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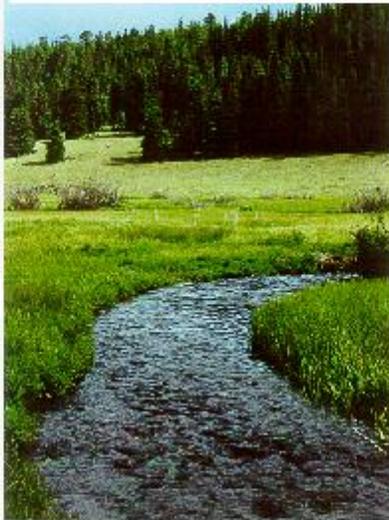


April 2003

Environmental Assessment for Proposed BLACK RIVER Exchange

Apache-Sitgreaves National Forest Springerville Ranger District

Thompson Ranch



Blue River Ranch



**Rancho
Alegre**



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Chapter 1 - Summary

The Apache-Sitgreaves National Forests (A-S) proposes to exchange lands with First American Title Insurance Company, Trust 8105, Trustee (Precision Components, Inc. Herbert W. Owens) (non-Federal landowner) under authority of the General Exchange Act of March 20, 1922; the Federal Land Policy and Management Act of October 21, 1976 (FLPMA); and the Federal Land Exchange Facilitation Act of August 20, 1988 (FLEFA). The proposed land-for-land exchange would result in Federal acquisition of 400 acres in the A-S and conveyance of 337.20 acres of land in the Greer area, in the A-S. This action would result in Federal acquisition of vital habitat for loach minnow, spikedace and the Apache trout; acquisition of aquatic and riparian habitats associated with the mainstream of the West Fork of the Black River and the Blue River.

The two Federal parcels adjoin existing private land within the Springerville Ranger District, Apache National Forest, Apache County, Arizona. The Thompson Ranch non-Federal parcel is located in the Apache National Forest, Apache County, Arizona; the Rancho Allegre and Blue River Ranch non-Federal parcels are located on the Apache National Forest, Greenlee County, Arizona.

The proposed action is intended to meet the following A-S Land and Resource Management Plan objectives:

1. Acquisition of non-Federal lands within existing Forest boundaries that contain critical habitat for federally listed species and aquatic and riparian habitats associated with the West Fork of the Black River and the Blue River.
2. The elimination of several miles of landline and controlling corners between NFS and private lands.
3. Acquisition of private lands within existing National Forest boundaries would contribute to the blocking up of public land ownership, reduce the likelihood of trespass on, or damage to NFS lands, and facilitate fire and resource management.

In addition to the proposed action, the Forest Service also evaluated the following alternatives:

- No Action. No exchange of land would occur between the Forest Service and First American Title Insurance Company (Precision Components, Inc. Herbert W. Owens). Lands would remain in current ownership.

Based upon the effects of the alternatives, the responsible official will decide if the land exchange should take place as proposed, take place with modifications, or not take place at all.

Chapter 2 - Introduction

Document Structure

The Forest Service has prepared this Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA) and other relevant federal and state laws and regulations. This EA discloses the direct, indirect, and cumulative environmental impacts that would result from the proposed action and alternatives. The document is organized into four parts:

- **Introduction:** The section includes information on the history of the project proposal, the purpose of and need for the project, and the agency's proposal for achieving that purpose and need. This section also details how the Forest Service informed the public of the proposal and how the public responded.
- **Comparison of Alternatives, including the Proposed Action:** This section provides a more detailed description of the agency's proposed action as well as alternative methods for achieving the stated purpose. These alternatives were developed based on significant issues raised by the public and other agencies. This discussion also includes possible mitigation measures. Finally, this section provides a summary table of the environmental consequences associated with each alternative.
- **Environmental Consequences:** This section describes the environmental effects of implementing the proposed action and other alternatives. Within each section, the affected environment is described first, followed by the effects of the No Action Alternative that provides a baseline for evaluation and comparison of the other alternatives that follow.
- **Agencies and Persons Consulted:** This section provides a list of preparers and agencies consulted during the development of the environmental assessment.
- **Appendices:** The appendices provide more detailed information to support the analyses presented in the environmental assessment.

Additional documentation, including more detailed analyses of project-area resources, may be found in the project planning record located at the Springerville Ranger District Office, 165 South Mountain, Springerville, Arizona 85938.

Background

This chapter describes the proposed Federal action, the purpose and need for action, the decision to be made, issues raised during analysis, measures, and a description of the project area. The "proposed action" details who is proposing what, and when and where the proposal would occur. The "purpose and need" explains why the action is being proposed. The "decision to be made" describes the nature of the decision and who will make it, allowing for selection of the "no-action" alternative required by 36 CFR 1502.14 (d). The "issues" section describes problems that might be created by implementing the proposal. The "measures" discussion outlines the units of measure selected to evaluate the extent to which the proposed action and alternatives attain project objectives and resolution of issues.

Throughout this EA parenthetical references are made to Project Record documents, as in the example (Doc. 25).

Purpose & Need for Action

Existing Condition:

Non-Federal lands within national forests that are included in this exchange proposal contain special features and habitats such as critical species habitat and perennial water. These lands are subject to development that could diminish those values and support activities that would be incompatible with the surrounding national forest character. The non-Federal lands (depicted in Appendix A) currently contribute to an undesirable ownership pattern and are classified as desirable for acquisition. These parcels (in-holdings) increase land management complexity because of the miles of common, or shared, landline boundaries that add to administrative costs and increase the potential for encroachments occurring on the National Forest.

The Federal lands in the exchange are located in Management Area One (MA1) of the A-S Land Management Plan (LMP). The management direction for this area states that certain Federal lands be used to meet the needs of expanding communities, provide for consolidation of public lands, improve management or benefit specific resources, and meet overriding public needs.

Herb Owens currently owns and operates the Spade Ranch located south of State Route 260 and west for State Highway 373, and shares the southern boundary of Federal Tract A proposed for conveyance.

Desired Condition:

The non-Federal lands have been accepted and included into the National Forest System (NFS). Three fewer private in-holdings exist in the A-S. Lands containing perennial water that are valuable as critical habitat for Federally listed species have been acquired.

Objectives:

The Forest Service has the responsibility to manage NFS lands for appropriate public uses. This includes making adjustments in land ownership clearly in the public interest and consistent with land management planning objectives.

This exchange is intended to meet the following A-S LMP objectives:

1. Acquisition of non-Federal lands within existing Forest boundaries that contain critical habitat for Federally listed species and aquatic and riparian habitats associated with the West Fork of the Black River and the Blue River.
2. The elimination of several miles of landline and controlling corners between NFS and private lands.
3. Acquisition of private lands within existing National Forest boundaries would contribute to the blocking up of public land ownership, reduce the likelihood of trespass on, or damage to NFS lands, and facilitate fire and resource management.

For the exchange to take place, both parties to the exchange must agree on the total package. For the non-Federal landowner (First American Title Insurance Company, Trust 8429, Trustee Precision Components) to agree, the exchange must meet requirements for Herb Owens' Spade Ranch expansion.

The proposed exchange is consistent with the management direction, goals and objectives of the A-S LMP. The plan identifies the non-Federal lands as desirable for acquisition, A-S LMP, page 101 and the Federal lands as available for conveyance under land exchange authorities, A-S LMP, page 100.

If acquired, the non-Federal lands would be incorporated into the Management Areas in which they are located. Management direction would be the same as those adjacent Federal lands, unless otherwise changed by the Forests' Plan.

Proposed Action

The A-S is proposing to exchange lands with First American Title Insurance Company, Trust 8105, Trustee (Precision Components, Inc. Herbert W. Owens) (non-Federal landowner) under authority of the General Exchange Act of March 20, 1922; the Federal Land Policy and Management Act of October 21, 1976 (FLPMA); and the Federal Land Exchange Facilitation Act of August 20, 1988 (FLEFA). The proposed land-for-land exchange would result in Federal acquisition of 400 acres in the A-S and conveyance of 337.20 acres of land in the Greer area in the A-S.

