

## DECISION RECORD

Rock Ranch Building Removal, Maintenance, and Decommission.

Categorical Exclusion  
DOI-BLM-OR-135-2013-0022

Bureau of Land Management  
Border Field Office  
1103 North Fancher Road  
Spokane Valley, WA 99212

### Decision and Rationale

It is my decision to remove and decommission the three deteriorated structures, and repair and/or rehabilitate two other structures at the Rock ranch site as described in the attached categorical exclusion record (OR-135-2013-022-CX) and shown on the attached map.

As described in the attached Categorical Exclusion Documentation, it is not anticipated that the project actions will have significant effects.

/S/ Linda Clark  
Linda Clark  
Field Manager

11/22/2013  
Date

### Administrative Review or Appeal Opportunities

Any party that is adversely affected and determined to be a party to the case, may appeal the implementation of the proposed action to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. A notice of appeal must be filed in this office (at the address below) within 30 days of receipt of this decision. The appellant has the burden of showing that the decision is in error.

An appellant may also file a petition for a stay (suspension) of this decision during the time that the appeal is being reviewed by the Board pursuant to Part 4, Subpart B, 43 CFR Part 4.21. The petition for a stay must accompany the notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must be submitted to each party named in this decision, to the Interior Board of Land Appeals, and the Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. The appellant has the burden of proof of demonstrating 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 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.

**Attachments:**

Categorical Exclusion Documentation

## **Categorical Exclusion Documentation**

Department of the Interior  
Bureau of Land Management, Spokane District  
1103 North Fancher Road  
Spokane Valley, WA 99212

### **A. Background**

*BLM Office: Spokane District*

*Lease/Serial/Case File No.:*

*NEPA Log Number: DOI-BLM-OR-135-2013-0022-CX*

*Proposed Action Title: Rock Ranch Building Removal, Maintenance and Decommission.*

*Location of Proposed Action: The Rock Ranch property (Map B) is located near Rocklyn in Lincoln County, Washington. The legal description is: Portions of Section 24 at*

*T. 24 N. R. 34 E., Willamette Meridian.*

*Description of Proposed Action:*

Rock Ranch

Three deteriorated structures, the machine shop, garage, and outhouse located on the Rock Ranch property (45LI290) would be removed. The machine shop, garage, and outhouse are at risk for collapse and are a public health and safety concern. The BLM has determined that stabilization of the machine shop, garage, and outhouse is not practical due to their advanced state of deterioration.

The property was determined eligible for the National Register of Historic Places (NRHP) under criteria A and C in consultation with the State Historic Preservation Officer at Washington Department of Archaeology and Historic Preservation (DAHP) on November 1, 1999. The machine shop, garage, and outhouse are contributing elements to the NRHP eligibility of the Rock Ranch property (45LI290). Removal of these structures will result in an Adverse Effect to the historic property. Measures to reduce or minimize adverse effects have been identified in a Memorandum of Agreement in consultation with the State Historic Preservation Office and interested parties. Consultation was conducted with SHPO, the Washington Trust for Historic Preservation, Lincoln County Historical Society, Spokane Tribe of Indians, and the Colville Confederated Tribes on March 19, 2013 and August 20, 2013 and with the Advisory Council on Historic Preservation on August 19, 2013. Affected agencies agreed on impacts and measures to minimize them in the Memorandum of Agreement signed Sept. 30, 2013.

The garage would be deconstructed in a controlled manner to avoid damage to building components. Salvageable roofing material from the machine shop would be retained. The structural integrity of each building component would be assessed and components that are significantly damaged or deteriorated would not be salvaged. Damaged or deteriorated building components would be properly disposed of as building debris. Salvaged building components would be neatly stacked off the ground on pallets. The contents of the stacks would be segregated by the size and type of building component. The machine shop and outhouse

structures would be demolished. The building components from demolition would be properly disposed of as building debris. Lead-based paint is present in the structures, and all materials containing lead-based paint will be disposed of according to applicable Federal and Washington State Law governing hazardous materials. The BLM tested the buildings for asbestos and none was found. If asbestos-containing materials are encountered they will be handled and disposed of pursuant to applicable Federal and Washington State Law governing hazardous materials.

In addition to the proposed building removals, the BLM would modify the ranch house to protect one of the largest known maternal bat (*Myotis yumanensis*) colonies in Washington State. Protective measures will include bat gates, locks, and/or Lexan coverings to all windows and doors.

The BLM will rehabilitate and stabilize the seventy year old barn. Proposed actions include repairing and reinforcing the structure's concrete foundation, which is crumbling and causing interior walls to bow inward. Also, a large tear in the roof requires immediate repair to weather-proof the structure and prevent further deterioration. Depending on the severity of the damage to the interior bracing from the diminished structural integrity, some of the roof beams may need to be replaced as well.

#### **B. Land Use Plan Conformance**

Land Use Plan Name: Spokane Resource Management Plan

Date Approved/Amended: Approved 1987/Amended 1992

*Option 1 (conforms with LUP):* The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): Assure for all Americans a safe, healthful, productive, and aesthetically and culturally pleasing surroundings:  
3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences (pg 8 Spokane Resource Management Plan/Record of Decision, May 1987).

OR

*(Option 2: not explicitly provided for in the LUP)* The proposed action is in conformance with the applicable LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (*objectives, terms, and conditions*):

#### **C. Compliance with NEPA:**

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with

1.7 Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short-term effects).

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The

proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply, as shown in the following table:

<b>CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION</b> The proposed categorical exclusion action will:	<b>YES</b>	<b>NO</b>
(a) Have significant impacts on public health or safety.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The current project is designed specifically to remove a public health and safety concern on BLM managed lands.		
(b) Have significant impacts on such natural resources and unique 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Impacts to cultural properties are not significant, and the impacts that would result have been reduced through a Memorandum of Agreement between the Bureau of Land Management and the Washington State Historic Preservation Officer.		
(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No highly controversial environmental effects or unresolved conflicts occur.		
(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Impacts to cultural properties would be reduced through a Memorandum of Agreement between the Bureau of Land Management and the Washington State Historic Preservation Officer.		
(h) 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No listed species occur within the area of potential effect for the project.		
(i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(k) 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).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(l) 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).	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**F: Signature**

/S/ Linda Clark  
 (Authorizing Official Signature)

November 22, 2013  
 (Date)

Name: Linda Clark  
 Title: Border Field Manager

**G. Contact Person**

For additional information concerning this CX review, contact Linda Clark, 509.536.1200

**Note:** A separate decision document must be prepared for the action covered by the CX.