legend

- Direct Sale Area
- BLM Lands

October 29, 2010