The non-Federal lands would add vital habitat for loach minnow, spikedace and the Apache Trout, along with the acquisition of aquatic and riparian habitats associated with the mainstream of the West Fork of the Black River and the Blue River. There would be blocking up of public land ownership resulting in a reduction in complex ownership patterns. The elimination of numerous miles of landline boundaries and controlling corners would contribute to management efficiency. The threat of possible subdivision/residential developments on these parcels that are within the Forest's boundaries would be eliminated. The addition of the Blue River Ranch parcel enhances the Blue Range Primitive Area in the A-S.

The conveyance of Federal lands to Precision Components, Inc. Herbert Owens would increase his real estate holdings that are known as the Spade Ranch. Currently he has stated there are no plans for development or other disposition of the land.

A preliminary analysis of the proposal has been made; a limited scope appraisal indicated values fall within Federal requirements of an equal value land exchange. An Agreement to Initiate was signed by the proponent and the Director of Lands & Minerals USDA Forest Service, Southwestern Region. A full appraisal will be completed to establish Federally accepted values prior to time a final decision is made.

The following describes both the Federal and non-Federal land parcels involved in this proposal: (The general project location is shown in Appendix A.)

Federal Lands to Be Exchanged total 337.20 acres

Tract A (69.95 acres): This parcel is Federal land within the Apache National Forest, Springerville Ranger District. The land has an elevation of 8,160 to 8,400 feet above sea level and is generally gently sloping on the east portion with some steeper terrain on the north portion. Soils are heavy clay with some surface rock. Vegetation consists of a scattered overstory of second growth ponderosa pine with an understory of various grasses and small openings. This tract is bordered on the east by State Highway 373 and adjoins private lands currently owned by Herb Owens on the south and west. There are no riparian or wetland habitats in this tract.

Tract B (267.25 acres): This parcel is Federal land within the Apache National Forest, Springerville Ranger District. The elevation ranges from 8,180 feet in the northeast corner to 8,500 feet in the southwest corner. The vegetation is primarily continuous overstory of second growth ponderosa pine with a grass understory. Soils are high in clay content with surface rock evident. This tract is bordered on the north by Crosby Acres, a developed subdivision, and State Highway 373 on the east. There are no riparian or wetland habitats in this tract.

The Federal lands do not contain any roadless areas or Wild and Scenic River corridors or study areas.

Private Lands to Be Acquired total 400 acres

Rancho Alegre Parcel (80 acres): This private parcel is within the Apache National Forest on the Alpine Ranger District. The land is situated along the West Fork of the Black River at an elevation of 7,600 feet. The vegetation along the .25 mile stretch of river is riparian in nature, with Arizona alder and willows lining both banks. There are 3 acres of wetland habitat along the river. The upland portion of the property is an open meadow, dominated by spike muhly grass. The river and wetlands provide habitat for Apache trout, Chiricahua dock, and native freshwater mussels (Dr. Myers, USFS Report 10/04/01). Forest Road 25 provides access to the parcel along the west and south boundaries. The east boundary adjoins a parcel owned by the Arizona Game and Fish Department.

Thompson Ranch Parcel (160 acres): This private parcel is within the Apache National Forest on the Springerville Ranger District. The land is situated along the West Fork of the Black River at an elevation of 8,800 feet. The perennial streams passing through this parcel include 1.0 miles of Black River, .20 miles of Burro Creek, and .20 miles of Thompson Creek. Approximately 60 acres of riparian habitat is characterized by alders, willows and sedges. The parcel provides habitat for Apache trout, Arizona willow, Chiricahua dock, and northern water shrew (Dr. Myers, USFS Report 10/04/01). Forest Road 116 provides access to the parcel where it runs north-south through the east portion of the parcel and turns west along the south boundary.

Blue River Ranch Parcel (160 acres): This private parcel is within the Apache National Forest on the Alpine Ranger District. The land is situated along the Blue River at an elevation of 5,500 feet. The parcel contains a 4.0 acre 10-year "Estate for Years", with an easement from Forest Road 281 to a residence. The "Estate" encompasses existing structural improvements described as a residence, utility building, storage shed, and well house. The "Estate for Years" expires on December 29, 2004. At that time the structures and range improvements will remain and become Federal property. After that, the Forest Service would decide whether to remove the structures from the property or use them for administrative purposes. The vegetation along the approximately 1.50 miles of river channel is riparian dependent and includes Fremont cottonwood, narrow leaf cottonwood, alder, and willow. There are 55 acres of riparian habitat in this parcel. The parcel contains habitat for the spikedace (Dr. Myers, USFS Report 10/04/01). Forest Road 281 provides access along the east and south sides of the parcel.

Appendix A contains maps and legal descriptions that illustrate the non-Federal and Federal parcels involved in the proposal.

Multiple benefits would accrue by the addition of the non-Federal parcels to the National Forest System. They include acquisition of vital habitat for loach minnow, spikedace and the Apache trout; acquisition of aquatic and riparian habitats associated with the mainstream of the West Fork of the Black River and the Blue River; a reduction in complex ownership patterns that would help to block up public land ownership; elimination of numerous miles of landline boundaries and controlling corners that will contribute to management efficiency; and elimination of the threat of possible subdivision/residential developments at these remote locations that are within the Forest's boundaries. On a Forest-wide basis an additional 62.8 acres of land would be available for public recreation use. The conveyance of the Federal lands to Herbert Owens would increase his real estate holdings and result in a reduction of 337.20 acres of Federal lands within the Greer Recreation Area (GRA). This document uses the same boundaries and acreage totals when referring to the Greer Recreation Area as those identified in the Greer Phase One Plan, an

amendment to the Apache County Land Plan and Community Development Ordinance, adopted May 15, 1989 for the effective June 17, 1989. (Doc. 35)

Decision Framework

The Director of Lands and Minerals, Southwestern Region, will decide if the land exchange should take place as proposed, with modifications, or not at all.

Public Involvement

The A-S requested public input for this proposed project to determine the issues of concern. A Land Exchange Notice was published once per week for four consecutive weeks in the White Mountain Independent for Navajo and Apache Counties and the Copper Era for Greenlee County. The County, State, and Congressional delegations were also notified. A mailing list of 222 addresses was compiled that included potentially interested Federal, State, and local agencies, as well as individuals and organizations that it was believed would have an interest in or be affected by the project. A scoping report dated December 13, 2002 was mailed to the list of interested publics. The scoping report included a description of the proposed project, a map showing the lands being considered for exchange, and asked for comments by telephone or in writing. Comments were requested by January 31, 2003.

In addition, the public was invited to an open house to be held January 9, 2003 to provide information about the proposed exchange and receive comments. Notice of the open house was also provided to the White Mountain Independent for Navajo and Apache Counties and the Copper Era for Greenlee County.

The open house held January 9, 2003 was attended by approximately 75 people (Doc. 19). At the request of the Greer Coalition Inc., an additional meeting was held January 24, 2003 where the land exchange process and the NEPA process were presented to interested individuals. This second meeting was attended by 22 people invited by the coalition (Doc. 24).

The A-S received 156 comments directly as letters, telephone messages, and from comment forms received at the open house. The Arizona State Legislature forwarded 19 comments to the A-S that were sent to Congressman Jake Flake. The Tonto National Forest forwarded 3 comments regarding the proposed exchange to the A-S. Numerous Congressional inquiries were received from members of the Arizona delegation. Comments received after the date requested in the scoping report (January 31, 2003), were also included and analyzed by the Interdisciplinary Team (IDTeam) for the project.

Issues

Issues are statements of problems that may be created by the proposed project. This section presents significant issues identified during the scoping process and internal agency review. The IDTeam grouped and analyzed comments received from scoping (Doc 27a). Potential issues were collected and screened to ascertain which were significant to the proposed action. Appendix C is the Comment Analysis Summary which addresses the comments as received in the scoping process and identifies the issues for the project. Many of the comments are based on the assumption that the Federal Lands would be developed as high density residential and commercial areas. The comment analysis addresses this assumption in the following manner: *The FS must analyze what is proposed and not speculate regarding the future development of Federal lands transferred to private ownership. Inquiry by the appraiser as to adequacy of existing*

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infrastructure to handle 375 to 425 future home sites was part of the process for appraisal evaluation and did not reflect the future plans of the proponent. Unfortunately this inquiry is the basis for many comments regarding future development. Analysis will be based on the scope of the project which does not include large scale residential and commercial development of the conveyed parcels. This comment is based on conjecture and therefore not considered a significant issue. The analysis will focus on the effects of the future use of the Federal land once it is conveyed to the proponent and the uses and management of the non-Federal land once it comes into Federal ownership.

