

U.S Department of the Interior
Bureau of Land Management
Wenatchee Field Office
915 Walla Walla Avenue
Wenatchee, Washington 98801

DECISION RECORD

Triune Mine AML Hazard Reduction

DOI-BLM-OR-134-2015-0013-CX

1. Background

The Triune Mine is located on lands administered by the Bureau of Land Management (BLM) one mile west of Wannacut Lake and six miles west of the town of Oroville at T39N R26E Sec 10, 11. Wannacut Lake is a popular recreation destination and receives frequent public visitation. As such, children, hunters, and adjacent property owners have been seen at the Triune mine site. In 2010, the Washington Department of Ecology completed a site hazard assessment as required under the Model Toxics Control Act, and ranked this abandoned mine site a 1 which represents the highest potential threat for human health and the environment. The site consists of 14 adits, 6 shafts, multiple waste rock piles, and a mill site.

The BLM is proposing to install closures on up to 20 of the identified hazardous shafts and adits for the protection of public safety. BLM intends to begin work in FY 2015 and may continue hazard reduction work on the 20 identified features into additional fiscal years. Methods for closure would include bat compatible gates and polyurethane foam (PUF).

2. Decision

I have decided to implement the Triune Mine Abandoned Mine Land (AML) Hazard Reduction project as described in the attached Categorical Exclusion document, DOI-BLM-OR-134-2015-0013-CX, and shown on the attached map. The BLM has made the determination that there are no potential significant impacts to the human or natural environment that would result from implementing this project.

3. Authority and Rationale for Decision

The proposed action aligns with policy established in the AML Program Policy Handbook H-3720-1. One of the main AML program strategic objectives, as stated in the Handbook, includes protecting public safety and reducing liabilities by eliminating or reducing risks posed by abandoned mines.



In addition, pursuant to Section 302(b) of the Federal Land Policy and Management Act, the BLM is required “by regulation or otherwise, [to] take any action necessary to prevent unnecessary or undue degradation of the [public] lands” (43 U.S.C. § 1732(b)).

Closures of identified hazardous shafts and adits will provide protection for the general public at the site. Taking no action and leaving hazardous features open would pose a threat to public safety that could include serious injury or death.

I have not identified any potential significant impacts to the human or natural environment that would result from implementing this project, as indicated in the attached Categorical Exclusion Documentation (DOI-BLM-OR-134-2015-0013-CX).

4. Coordination and Consultation

National Historic Preservation Act (NHPA) Section 106 consultations with the Department of Archaeology & Historic Preservation (DAHP) and the Colville Confederated Tribes (CCT) were initiated by the BLM on March 24, 2015. On March 30, 2015, DAHP concurred with the determination of "No Adverse Effect" for the undertaking conditional upon project parameters outlined in the letter dated March 24, 2015. On March 26, 2015 the CCT also concurred with the finding of "No Adverse Effect".

5. Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of Hearings and Appeals (OHA), in accordance with the regulations contained in 43 CFR, Part 4. To appeal you must file a notice of appeal at the BLM Wenatchee Field Office, 915 N. Walla Walla Ave., Wenatchee, Washington 98801, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Wenatchee Field Office as noted above. The BLM does not accept appeals by facsimile or email. The appellant has the burden of showing that the decision appealed from is in error.

My decision is issued in accordance with 43 CFR 3809.803 which states that all decisions under this subpart go into effect immediately and remain in effect while appeals are pending before OHA unless OHA grants a stay under 4.21 (b) of this title.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by OHA, the petition for a stay must accompany your notice of appeal. A petition for a stay of this 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.

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 Office of the Solicitor (see 43 CFR 4.413); Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205; at the same time the original documents are filed with this office.

