

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
NEEDLES FIELD OFFICE**

**DECISION RECORD**

**AND**

**FINDING OF NO SIGNIFICANT IMPACT**

for a

**Plan Amendment to the 1980 California Desert Conservation Area Plan and  
Environmental Assessment for Sales of the Federal Reversionary Interest in  
50 acres of Land in San Bernardino County, California**

**Environmental Assessment # DOI-BLM-CA-D090-2014-010**

**CACA 54031**

## **I. INTRODUCTION**

This document includes the Bureau of Land Management's (BLM) decision, a reference to a separate Finding of No Significant Impact (FONSI) and supporting documentation for the **Proposed Plan Amendment to the 1980 California Desert Conservation Area Plan and Environmental Assessment for Sales of the Federal Reversionary Interest in 50 acres of Land in San Bernardino County, California**, as described in Environmental Assessment # DOI-BLM-CA-D090-2014-010.

The plan amendment identifies the Federal reversionary interest in 50 acres of land previously conveyed to the City of Needles in 1966 under the authority of the Recreation and Public Purposes Act (R&PP) as suitable for sale under sec. 203 of the Federal Land Policy and Management Act of 1976 (FLPMA). The plan amendment was initiated as result of efforts by the City of Needles to sell the Needles Municipal Hospital, as required by Measure Q approved by the voters in 2010.

Under Measure Q, the City of Needles was directed to sell the Needles Municipal Hospital to a qualified non-profit entity. The City's efforts to sell the Needles Municipal Hospital have been complicated by the fact that the Hospital is located partially (approximately 2.38 acres) on the 50 acres conveyed to the City of Needles in 1966 and partially (approximately 3.33 acres) on other lands owned by the City Needles not subject to any Federal reversionary interest.

The City of Needles has been unable to sell the real property occupied by the Hospital subject to the Federal reversionary interest and has requested that the BLM sell the Federal reversionary interest associated with the land occupied by the Hospital. The BLM prepared this plan amendment because the Federal reversionary interest in the 50 acres of land previously conveyed to the City of Needles in 1966 is not identified for sale under section 203 of the FLPMA in the 1980 California Desert Conservation Area (CDCA) Plan.

### **Purpose and Need**

The purpose of this plan amendment is to allow the BLM to complete future sales of the federal reversionary interest in the 50 acres of land under the authority of section 203 of the FLPMA. The plan amendment is needed because the federal reversionary interest is difficult and uneconomic to manage and is not currently identified for sale under section 203 of the FLPMA in the 1980 CDCA Plan.

The sale of the federal reversionary interest in the 2.38 acres of land occupied by the Needles Municipal Hospital is also needed to meet the important public objective of allowing the City of Needles to complete the sale of the Needles Municipal Hospital, including the real property.

The purpose of this plan amendment is also to implement section 202(c) of the FLPMA which provides in part that: "...the Secretary shall, to the extent he finds practical, keep apprised of State, local, and tribal land use plans; assure that consideration is given to those State, local, and tribal plans that are germane in the development of land use plans for public lands; assist in resolving, to the extent practical, inconsistencies between Federal and non-Federal Government plans."

The proposed plan amendment would allow BLM to convey the federal reversionary interest in some or all of the 50 acres to resolve compliance issues and to facilitate future changes in use not envisioned when the lands were conveyed in 1966.

Community Healthcare Partner, Inc. have indicated they wish to acquire the Needles Municipal Hospital free of the federal reversionary interest to allow for future flexibility should they need to use the land to secure a loan for future capital improvements.

## **II. DECISION**

The BLM's decision is to approve the proposed plan amendment and the sale of the Federal reversionary interest in 2.38 acres of land as described below and as described in Environmental Assessment # DOI-BLM-CA-D090-2014-010.

**Plan Amendment:** This Plan Amendment amends the 1980 CDCA Plan to identify the Federal reversionary interest in the following described land as difficult and uneconomic to manage as part of the public lands and therefore suitable for sale pursuant to section 203 of the FLPMA.

San Bernardino Meridian, California  
T. 9 N., R. 23 E., section 31, NW1/4NE1/4NE1/4, NW1/4NE1/4.

This Plan Amendment also identifies the Federal reversionary interest in the above described land as unclassified under the 1980 CDCA Plan.

**Land Sale:** This decision also approves the sale of the Federal reversionary interest in approximately 2.38 acres of the above described land under the authority of section 203 of the FLPMA, for the appraised fair market value of \$155,000, less the \$2.50/acre the City of Needles paid for the land in 1966. The legal description for the sale of the Federal reversionary interest in the 2.38 acres will be based on a supplemental plat to be prepared by BLM's cadastral survey division based on a private survey parcel map or record of survey.

The Federal reversionary interest would be sold directly to the City of Needles or Community Healthcare Partner, Inc. The sale would not include the Federal mineral interests previously reserved to the United States when the land was conveyed to the City of Needles in 1966.

Any additional sales of the Federal reversionary interest in the 50 acres conveyed to the City of Needles in 1966 could, in the future, be completed without a plan amendment, but would require a separate decision and environment assessment.

### **III. ALTERNATIVES CONSIDERED BUT NOT SELECTED**

BLM considered a No Action Alternative, in which the 1980 CDCA Plan would not be amended, the Federal reversionary interest would not be sold and current management would continue. Under current management, the City of Needles may only transfer title or control of portions of the 50 acres previously acquired in 1966 with BLM's approval. Additionally, the lands may only be transferred to entities that are qualified to hold lands under the R&PP Act. Under the No Action Alternative, it appears unlikely that the City of Needles would be able to complete the sale of the Needles Municipal Hospital. Also under the No Action Alternative, the BLM would continue to be responsible for monitoring the land to ensure it is used for the purposes allowed under the R&PP Act.