Note: Lands conveyed out of Federal ownership become subject to all laws, regulations and zoning authorities of State and local governing bodies (Forest Service Manual 5400). Various State of Arizona agencies as well as Apache County would be the regulatory authorities for all land use and development-related activities, if any, which may occur on the contiguous block of private land (the selected Federal and the private land adjacent to the selected Federal land), or other private land within Apache County. The Forest Service has long taken the position that zoning and regulation of uses on private land are within the responsibility of state and local governments. Local authorities are in the best position to determine appropriate uses of private land. The Forest Service has neither the legal authority nor responsibility to substitute deed restrictions for local zoning controls. Except as authorized by law, order, or regulation, Forest Service policies, practices, and procedures shall avoid regulating private property use (Forest Service Manual 5403.3). Local governments have traditionally agreed and insisted that such decisions be left to them.

Issues significant to the proposed action are those that meet the following criteria:

1. Issue is within the scope of the analysis.
2. Issue is not decided by law, regulation, or previous decision.
3. Issue is related to the decision.
4. Issue is amenable to scientific analysis rather than conjecture.
5. Issue is not limited in extent (geographic area), duration (time), or intensity (level of public interest).

Units of measure were selected to evaluate the extent to which the proposed action and alternatives resolve each issue. These measures are listed for each significant issue.

The following issue stems from the reasonably foreseeable loss of the Federal land in the GRA. This issue meets the above criteria (1-5) and is considered significant to the proposed action. Should the proposed action occur there would be reduced opportunity for recreational activities on Federal lands in the GRA.

Issue #1. Recreation Opportunity:

The proposed land exchange will result in reduced opportunity for recreational activities on Federal lands near Greer proposed for conveyance.

Measure

Number of acres lost to public recreation access.

Chapter 3 - Comparison of Alternatives

ALTERNATIVES DROPPED FROM DETAILED STUDY

The range of alternatives is limited by the exchange process itself. A balanced exchange package is arrived at by a series of proposals and counter proposals until both parties accept a mix of parcels. Once both parties agree upon an acceptable mix, the Federal agency proposes to go forward with an analysis of the action and An Agreement to Initiate a Land Exchange is signed by both parties. The exchange proposal analyzed in this document reflects lands mutually agreed upon by the non-Federal landowner and the Forest Service.

Other means of acquiring the non-Federal lands were considered but eliminated from further study. Sale of non-Federal lands to the United States are alternatives to a land exchange however, Mr. Owens has not offered to sell the Federal government the non-Federal parcels. In addition, funds to purchase any privately owned parcels are not presently available. Appropriated funds for purchases will be very limited in the foreseeable future. Mr. Owens proposed a land exchange because he wishes to receive lands of equal value to those he is willing to convey.

Public scoping also suggested that deed restrictions be used to limit future development of the Federal land if conveyed into private ownership. A deed restriction alternative was not considered in detail, as it does not address a significant issue. It also does not fulfill the purpose and need for action, as it would require continued Federal administration or oversight of the lands exchanged out of Federal ownership. The Forest Service has long taken the position that zoning and regulation of uses on private land are within the responsibility of state and local governments. Except as authorized by law, order, or regulation, Forest Service policies, practices, and procedures shall avoid regulating private property use (Forest Service Manual 5403.3). A principal objective of the exchange is to reduce administrative costs and requirements.

ALTERNATIVES CONSIDERED IN DETAIL

1. Proposed Action. Exchange approximately 400 acres of non-Federal land for 337.20 acres of Federal land. Refer to Appendices A and B for maps and the scoping letter.
2. No Action. No exchange of land would occur between the Forest Service and First American Title Insurance Company (Precision Components Inc. Herbert Owens). Lands would remain in current ownership.

This chapter describes and compares the alternatives considered for the Black River Land Exchange. It includes a description and map of each alternative considered. This section also presents the alternatives in comparative form, sharply defining the differences between each alternative and providing a clear basis for choice among options by the decision maker and the public. Some of the information used to compare the alternatives may be based upon the design of the alternative (i.e., helicopter logging versus the use of skid trails) and some of the information may be based upon the environmental, social and economic effects of implementing each alternative (i.e., the amount of erosion or cost of helicopter logging versus skidding).

Comparison of Alternatives

This section provides a summary of the effects of implementing each alternative. Information in the table is focused on activities and effects where different levels of effects or outputs can be distinguished quantitatively or qualitatively among alternatives.

Table 1. Alternative Comparison Table

AFFECTED RESOURCE/ISSUE	ALTERNATIVE 1	ALTERNATIVE 2
Heritage resources	The Federal lands have been surveyed and no sites were found that qualify for the SHPO registry.	Same as Alternative 1
Grazing resources Federal lands	The Sheep Springs Allotment would be reduced in size by 90.6 acres. Permitted numbers of livestock would not change as a result of an exchange.	Permitted numbers would remain the same.
Non-Federal Lands	Acquired Non-Federal lands would become part of the A-S LMP Management Areas in which they are located and managed in accordance with the laws, rules, regulations and LMP standards and guidelines applicable to those areas. These lands would be integrated into ongoing Forest Service management plans for each respective area.	Private grazing leases would likely remain in effect subject to the discretion of the property owner.
Mineral resources	Respective mineral resources would be conveyed.	Mineral estates would remain the same.
Hazardous materials	No hazardous material exists on Federal or non-Federal lands.	Same as Alternative 1.
Wetlands and floodplains	The FS would gain 118 acres of high quality wetland/riparian habitat including 1.65 miles of the West Fork of the Black River and 1.5 miles of the Blue River.	The wetland/riparian habitats would remain under the same control.
Special Areas	No natural caves are found on the Federal Lands so none would be lost.	Same as Alternative 1.
Social & economic factors	Overall receipts and/or taxes collected in the affected Arizona counties would shift slightly.	Overall receipts and/or taxes collected in the affected Arizona counties would not change.
Administrative factors	14 landline corners and 5.9 miles of landline maintenance would be eliminated.	No change in existing corners or landline administration.
Values of adjacent properties	Not expected to change current land values.	Land values would not change.
Public services	No change.	No change.

AFFECTED RESOURCE/ISSUE	ALTERNATIVE 1	ALTERNATIVE 2
Opportunities for recreation Issue #1	Loss of 337.20 acres or 2.4% of land open to public recreation in the Greer Recreation Area. Forest-wide there would be a gain of 62.8 acres.	No change in acres of land open to public recreation in the Greer Recreation Area or Forest-wide.
Cross-country ski trail	Loss of approximately ¾ mile of cross-country ski trail within Federal Tract B near the southern boundary. Reroute of the above ski trail will result in no net loss of trail to recreationists.	No change.
Water quality	No change in water quality in Rosey or Lang Creeks as a result of the proposed land exchange.	Same as Alternative 1.
Scenic quality	No change in scenic quality as a result of the proposed land exchange.	No change in scenic quality.
Plants and wildlife	The FS would gain 118 acres of riparian habitat that includes 1.65 miles of the West Fork of the Black River and 1.5 miles of the Blue River. These areas contain vital species habitat for Federally listed native fish: loach minnow, spikedace, and Apache trout and riparian areas and perennially flowing surface waters.	No change.
Soil and water	No measurable soil loss is anticipated.	Same as Alternative 1.

Chapter 4 - Environmental Consequences

This chapter shows the present condition (i.e. affected environment) within the areas proposed for exchange and the changes that can be expected from implementing the proposed action alternative or taking no action at this time. The no action alternative sets the environmental baseline for comparing effects of the action alternative(s). The environment may be characterized as consisting of soil, air, water, vegetation, and wildlife.