/s/ Linda Coates-Markle

7/30/15

Linda Coates-Markle
Field Manager

Date

Attached: Project Map
Categorical Exclusion Documentation

Categorical Exclusion Documentation
U.S. Department of the Interior
Bureau of Land Management, Spokane District
Wenatchee Field Office
915 Walla Walla Ave.
Wenatchee, WA 98801

A. Background

BLM Office: Wenatchee Field Office

Lease/Serial/Case File No.: n/a

NEPA Log Number: DOI-BLM-OR-134-2015-0013-CX

Proposed Action Title: Triune Mine AML Hazard Reduction

Location of Proposed Action: T. 39 N., R. 26 E., Section 10 and 11

Proposed Action: The Triune Mine is located on lands administered by the Bureau of Land Management (BLM) one mile west of Wannacut Lake and six miles west of the town of Oroville at T39N R26E Sec 10, 11. Wannacut Lake is a popular recreation destination and receives frequent public visitation. As such, children, hunters, and adjacent property owners have been seen at the Triune mine site. In 2010, the Washington Department of Ecology completed a site hazard assessment as required under the Model Toxics Control Act, and ranked this abandoned mine site a 1 which represents the highest potential threat for human health and environment. The site consists of 14 adits, 6 shafts, multiple waste rock piles, and a mill site.

The BLM is proposing to install closures on up to 20 of the identified hazardous shafts and adits. BLM intends to begin work in FY 2015 and may continue hazard reduction work on the 20 identified features into additional fiscal years. BLM set up an assistance agreement with a USFS Enterprise Team that specializes in Abandoned Mine Land (AML) hazard closures to complete AML hazard reduction in the Spokane District. This assistance agreement would be utilized to complete the work at the Triune Mine. Methods for closure would include bat compatible gates and polyurethane foam (PUF). Vehicles and Utility Vehicles (UTVs) used to implement the proposed action will remain on existing roads and trails and materials would be hand-carried to the site. No heavy equipment would be used. Ground disturbance would be minimal for closures.

Fill from an offsite source would be used to cover shafts/adits where applicable when PUF is utilized. Certified weed free straw or mulch and native grass seed would be applied on disturbed areas where appropriate. All equipment would be washed and or inspected for weed seeds before entering the site.

Bat surveys have not been completed at the site, but are planned to be completed in the fall of 2015 through the winter of 2016. As a precautionary design feature, PUF will only be utilized at sites with no documented bat use (based on survey results). Bat compatible gates will be installed

at sites with documented bat use and/or areas where use by bats is in question. Bat surveys and consideration of non-bat compatible closures will be coordinated with the wildlife biologist.

National Historic Preservation Act (NHPA) Section 106 consultations with the Department of Archaeology & Historic Preservation (DAHP) and the Colville Confederated Tribes (CCT) were initiated by the BLM on March 24, 2015. On March 30, 2015, DAHP concurred with the determination of "No Adverse Effect" for the undertaking conditional upon project parameters outlined in the letter dated March 24, 2015. On March 26, 2015 the CCT also concurred with the finding of "No Adverse Effect".

B. Land Use Plan Conformance

Land Use Plan Name: Spokane Resource Management Plan (RMP)
Date Approved/Amended: Approved 1987/Amended 1992

The proposed action is in conformance with the Spokane RMP, even though it is not specifically addressed. The RMP Goal (p. 12) is to provide a variety of uses within the sustained yield capability of the resources. In this case, eliminating or minimizing physical safety hazards associated with historic mining assists in meeting the goal to provide for a variety of uses. Additionally, page 37 of the ROD describes maintenance of public safety as it relates to mining: "...hazardous sites or conditions resulting from operations shall be marked by signs, fenced, or otherwise identified to alert the public". Closing shafts and adits as proposed will assist in maintenance of public safety.

C. Compliance with NEPA

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM11.9 J.8. Installation of minor devices to protect human life (e.g., grates across mines).

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:

Categorical Exclusions - Extraordinary Circumstances Documentation

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: The permanent closure of hazardous physical safety threats from AML features such as adits and shaft contributes to public safety.		
2.2 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		X

drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Rationale: None of the aforementioned resources are present at the site with the exception of cultural resources. However, since the proposed action would be performed according to the SHPO and tribal recommendations for the finding of No Adverse Effect. Cultural resources are not expected to be impacted. The proposed action would protect the safety of individuals recreating at or near the site and will not impact recreational opportunities.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: The proposed action would not have any demonstrable environmental effects. Other similar AML closures projects have been routinely completed nationally on BLM managed land and the proposed action does not involve any unresolved conflicts over alternative resource uses and is not considered controversial. Based on interdisciplinary review, the proposed action would not have controversial environmental effects.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: The effects of completing similar work have not demonstrated highly uncertain or potentially significant effects, or involve unique or unknown risks, and none are expected with this proposal. Based on interdisciplinary review, proposed activities would not have uncertain or potentially significant environmental effects or involve unknown risks.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: No precedence is being established by the proposed action of closing hazardous AML features. As noted above, other similar AML closures projects have been routinely completed nationally on BLM managed land. All future AML hazardous feature closures would be independently reviewed and evaluated, and would be authorized under separate decisions that would consider the site-specific circumstances.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: The proposed action is not tied to any other federal actions, and as such, is not related to other actions with cumulatively significant environmental effects.		
2.7 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.		X
Rationale: The BLM has met its Section 106 responsibilities by conducting tribal and State Historic Preservation Office (SHPO) consultation, and has determined that no historic properties would be affected by the proposed action. If any objects of cultural value (e.g. historic or		

<p>prehistoric ruins, graves, fossils, or artifacts) are found during the implementation of the proposed action, operations would be suspended until the site has been evaluated to determine the appropriate mitigation action.</p>		
<p>2.8 Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.</p>		X
<p>Rationale: The proposed action does not occur within designated Critical Habitat for any Threatened, Endangered or Proposed species. Of the listed species known to occur in Okanogan County, only the gray wolf (endangered), Canada lynx (threatened), and grizzly bear (threatened) were identified as having potential to occur in the project area. However, these species are extremely rare transients that have a tendency to avoid human activity. Therefore, combined with the scope of the proposed action, which takes place on existing roadways, does not disturb native vegetation, and would produce insignificant noise; the BLM has made the determination that the proposed action will have no effect on fauna species protected under the Endangered Species Act (1973, as amended).</p> <p>For floral species: The only Okanogan County population of the Federally threatened Ute Ladies-tresses orchid occurs less than one mile from the Triune Mine site, on the shores of Wannacut Lake. This orchid has low cover and wetland condition requirements, and these conditions do not occur within the footprint of this project. In 2007, surveys in this area did not detect conditions supporting populations or individuals of this species. Therefore, this project would have no effect to this species, and there is no critical habitat designation for this species.</p>		
<p>2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.</p>		X
<p>Rationale: The proposed action is in conformance with the Spokane District RMP and complies with applicable laws, such as the Federal Land Policy and Management Act, Endangered Species Act, Historic Preservation Act, and others. The proposed action also aligns with guidelines in the BLM AML Handbook, H-3720-01.</p>		
<p>2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).</p>		X
<p>Rationale: The implementation of the proposed action will not have a disproportionately high or adverse effect on low income or minority populations. Eliminating physical safety hazards reduces hazardous conditions for any visitors to the area.</p>		
<p>2.11 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).</p>		X
<p>Rationale: The undertaking was consulted on with area tribes and there are no known sacred, ceremonial or religious Indian sites within the area of potential effects.</p>		

<p>2.12 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).</p>		X
<p>Rationale: The proposed action will not involve major ground disturbing activities. Minor ground disturbances may include anchoring gates to the ground over shafts. Vehicles or UTVs will only be authorized on established roads. All necessary equipment will be carried to each feature from the vehicles. All equipment would be washed and or inspected for weed seeds before entering the site. Certified weed free straw or mulch and native grass seed would be applied on disturbed areas where appropriate. Therefore, the risk to the introduction or spread of noxious weeds or non-native invasive plants is very low.</p>		