### **IV. MANAGEMENT CONSIDERATIONS AND DECISION RATIONALE**

I have concluded that the Federal reversionary interest in the 50 acres of land conveyed to the City of Needles under the authority of the R&PP Act in 1966 is difficult and uneconomic to manage as part of the public lands and that the Federal reversionary interest in these lands meets the criteria for sale under section 203 of the FLPMA. When BLM conveys lands under the R&PP Act, BLM remains obligated to monitor the lands in perpetuity to ensure they are used only for recreation or public purposes. Additionally, BLM is responsible for approving any future transfers of title and is responsible for taking action to revert title to the United States if the lands are used for commercial purposes or transferred to a commercial entity.

In this case, the lands conveyed in 1966 are within a highly developed area in the City of Needles and are not adjacent to or near any public land managed by the BLM and do not contain resources which might warrant future management by the BLM. Monitoring land uses in a developed urban environment and reviewing and approving changes in use and transfers of title to the same lands cannot be efficiently combined with BLM's management responsibilities over 11.1 million acres of public land in California.

The plan amendment will allow BLM to sell the reversionary interest in the land on a case by case basis when appropriate, as determined by a separate decision.

The sale of Federal reversionary interest in 2.38 acres of land will remove a key obstacle to the sale of the Needles Municipal Hospital by the City of Needles as required by Measure Q, approved by the voters of Needles on June 8, 2010. The sale will allow the City of Needles, or any future owner to use the property as collateral for financing the sale of the property or capital improvements to the property. Currently, the Federal reversionary interest effectively precludes using any of the property occupied by the Hospital as collateral to finance the purchase of the property or any future capital improvements.

This sale serves the public interest by providing the City of Needles the authority to implement a voter approved initiative without further approval by the BLM.

The proposed plan amendment and sale of federal reversionary interests would not affect any species listed under the Endangered Species Act of 1973.

### **A. Finding of No Significant Impact (FONSI)**

On July 2, 2014, the BLM's Needles Field Manager signed a separate FONSI which concluded that the proposed plan amendment and proposed sale of the Federal reversionary interest in 2.38 acres of land would not have a significant effect on the human environment.

### **B. Public Involvement and coordination with State and local plans.**

BLM solicited public comments on this proposed plan amendment and sale of Federal reversionary interest as follows:

On July 8, 2013, BLM published a Notice of Intent (NOI) to prepare a plan amendment and environmental assessment in the Federal Register. BLM also issued a news release on July 8, 2013 regarding the plan amendment and environmental assessment. The NOI and the news release requested public comments on the issues which should be addressed in the EA and plan amendment. The BLM received one comment requesting that the environmental assessment include a detailed description of the existing and planned future uses on the 50 acres of land, a comparison of the current market value of the land and value of the Federal reversionary interest and information regarding the costs of processing the sale which are borne by BLM and the City.

On July 21, 2014, BLM posted the **Proposed Plan Amendment to the 1980 California Desert Conservation Area Plan and Environmental Assessment for Sales of the Federal Reversionary Interest in 50 acres of Land in San Bernardino County, California** to BLM's Needles Field Office website for a 30 day review and protest period. The BLM received one comment from the Western Lands Project stating they had no concerns about the proposed plan amendment and proposed sale. No protests were received.

On July 28, 2014, BLM sent a letter to the Governor's Office of Planning and Review to initiate the 60 day review period for consistency with State and Local Plans. The Governor's Office responded with a letter dated August 20, 2014, stating they had not found any inconsistency between the proposed plan amendment and state or local plans, policies or programs.

**V. ADMINISTRATIVE REMEDIES**

BLM's decision to amend the 1980 CDCA Plan determining the Federal reversionary interest is suitable for sale under section 203 of the FLPMA is not subject to administrative appeal. The proposed plan amendment was subject to a 30 day protest period which ended August 20, 2014 and no protests were filed.

This decision, approving the proposed sale of the Federal reversionary interest in 2.38 acres of land is not a final agency action subject to appeal at this time. BLM must still publish and distribute a Notice of Realty Action (NORA) describing the proposed sale in the Federal Register. The NORA will be sent to interested parties of record and provide a 45 day protest and comment period. The NORA will provide that, absent any timely filed protests, the NORA would become the final determination of the Department of the Interior. BLM decision addressing any timely filed protests to the NORA would be the final agency action subject to appeal.

Prepared by and approval recommended by



Mike W. Ahrens, Field Manager  
BLM Needles Field Office

11-26-14  
Date

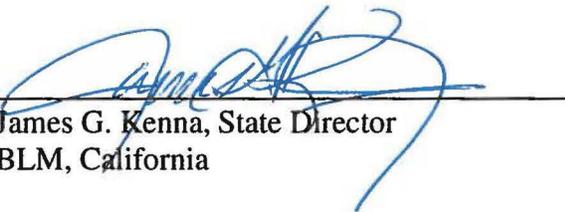
Approval recommended by



Teresa Raml, District Manager  
BLM, California Desert District

1-5-2015  
Date

Approved by



James G. Kenna, State Director  
BLM, California

1/14/2015  
Date