Significant issues (see Chapter 2) define the scope of environmental concern for this land exchange. The environmental effects (changes from present base line condition) that are described in this chapter reflect the identified significant issues. Some of the environmental effects are confined to this action and project area. Others may be cumulative with environmental effects from other actions and reach beyond the project area. Cumulative effects are discussed for each significant issue where they occur.

In addition to documenting how each alternative addresses the issues identified in Chapter 1, we have also considered the environmental, social and economic effects of the following.

Forest Service Handbook 1909.15, Sec. 15 and FSH 5409.13, Sec. 30:

- Effects on consumers, civil rights, minority groups and women (E.O. 12898)

- Effects on prime farm land, range land and forest land (Dept. Reg 9500-3)

- Effects on wetlands and floodplains (E.O. 11988 and E.O. 11990)

- Effects on threatened, endangered, and sensitive species (Endangered Species Act of 1973)

- Effects on migratory bird species (E.O. 13186).

- Effects on heritage resources (National Historic Preservation Act of 1966 and E. O. 11593)

Forest Service Handbook 5409.13, Sec. 30:

- Effects on minerals, geothermal, oil and gas (Functions Transfer Act of 1960)

- Effects on rights associated with grazing permits (Sec. 402 (G) of the Federal Land Policy and Management Act of 1976)

Forest Service Manual 2166:

- Whether or not hazardous materials exist (Section 120 (h) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, aka CERCLA) R-3 Policy Letter 6/1/89:

- Effects on cave resources (Federal Cave Resources Protection Act of 1988)

This chapter discloses the reasonably foreseeable future uses of the Federal lands once they are conveyed into private ownership. The future use or development of the lands conveyed out of Federal ownership would become subject to all laws, regulations and zoning authorities of State and local governing bodies.

In addition, the Federal Land Exchange Facilitation Act of 1988 (FLEFA) requires that the intended use of the conveyed Federal land will not substantially conflict with established management objectives on any remaining adjacent National Forest Service lands. The adjacent Federal lands are managed for wildlife habitat, dispersed recreation and livestock grazing. No change in these objectives is anticipated. The intended use of the conveyed Federal land will not conflict with these management objectives.

WATER QUALITY

Affected Environment: The Federal parcels are located at an elevation of 8100 to 8500 feet and the natural vegetation is representative of ponderosa pine forest type. The area drains into Lang and Rosey Creeks. Both are tributaries to the Little Colorado River (LCR). The waters of the LCR are appropriated for irrigation use in the downstream valley communities of Eagar, Springerville, and Saint Johns. There are no streams, springs, or wetlands located on the selected lands. A Water Resource Evaluation was conducted by the FS and states the following: "The Greer exchange parcels are located entirely on upland sites that do not include any mappable floodplains or wetlands. No water right filings appear to be associated with these exchange locations". (Doc. 3)

The non-Federal parcels contain portions of the West Fork of the Black River and the Blue River. These rivers flow year-round and support both native and introduced fish populations. The rivers support a healthy riparian community and supply water for wildlife and livestock use.

Environmental Consequences

The proposed land exchange would result in the FS exchanging upland ponderosa pine lands for wetland/riparian lands with perennial flowing surface waters. The following table summarizes the results as documented in the FS Water Resources Evaluation (Doc.3).

Summary Table

Lands to be Acquired Non-Federal Parcels			Lands to be Exchanged Federal Parcels		
<i>Parcel</i>	<i>Wetlands (≈ac)</i>	<i>Channel/Floodplain (≈mi/ac)</i>	<i>Parcel</i>	<i>Wetlands (≈ac)</i>	<i>Channel/Floodplain (≈mi/ac)</i>
Rancho Allegre	3.0 ac	0.25 mi 3.0 ac	Greer	0 ac	0 mi 0 ac
Thompson Ranch	60 ac	1.4 mi 60 ac			
Blue River	55	1.5 mi 55 ac			
Total	118 ac	3.15 mi 118 ac	Total	0 ac	0 mi 0 ac
			Net gain/loss	+118 ac	+3.15 mi +118 ac

Conveyance of the Federal lands into private ownership would have no impact on water quality in the area as use is expected to remain the same. No change in water quantity or quality is expected in either Rosey or Lang Creeks which receive runoff from these lands.

The non-Federal lands would receive the benefit of Forest Service management practices. Any future development of these lands, particularly the Blue River Parcel, which was previously subdivided but not sold when the proponent acquired it, would be eliminated.

No Action:

Conditions on the Federal lands would remain the same. Future development on some of the non-Federal lands would be expected to occur. Although, any development along and in floodplains would come under other Federal, state and county jurisdictions, the Forest Service

would not be afforded the opportunity for management of the wetlands, floodplains and riparian habitat on the non-federal parcels.

SCENIC QUALITY

Affected Environment: The selected lands around Greer are gently sloping ponderosa pine forest and typical of most of the landscape found in this area of the Apache National Forest. The Visual Quality Objective is Partial Retention. This means that management treatments may result in partial alteration of the valued landscape character, but must remain subordinate to the landscape. Federal lands can be viewed on either side of State Highway (SH) 373 for approximately 1 mile from its junction with SH 260. At this point private residential development adjoins the highway on the west side for the next ½ mile. Approximately ½ mile farther down the highway private residential development occurs on both sides of the road for the next ½ mile, until the highway again enters National Forest land on both sides. At this point the road forms the eastern boundary of Tract B for the next ¾ mile. National Forest is located on both sides of the road for the next 1 mile until it enters the beginning of the community of Greer. Although the drive along this route travels through both undeveloped and developed lands, it is considered quite scenic and representative of Arizona's high country mountains.

The non-Federal Rancho Alegre and Thompson Ranch parcels contain abandoned wooden structures. The structures on the Rancho Alegre parcel would be removed prior to acquisition and the parcel left in an undeveloped state. The parcel is considered quite scenic as a natural river flows through it. The structure on the Thompson Ranch parcel is considered historical and would be retained after acquisition and eventually managed by the Forest as an interpretive site. The cabin is a well recognized landmark and its picture has been featured in photographic publications. The parcel is considered quite scenic as a natural river flows through it. Both parcels can each be viewed from unpaved Forest roads. The Blue River Ranch parcel contains a small residence and several out buildings that are not easily visible from the main county road that runs through the parcel. These structures may or may not be removed after acquisition. The parcel is considered quite scenic and representative of the cottonwood-willow vegetative type with a natural river running through it.

Environmental Consequences

Proposed Action: Under the proposed action, change of land ownership would not significantly change the visual conditions of the Federal lands.

Acquisition of the non-Federal lands would ensure and possibly improve their visual quality as several structures would be removed and the land restored to an undeveloped condition.

No Action: Federal and non-Federal lands would be unchanged. Non-Federal lands would be available for development. Any development of these lands would be costly because of their remote nature.

PLANTS AND WILDLIFE, INCLUDING THREATENED, ENDANGERED AND SENSITIVE SPECIES (TES)

Affected Environment: For this analysis the affected habitat means the lands that would leave Federal ownership. The habitat is ponderosa pine forest land with one meadow on the east.

Plant species

Trees

Ponderosa pine	<u>Pinus ponderosa</u>
White pine	<u>Pinus flexilis reflexa</u>
Douglas fir	<u>Pseudotsuga menziesii</u>
One seed juniper	<u>Juniperus monosperma</u>
Alligator Juniper	<u>Juniperus Deppeana</u>
Utah juniper	<u>Juniperus Utahensis</u>
Pinyon pine	<u>Pinus edulis</u>

Shrubs

Snakeweed	<u>Gutierrezia Sarothrae</u>
Skunk bush	<u>Rhus trilobata</u>
Buck brush	<u>Ceanothus fedleri</u>
Wax current	<u>Ribes inebrians</u>
Common juniper	<u>Juniperus communis</u>

Grasses

Blue grama	<u>Bouteloua gracilis</u>
Squirrel-tail	<u>Sitanion hystrix</u>
June grass	<u>Koeleria cristata</u>
Mountain muhly	<u>Muhlenbergia montana</u>
Spike muhly	<u>Muhlenbergia wrighti</u>
Arizona fescue	<u>Festuca arizonica</u>
Pine drop seed	<u>Blepharoneuron tricholepis</u>
Six weeks three-awn	<u>Aristida longiseta</u>
Fringed brome	<u>Bromus ciliatus</u>
Orchard grass	<u>Dactylis glomerata</u>

Forbs

Loco weed	<u>Asragalus spp.</u>
Iris	<u>Iris missouriensis</u>
Yarrow	<u>Achillae lanulosa</u>
Lupine	<u>Lupinus spp</u>
Geranium	<u>Geranium spp.</u>
Cosmos	<u>Cosmos spp.</u>
Cinquefoil	<u>Potentilla spp.</u>

Animal species

The area provides habitat for the usual compliment of animals found in the ponderosa pine habitat. These include elk, mule deer, turkey, and black bear. Elk and deer use is primarily during the spring, summer and fall. Elk use the area as a travel way between higher elevation summer ranges and lower elevation winter ranges.