D. Signature

/s/ Linda Coates-Markle

7/30/15

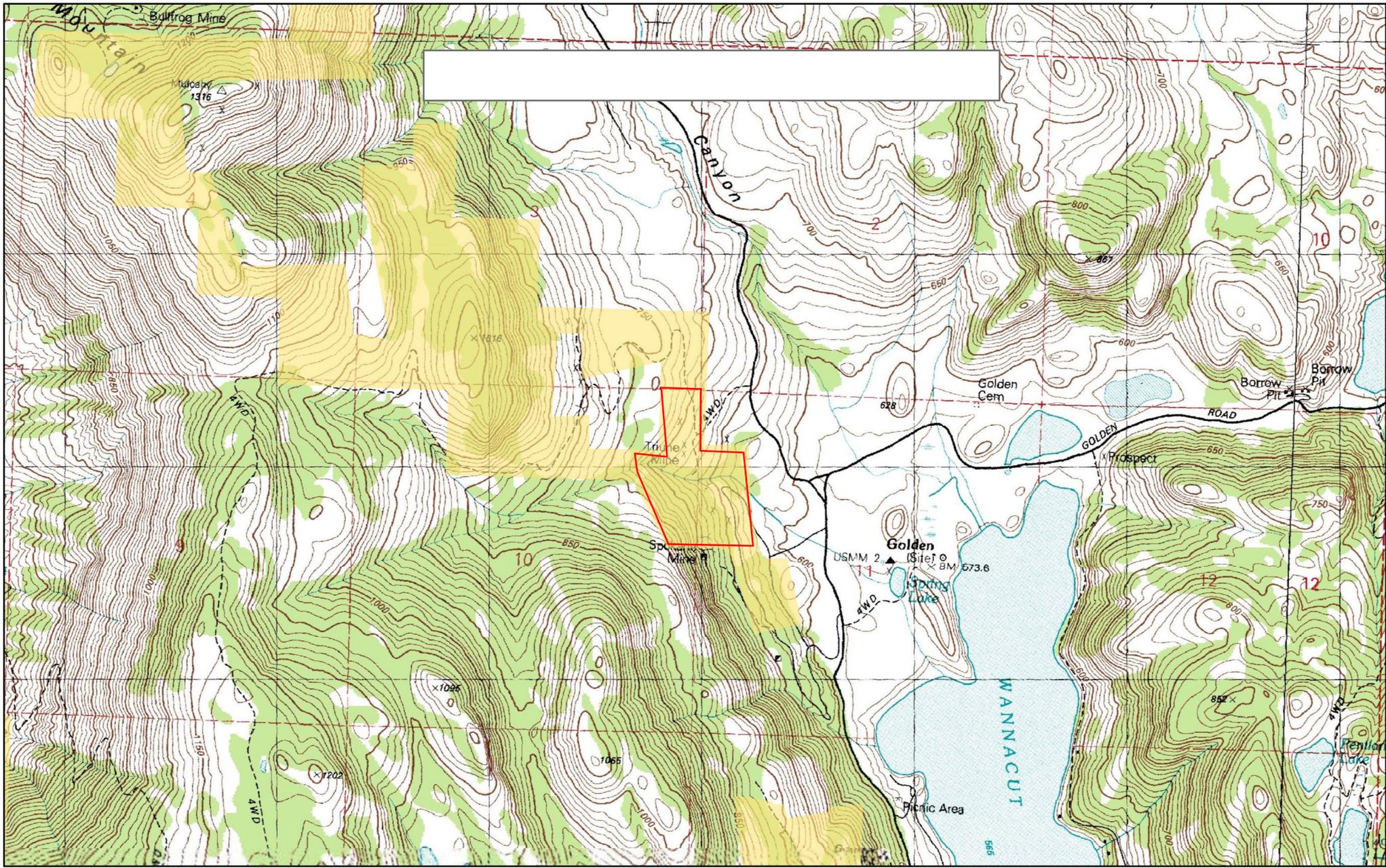
Linda Coates-Markle
Field Manager

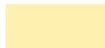
Date

F. Contact Person & Reviewers

For additional information concerning this Categorical Review, contact Elizabeth Earp, Physical Scientist, at 509-536-1231.

Reviewers	Resource	Initials	Date
J.A. Vacca	Wildlife, Special Status Wildlife	JAV	7/20/15
Molly Boyter	Botany, Special Status Plants	mjb	7/14/15
Jamie M. Litzkow	Historic/Cultural	JL	7/7/15
Anjolene Price	NEPA	AP	7/23/15
Elizabeth Earp	Hazmat/AML	EE	7/20/15
Ray Pease	Noxious weeds/ Invasives	jrp	7/24/15



-  Project Boundary
-  Bureau of Land Management



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