

**United States Department of the Interior
Bureau of Land Management**

**Decision Record
Environmental Assessment
DOI-BLM-CO-S010-2015-0009**

February 2015

Sound Democrat Mill Stabilization

Location: NMPM, T42N, R7W, Sec. 12; Handies Peak Quadrangle; San Juan County, CO

Applicant/Address:

Bureau of Land Management, in partnership with Mountain Studies Institute

Tres Rios Field Office
29211 Hwy 184
Dolores, CO 81323
Phone: 970-882-7296
Fax: 970-882-6841



DECISION RECORD
DOI-BLM-CO-S010-2015-0009
Sound Democrat Mill Stabilization

Clearly and concisely state what is being decided as analyzed under selected alternative. Identify which of the alternatives analyzed in the EA is selected. Any mitigating measures which were part of the selected alternative should be included as well, and referred to as stipulations. There should be no ambiguities as to what has been decided.

Proposed Action: The BLM, in partnership with Mountain Studies Institute, proposes to continue stabilizing the Sound Democrat Mill. Stabilization work previously occurred at the Mill in 1992-1996. The proposed stabilization treatments are summarized as:

- Structural stabilization of the foundation, walls, floor, and roof to preserve the building and ensure public safety.
- Installation of doors and windows.
- Establishment of positive drainage around the footprint of the building.
- Reconstruction of the north wall

Authorities: Stabilization of the Sound Democrat Mill has been determined to be in conformance with the Alpine Triangle Cultural Resources Management Plan and Environmental Analysis (CO-037-92-027), previously completed on December 13, 1994, in compliance with the following authorities:

- Historic Sites Act of 1935, P.L. 74-292.
- National Historic Preservation Act of 1966, P.L. 95-515, as amended.
- National Environmental Policy Act of 1969, P.L. 91-190.
- Federal Land Policy and Management Act of 1976, P.L. 94-579.

Compliance and Monitoring: The immediate location around the structure in which soil disturbance occurs should be monitored for noxious weeds following the conclusion of the project, and then treated if necessary.

Terms / Conditions / Stipulations: Access to the historic structure by visitors would be maintained through project duration, though specific work areas may be temporarily closed for visitor and contractor safety.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action and alternatives have been reviewed and found to be in conformance with the following BLM Land Use and Management Plans and the associated decision(s):

LUP: San Juan/San Miguel Resource Management Plan, Sept 1985:

- “Develop and protect suitable cultural resource properties for public enjoyment through such practices as interpretive signing, stabilization, etc.” (Management Guidance, Cultural at p. 33).
- “Manage cultural resources for protection, preservation, investigation, & public use” (Management Guidance, Cultural at p. 43).

Alpine Triangle Cultural Resource Management Plan, December 13, 1994:

- “Stabilize and partially restore the Sound Democrat Mill” (p.77)

Alpine Triangle Recreation Area Management Plan EA, September 30, 2010:

- “The BLM would cooperate with agency cultural resource specialists and other partners to identify, document and prioritize cultural resources on public land that attract visitors or are marketed as heritage tourism sites and can benefit from improved management and stabilization. Public use and preservation plans for these sites and stabilize historic structures would be prepared to prevent their deterioration” (p.47).

American Flats/Silverton-Lower Lake Fork Special Recreation Management Plan, July 1, 1986:

- “Action b. Whenever feasible, coordinate with the appropriate local entities to help cleanup, stabilize, protect, and preserve historical sites within the SRMA to ensure continued visitor enjoyment” (p.41).

Rationale for Decision:

Upon completion of a Determination of NEPA Adequacy (DNA), it was concluded that the proposal to continue stabilizing the Sound Democrat Mill is within the parameters of the Alpine Triangle Cultural Resources Management Plan and Environmental Analysis (CO-037-92-027), completed December 13, 1994, with no significant changes occurring requiring additional environmental analysis.

It is my decision to authorize the proposed action of additional stabilization of the Sound Democrat Mill.

Protest/Appeal Language:

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 the enclosed 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.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) 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. 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 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:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Cari Untz

Authorized Officer

2-23-15

Date