The area also provides habitat for a variety of birds which use ponderosa pine habitat. These include several species of wood peckers, nuthatches, and jays. Many of these birds are dependent on dead trees and the cavities they contain for nesting habitat.

TES Species

The A-S completed a Biological Assessment and Evaluation (BAE) for this proposed exchange (Doc.31). All animal and plant species on the Region 3 Threatened, Endangered, and Sensitive (TES) species list were evaluated for impacts from implementing the land exchange. No federally-listed plant or animal species are known to inhabit the Federal lands. The proposed change of land ownership will not alter the habitat. Therefore, the BAE concluded that no TES species would be affected or impacted by the proposed action.

Following is a list of species considered and the determinations for each.

Endangered Species

Mexican Gray Wolf (Canis lupus baileyi) The released wolves and their offspring are designated as a nonessential, experimental population under section 10(j) of the Endangered Species Act. Therefore any reintroduced wolves are to be treated as species proposed to be listed under section 4 of the Endangered Species Act.

This proposed change in ownership will have little effect on habitat as the resulting land uses will be essentially the same. Access for elk, deer, and other potential prey species will stay the same. The proposed project would not affect potential wolf habitat. The project area is within the secondary recovery zone for the wolf. It was the determination of the BAE, that this project is not likely to jeopardize the continued existence of the nonessential, experimental population.

Jaguar (Panthera onca) Records indicate that Arizona may have historically supported a small resident population of jaguars. At present however, it is felt that the occasional jaguars in Arizona are transient or dispersing individuals from Mexico (Hoffmeister 1986, USFWS 1993). The A-S as a whole may provide suitable habitat for wandering, nonresident, nonbreeding wild jaguars. Because the habitat will not be altered, and the low probability of a jaguar wandering through the project area in the near term, it was the determination of the BAE that this project is not likely to jeopardize the continued existence of the jaguar or result in the destruction or adverse modification of important habitat.

Threatened Species

Bald Eagle (Haliaeetus leucocephalus) Migratory Bald eagles occur in the area during winter months. No winter roosts were found or are known in the analysis area. The project will have a neutral effect on potential prey species for bald eagles. The BAE determined that this proposed land exchange will not affect the bald eagle or its habitat.

Mexican spotted owl (Strix occidentalis lucida) The exchange area was surveyed by the Forest Service in 2000 and 2001 for Mexican spotted owls (MSO) with negative results. The habitat is ponderosa pine and could be suitable for MSO foraging. The nearest PAC (Hall Creek) adjoins Parcel A for 1/8 mile on the west.

This proposed change in ownership will have no effect on habitat as the resulting land uses will be essentially the same. Habitat for wood rat, deer mice, and voles, important MSO prey species, will stay the same. The proposed project will not affect MSO prey species or their availability. The MSO is not known to occur in the project area, the habitat is potentially suitable for foraging, and is not expected to change as a result of the proposed land exchange, therefore it was determined that there will be no effect on the Mexican Spotted Owl or its habitat.

Proposed Threatened Species

Mountain Plover (Charadrius montanus) This small member of the plover family has some interesting characteristics. It is mainly a bird of the high plains and semi-desert regions of the West. One of few shorebirds that live mainly away from water in dry regions; In summer, on dry short-grass prairie of low scattered bunchgrass, miles from water, or in sandy, scattered sagebrush and cactus country, eats mostly, if not entirely, insects-grasshoppers, crickets, beetles, flies. (Terres, 1991). There are no records for this species occurring in the project area. No mountain plovers were sighted during field surveys. The proposed land exchange will not affect any grasslands. Because the project will not degrade any potential plover habitat and the plover isn't known to occur in the area, it was determined that it will not jeopardize the continued existence of the mountain plover Sensitive Species.

Mammals

White Mountain ground squirrel (Spermophilus tridecemlineatus) Thirteen-lined ground squirrels occur in grasslands with well-drained soils, but are also found along roadsides, in pastures, and even on golf courses. They are omnivorous, eating a variety of items, such as grass, leaves, seeds, roots, insects, and mice. No squirrels or burrows were noted during surveys. This species is not listed in the Arizona Game and Fish Department's Heritage Data Management System as occurring in this area. The proposed land exchange and resulting change of land ownership will have no impact on the White Mountain ground squirrel.

Birds

Northern Goshawk (Accipiter gentilis) Goshawks are known to occur in the exchange area. The area was inventoried for goshawks in 2000 and a successful nest was found to the west of the Federal Lands proposed to be exchanged. Subsequently the Hall Creek PFA was established which is next to Tract B. The area was also surveyed in 2001 and one adult goshawk was detected and determined to be from the Hall Creek PFA. The two years of surveys determined that the Federal Lands considered in this proposed exchange do not contain goshawk nest sites or post fledgling area (PFA).

This proposed change in ownership will have no effect on habitat as the resulting land uses will be essentially the same. Habitat for golden mantel ground squirrels, rock squirrels, and Abert Squirrels, important NGO prey species, will stay the same. No Abert squirrel nest groups will be affected. The proposed project will not affect NGO prey species or their availability. Since the project will not significantly alter the area for potential prey species or affect goshawks ability to forage in the area, and the designated Hall Creek PFA will not be affected, it was concluded that the project will have no impact on the goshawk.

American Peregrine Falcon (Falco peregrinus anatum) The peregrine falcon is not known to occur in the project area. Ponderosa pine habitat is not one of the falcons important hunting areas as it prefers wetlands and riparian areas. There are no cliffs in the project area suitable for peregrine falcon nesting habitat. This project will have no impact on the peregrine falcon or its habitat.

Plants

Mogollon Paintbrush (Castilleja mogollonica)

Gila Groundsel (Senecio quarens)

White Mountain Clover (Trifolium longipes var. neurophyllum)

The three sensitive plants will be considered together. The plants were not found in field surveys for this BAE. They are not listed in the AGFD data base as occurring in the area. The proposed land exchange will not alter the habitat in a way detrimental to this species. There will be no long

term effect on this habitat which would adversely affect the Mogollon Paintbrush, Gila Groundsel, or White Mountain Clover.

Environmental Consequences

Proposed Action: The proposed action would result in no negative effect on TES plant and animal species and their habitat. During a ground survey of all parcels, no sign of any of these species were found, therefore formal consultation with the USDI Fish and Wildlife Service was not necessary. This alternative meets the intent of the Endangered Species Act of 1973. The access for local elk, deer, turkey, and bear to use forage and water on the Federal lands would not change. Conditions on the nonfederal lands would improve for wildlife as these lands would be managed and protected for their benefit.

No Action: Conditions would remain the same. Currently, no development is planned for the non-Federal lands. The no-action alternative would result in no effect on TES plant and animal species and their habitat. This alternative meets the intent of the Endangered Species Act of 1973.

Management Indicator Species (MIS)

In addition to requirements for the Forest Service to consider needs for TES species, there is also a requirement to consider MIS as they may be affected by management decisions. This requirement stems from the LMP formulated for the A-S. The concern for the MIS requirements is to insure that the long term viability of these species is not harmed as they represent habitat conditions important to other species as well. An analysis of MIS as they would be affected by the proposed land exchange was made and is in the project record Doc. 33. The following is a summary of the findings:

Four Management Areas (MA) will be considered and the effects on the MIS for each MA will be documented. This was done on an A-S basis. Lands that would leave Federal ownership will be considered lost for MIS even though, in this case, it is expected that habitat conditions will stay the same.

MA-1 Forested Land: The proposed land exchange would result in 337 acres of this MA leaving Federal ownership. This MA consists of 836,288 acres on the A-S. This acreage represents 4/100 of 1% or 0.04% of the total on the A-S. The loss will not significantly impact the 10 MIS in this MA nor cause a loss of viability for these species. The loss of these acres causes a slight downward trend in the total acres of this MA.

MA-2 Woodland: The proposed land exchange would result in 105 acres of this MA being added to Federal ownership. This MA consists of 611,025 acres on the A-S. This acreage is less than 0.02% of this total. The addition will not significantly affect the 4 MIS in this MA nor cause a loss of viability for these species. The addition of these acres into Federal ownership would cause a slight increase trend in the total acres of this MA.

MA-3 Riparian: The proposed land exchange would result in 118 acres of this MA being added to Federal ownership. The MA consists of 6,870 acres on the A-S. This acreage is about 1.71% of this total. The addition will have a positive impact on the 3 indicator species for this MA and the species group called macro-invertebrates. This gain of riparian habitat is considered substantial. This habitat is considered extremely important on the A-S and in the southwest. The proposed exchange will not cause a loss of viability for these species.

MA-4 Grassland: The proposed land exchange would result in 177 acres of this MA being added to Federal ownership. The MA consists of 243,126 acres on the A-S. This acreage is about 0.07%

of the total. The addition will not significantly effect the 2 MIS in this MA nor cause a loss of viability for these species.

Conditions for MIS in the Riparian Management Area would improve. Conditions for MIS in the Timberland, Woodland, and Grassland would remain the same. No MIS would lose viability.

See Appendix D for a list of all MIS considered in this analysis.

SOIL AND AIR

Affected Environment: The Federal parcels are located on flat to sloping terrain. Terrestrial Ecosystem Surveys on the Federal lands and National Cooperative Soil Surveys on the non-Federal lands indicate both contain stable soils. Air shed conditions are similar on the Federal and non-Federal parcels and typical of the A-S which are good, except for brief periods when prescribed burning or wildfire are occurring.

Environmental Consequences

Proposed Action: The proposed land exchange will have no effect on soil stability. Land use is expected to remain the same. No measurable soil loss is anticipated. The air quality will remain the same.

No Action: No effect. Soil stability and air quality of both the non-Federal Federal lands would remain unchanged.

LAND USE

Affected Environment: The Blue River Ranch non-Federal parcel contains the following encumbrance.

A 10-year "Estate for Years", comprising 4.00 surveyed acres, with the Easement from the existing county road to the residence. Said "Estate" encompasses the existing structural improvements only, as described in that certain Purchase Contract, and the Rider to Purchase Contract dated July 8, 1994, and as set forth in that certain Warranty Deed recorded December 29, 1994, Greenlee County, Arizona, in Docket 197, pages 564-566. The lessee of the "Estate for Years" is Lillian Rose Coleman Awtrey only, and upon termination, Ms. Coleman Awtrey shall vacate and take only her personal property from the residence, corrals, and physical improvements. Said "Estate for Years" automatically terminates on the 10-year anniversary of the recorded date of the sale of the land (December 29, 1994); therefore, the "Estate for Years" terminates December 29, 2004. Said structural improvements shall not be removed.

The Thompson Ranch parcel contains a vacant historic cabin which will remain and be maintained as a historical site. Rancho Allegre parcel is unencumbered.

The Federal parcel contains the following existing encumbrance and recreation development.

An easement for an existing highway right-of-way (SH 373), 100 feet wide, 50 feet each side of centerline, as it crosses portions of secs. 23, 26, and 35, as documented in United States Department of Transportation, Federal Highway Administration, Highway Easement Deed to the State of Arizona dated February 14, 1973, recorded April 30, 1973, Apache County, Arizona, in Docket 173, pages 28-40. (contiguous to Eastern boundary of Tract "A" and "B")

Cross-country ski trail, sec. 35, T. 8 N., R. 27 E. (See map, Appendix A)

Environmental Consequences

Proposed Action: The Forest Service would acquire and then decide on whether to dispose of the improvements on the Blue River Ranch Parcel. The Forest Service would relocate a portion of the designated cross-country ski trail crossing Federal Tract "B" to the south of the exchange boundary.

No Action: No change; the Forest Service would continue to manage the ski trail in its existing location.

HERITAGE RESOURCES

Affected Environment: The A-S prepared the cultural resource survey report for the 337.20 acres of Federal lands. No archeological properties were identified on Federal lands.

Heritage resource surveys were not conducted on the non-Federal lands. The Thompson Ranch contains a historical cabin.

Environmental Consequences

Proposed Action: Final approval of the cultural resource survey will be received prior to the decision by the A-S Forest Supervisor regarding this EA. The proposed action meets the requirements of the National Historic Preservation Act and E.O. 11593.

Consultations were conducted with the Hopi Tribe, the White Mountain Apache Tribe, the Pueblo of Zuni, and Navajo Nation regarding the Black River Land Exchange. No issues were raised.

Any heritage resource sites found on the non-Federal lands would fall under Federal management and would be afforded greater protection than under private ownership.

No Action: Federal lands have already been surveyed. Heritage resources that are located on the non-Federal lands would not have any protection, with the exception of human burials, which are protected under the Burial Protection Law (ARS 41-865 and ARS 410844).

GRAZING RESOURCES

Affected Environment: The Federal lands are part of the Sheep Springs Grazing Allotment currently permitted to Dwayne Dobson. This allotment and the Beehive Allotment are managed as a single unit. Sec. 402 (g) of FLPMA requires that a 2-year notification be provided to permit holders in which significant changes to grazing permits may take place. Mr. Dobson was notified of the proposed action in December 2002. The proposed action would not conflict with the requirements of Sec. 402 (g) of FLPMA.

A majority of the non-Federal lands are fenced separately from adjoining lands. Grazing leases for livestock grazing on the Thompson Ranch and Blue River Ranch parcels are currently held by third parties.

Environmental Consequences

Proposed Action: The Sheep Springs Allotment would still be a viable sheep operation. Results of the land exchange would not cause any reduction of animal units on the Beehive and Sheep Springs Allotments. The animal units may be adjusted, if needed, when the allotments are scheduled for reanalysis.

Third party grazing leases on the non-Federal lands would be deemed cancelled upon acquisition of the lands by the U.S. Forest Service. The non-Federal lands would be integrated into ongoing Forest Service management plans for each respective area. Riparian habitat protection would be a high priority for the management of these riverine habitats as has been implemented on adjoining grazing allotments.

No Action: Permitted numbers in the Sheep Springs Allotment would remain the same. The grazing situation on the non-Federal lands would most likely remain the same.

MINERAL RESOURCES

Affected Environment: A Forest Service Mineral Report was prepared. The New Mexico Zone Geologist concluded that the subject non-Federal and Federal lands have low potential for oil, gas, coal and geothermal resources. The lands have no known value for sodium, potassium or other leasable minerals. The geological processes, geologic environments and reported occurrence of mineral resources in the region indicate low potential for the accumulation of locatable minerals within the subject lands. All the subject lands have moderate potential for salable minerals in the form of common cinders, sand or gravel. There are no known mineral material sources within the Federal or non-Federal lands that have been identified by the state Highway Department as suitable for road construction. The report was forwarded to the BLM for concurrence.

Should the exchange be consummated neither the United States, nor the non-Federal landowner would reserve any mineral, right, royalty, or other mineral interest.

Environmental Consequences

Proposed Action: Respective mineral resources on the non-Federal and Federal parcels would be conveyed along with the surface.

No Action: Mineral estates would remain the same

HAZARDOUS MATERIALS

Affected Environment: : The non-Federal and Federal lands proposed for exchange have been examined in accordance with Section 120 (h) of CERCLA. No hazardous materials are suspected or were found. No evidence was found to indicate that any hazardous material was stored for one year or more or disposed of or released on the property.

Environmental Consequences

Proposed Action: No hazardous material is known to exist on either the Federal or non-Federal lands.

No Action: No hazardous material is known to exist on either the Federal or non-Federal lands.

WETLANDS AND FLOODPLAINS

A Water Resources Evaluation for the proposed exchange was prepared October 2, 2001 and updated May 6, 2002 (Doc.3); the respective acreage of floodplains and wetlands contained on both the non-Federal and Federal parcels is displayed in the Summary Table in the Water Quality section of this document. The non-Federal parcels contain a total of 118 acres of wetlands and 3.15 miles of floodplain. The Federal parcels contain 0 acres of wetlands and 0 miles of floodplain. The proposed action would result in a net gain of 118 acres of wetlands and 3.15 miles of floodplain and afford the resources greater protection under Federal jurisdiction. The proposal is consistent with the intent of Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

There is no prime farm, range, or forestlands, or roadless, wilderness, natural, study or other specially designated areas located on the lands proposed for exchange.

SPECIAL AREAS

The proposed action meets the intent of the Federal Cave Protection Act of November 18, 1988.

SOCIAL AND ECONOMIC FACTORS

The Forest Service makes payment to counties with respect to Federal Lands under three statutes known as the Twenty-Five Percent Fund, the Payments in Lieu of Taxes (PILT) Act and the Secure Rural Schools and Community Self-Determination Act of 2000. The Twenty-Five Percent Fund of May 23, 1908, provides for counties to receive 25 percent of the gross receipts and revenues from timber sales and other income generating activities on Federal lands. The PILT Act of 1976 authorizes payments to counties based on the number of acres of "entitlement lands" within the county. The Secure Rural Schools and Community Self-Determination Act of 2000 stabilizes payments for fiscal years 2001 through 2006 to counties that received a 25-percent payment during fiscal years 1986 through 1999 to provide funding for schools and roads that supplements other available funds. For purposes of this discussion, entitlement lands are NFS lands. Non-Federal landowners make payments to counties in the form of property taxes.

There would be little effect on returns to the two counties, the State of Arizona, or the Federal Treasury. The private land tax base for Greenlee County would decrease by 160 acres, but there would be an increase in PILT funds to the County. The private land tax base for Apache County would increase by 97.20 acres.

The proposed action would also have no known effect on consumers, civil rights, minority groups and women.

ADMINISTRATIVE FACTORS

The proposed land exchange would contribute to consolidation of Federal ownership and would eliminate 14 landline corners and approximately 5.9 miles of landline between NFS and other lands. Landline location, posting, and maintenance, as well as potential boundary disputes, would be reduced if the exchange is consummated. This would result in an annual estimated savings of over \$1000.

VALUES OF ADJACENT PROPERTIES

Several of the comments received during scoping expressed concern that the land exchange would result in lowering the land values in Greer. Currently, in the Greer area, approximately 1060 acres of the 2712 total acres of private land border State Highway 373. The 337.20 acres of Federal land equals 32% of this total. If the Federal land was to be placed on the market one might expect an effect on land values. However, the proponent has stated there are no immediate plans for development and that the land would only be added to his local ranch. The proponent has stated he has no plans to place the Federal land on the market should the exchange be completed. Even if this was not the case, previously, two exchanges in the Greer area in 1993 and 1994 did not result in a decrease in private land values.

PUBLIC SERVICES

The proposed land exchange would not result in a demand for additional public services.

SPECIFIC ISSUES RAISED DURING SCOPING

The proposed land exchange will result in a slight reduction in opportunity for recreational activities on Federal lands near Greer proposed for conveyance.

This issue will be measured by the number of acres lost to public recreation access.

Affected Environment: The Federal lands are located within an area that has been locally identified as the Greer Recreation Area. The GRA extends from State Highway 260 south for approximately seven miles and two miles to the east and west sides of State Highway 373. The two Federal parcels border existing private land. Tract A borders land owned by Herbert Owens and Tract B borders 17 various individually owned lots in the subdivision known as Crosby Acres. The parcels are located in the ponderosa pine vegetative type and are currently used for a variety of undeveloped recreation pursuits including; hiking, horseback riding, bird watching, hunting, and ATV riding. The Squirrel Springs Day Use Site immediately south of the Tract B was recently developed and includes toilets, picnic tables and graveled access road and parking lot. This site serves as a trailhead for several cross-country ski trails that follow abandoned logging roads/skid trails. The cross-country skiing trails are identified with plastic blue diamond shaped markers attached to trees. The northern trail is partially located within the Tract B. Should the land exchange be approved the FS would relocate that portion of the trail to the south and onto adjacent Federal land.

The non-Federal lands include portions of the West Fork of the Black River and the Blue River. The parcels on the West Fork of the Black River contain riparian habitat and flowing waters that are considered coldwater sport fisheries. The Blue River parcel contains riparian habitat. At the present time public access for dispersed recreation is not allowed. Should the land exchange be approved the FS would open these lands to sport fishing and other associated dispersed recreation activities.

Proposed Action: The GRA contains 16,939 acres. The 14,227 acres of Federal land within the GRA would be reduced by 337.20 acres. As a result, GRA acreage would be reduced by 2.4%. . The approximately $\frac{3}{4}$ mile of existing ski trail would be relocated and the result would be no loss of ski trail. The effects are not considered significant as the GRA would continue to provide a sizable land base for both residents and visitors. On a forest-wide basis there would be an increase of 62.8 acres for dispersed recreation use and there would be an increase of 400 acres of riparian influenced lands open for public outdoor recreation use

No Action: No change in the quantity and type of outdoor recreation acres.

CUMULATIVE EFFECTS

Cumulative effects (or impacts) result from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of who undertakes the other actions (40 CFR 1508.7). This section will cover the expected cumulative effects of the alternatives in this analysis.

Water Quality

No specific actions affecting water quality or quantity are anticipated within the watersheds included in the exchange proposal. Land management plan standards and guidelines are designed to achieve satisfactory water quality conditions. Neither water quality nor quantity would be impacted. Therefore, no cumulative impacts are anticipated.

Scenic Quality

A change of land ownership will not change the visual conditions of the Federal lands since land use is expected to remain the same. No cumulative impacts are anticipated. Acquisition of the non-Federal lands will ensure and possibly improve their visual quality as several structures would be removed and the land restored to an undeveloped condition.

Plants and Wildlife, including TES and MIS

Cumulative effects on vegetation and wildlife will be limited under either the No Action alternative or the Proposed Action. The Proposed Action may afford greater long-term protection to listed species and management indicator species. This would result from the acquisition of important riparian and wildlife habitat currently on private land. With respect to management indicator species, Forest-wide analyses do not indicate management-induced trends that would be influenced by action or inaction at the scale of the proposed land exchange.

Soil and Air

The proposed land exchange will have no effect on soil stability. Land use is expected to remain the same. Areas with soils in satisfactory condition would remain the same, or increase under either alternative. No measurable soil loss is anticipated. No air quality effects have been attributed to current or proposed uses. The air quality will remain the same. No cumulative impacts are anticipated.

Land Use

The Forest Service will acquire and then decide on disposal of the major improvements on the Blue River Ranch Parcel. The Forest will attempt to restore the land to a near natural condition. The Forest will relocate that portion of the designated cross-country ski trail in Federal Tract "B" onto adjacent Federal land outside the exchange boundary. Any change to the anticipated experience for this kind of public outdoor recreation use will not be significant.

Previous land exchanges in the Greer area have conveyed 594.57 acres of Federal lands to private parties from 1967 to the present. During this same time period 675.58 acres of non-Federal lands in the State of Arizona have been acquired by the Forest Service.

Recent inquiries have been made regarding the potential for a land exchange involving 19 existing summer recreation residences on approximately 35 acres located within the GRA. Although a formal exchange proposal has not been received it is possible in the foreseeable future that one including these recreation residences could be submitted. There are no other inquiries or formal proposals for land exchange within the GRA at this time.

No adverse cumulative impacts to land use are anticipated.

Heritage Resources

Under the proposed alternative, a significant (National Register-eligible) heritage site will be managed for its historic values. No archeological properties were identified on Federal lands. No formal Heritage resource surveys have been conducted on the non-Federal lands to determine the existence or number of any cultural sites. If the proposed exchange is consummated and sites are found, in addition to the historic Thompson cabin, they would be subject to an elevated level of protection under historic preservation laws. Consultation with American Indian tribes has not raised concerns regarding significant or non-significant sites, or other cultural properties. No cumulative impacts are anticipated.

Grazing Resources

The non-Federal lands will be integrated into the ongoing Forest Service management plans for each respective area under the Proposed Action. Riparian habitat protection will be a high priority for the management of these parcels. The Sheep Springs Grazing Allotment will be reduced by about 91 acres. Authorized grazing will still occur on the remaining acres of the

allotment. Grazing effects will be related to those analyzed in the environmental assessments for the affected allotments. No cumulative impacts are anticipated.

Mineral Resources

Should the exchange be consummated neither the United States, nor the non-Federal landowner would reserve any mineral, right, royalty, or other mineral interest. Both the non-Federal and Federal lands have low potential for oil, gas, coal and geothermal resources and have no known value for sodium, potassium or other leasable minerals. The geological processes, geologic environments and reported occurrence of mineral resources in the region indicate low potential for the accumulation of locatable minerals within the subject lands. All the subject lands have moderate potential for salable minerals in the form of common cinders, sand or gravel. No cumulative impacts are anticipated.

Wetlands and Floodplains

The Proposed Action will add 118 acres of riparian habitat to the A-S. This would compliment the FS ongoing efforts to protect and increase riparian habit which would likely result in an improvement of wetland and floodplain resources relative to the No Action alternative, as the area of wetlands and floodplains in Federal ownership, and subject to more stringent management objectives, would be increased. It would contribute towards reversing the long term trend of declining wetland and riparian habitat. No adverse cumulative impacts are anticipated.

Social and Economic Factors

Greenlee County has expressed disapproval of land exchanges that would erode the private land base and limit growth potential. In the case of this proposal, Greenlee County would lose 160 acres and Apache County would gain 97.20 acres of private land.

Apache County tax revenues would probably increase somewhat with an additional 97.20 acres of private land base. Greenlee County would lose 160 acres of tax base and the tax revenues associated with that land. There would be a corresponding increase in PILT and Secure Rural Schools and Community Self-Determination Act of 2000 funds to the County.

The proponent now pays Apache County \$3665.76 in taxes for the Thompson Ranch and Rancho Allegre parcels.

He pays Greenlee County \$68.30 in taxes for the Blue River Ranch parcel.

The change in the private land base for Apache and Greenlee Counties, and loss of tax revenue in Greenlee County, is neither significant nor irreversible. Future land exchanges involving Federal lands may favor Greenlee County by adding to the private land base. No cumulative impacts are anticipated.

Administrative Factors

Landline location, posting and maintenance, as well as potential boundary disputes, will be slightly reduced on the Federal, as well as non-Federal lands, if the exchange is consummated. The proposed action would eliminate 14 landline corners controlling \pm 5.9 miles of boundary between National Forest and private land. The annual estimated cost of maintenance associated with the property boundaries is estimated to be over \$1000. No cumulative impacts are anticipated.

Values of Adjacent Properties

Foreseeable future use of the Federal and non-Federal lands would remain similar to current uses, hence no incremental effects from the proposed action are anticipated. There is a potential that the private lands could be developed (subdivided) and converted from ranching to residential use. This potential exists under either the No Action or Proposed Action alternatives. The proponent has stated he has no plans to place the Federal land on the market should the exchange be completed. Two previous exchanges in the Greer area in 1993 and 1994 did not result in a decrease in private land value. Therefore, no cumulative impacts are anticipated.

Specific Issues Raised during Scoping

NFS land available for outdoor recreation use in the Greer area would be reduced by 337.20 acres. As a result, the GRA would be reduced by 2.4%. NFS land would no longer be contiguous to a number of private residences along the southern boundary of the Crosby Acres Subdivision. There would be an increase of 400 acres of riparian influenced lands open for public outdoor recreation uses, such as fishing and camping. On a forest-wide basis the number of acres available for outdoor recreation use would actually increase by 62.8 acres. The change in acres available for public outdoor recreation use is not significant. No cumulative impacts are anticipated.

Chapter 5 - Consultation and Coordination

The Forest Service consulted the following individuals, Federal, state and local agencies, tribes

List of Preparers

3C Consulting:

Mel Wilhelm Certified Wildlife Biologist

Forest Service Interdisciplinary Team:

Bruce Buttrey Interdisciplinary Resource Specialist Springerville Ranger District, A-S

Barbara Romero Recreation and Lands Staff, Springerville District Ranger, A-S

Joe Sitarzewski Realty Specialist, Supervisor's Office, A-S

Other Forest Service Contributors:

The following people prepared resources information and specialized technical guidance during the analysis:

Apache-Sitgreaves National Forests

Bruce Donaldson Sitgreaves Zone Archeologist

Linda Martin Forest Archeologist

Carolyn Koury Forest Hydrologist

Chris Nelson Forest Watershed Program Manager

Virginia Yazzie-Ashely Range Staff, Springerville Ranger District

Vicente Ordonez Wildlife Staff, Springerville Ranger District

Ray Kingston Forest Resource Program Staff

Diane Tafoya New Mexico Zone Geologist

Agencies and Persons Consulted

Tom Gatz Wildlife Biologist USDI Fish and Wildlife Service

Ann Valdo Howard Public Archaeology Programs Manager Arizona State Historic Preservation Office

City of Show Low Arizona

Dennis Wiss Manager Show Low Airport

Robert F. Emmett Co-interim City Manager City of Show Low

Ed Muder Co-interim City Manager City of Show Low

Region 1 Arizona Game and Fish Department Pinetop Arizona

Sharon Adams Habitat Program Manager Arizona Game and Fish Dept.

Robert Vahle Wildlife Program Manager Arizona Game and Fish Dept.

Richard R. Remington Region 1 Supervisor Arizona Game and Fish Dept.

APPENDICES

A. Maps and Legal Descriptions

B. Scoping Letter

C. Comment Analysis Summary

D. MIS Analysis Summary



Appendix A

Legal Description of Federal land to be exchanged is as follows:

Apache National Forest Springerville Ranger District

TRACT "A"

Gila and Salt River Meridian, Apache County, Arizona
Township 8 North, Range 27 East

Sec. 22 – S1/2NE1/4SE1/4

Sec. 23 – S1/2NW1/4SW1/4; S1/2NE1/4SW1/4 and SE1/4SW1/4 lying west
of State Highway 373.

Sec. 26 – N1/2NE1/4NW1/4 lying west of State Highway 373.

Containing 69.95 record and surveyed acres more or less.

TRACT "B"

Gila and Salt River Meridian, Apache County, Arizona
Township 8 North, Range 27 East

Sec. 35--That parcel of land being more particularly described as follows:

Assuming the South-half of the West line of said sec. 35 to bear N.
00°18'51" W., and all bearings contained herein being relative thereto:

BEGINNING at the Southwest corner of said sec. 35, said corner
being monumented by a GLO brass capped monument, 1940, said
corner also being the TRUE POINT OF BEGINNING for this parcel;

thence N. 00°18'51" W., along the west line of said sec. 35, a distance
of 1544.23 feet to a 3" aluminum cap, LS 22754;

thence N. 29°23'48" E., a distance of 2918.33 feet to a 3" aluminum
cap, LS 22754 on the line between the C-E-W-NW 1/256th corner and
the C-N 1/16th corner of said sec. 35, from which the said C-E-W-NW
1/256th corner bears N. 87°23'32" W., a distance of 457.00 feet;

thence S. 87°23'32" E., along said line, a distance of 1194.94 feet to a
BLM brass capped monument at the C-N 1/16th corner of said sec. 35;

thence N° 00°24'12" W., along the mid-section line of said sec. 35, a
distance of 1351.42 feet to a GLO brass capped monument at the
North ¼ corner of said sec. 35;

thence S. 86°33'00" E., along the north line of said sec. 35, a distance of 1201.50 feet to a 3" aluminum cap, LS 22754 on the westerly right-of-way line of State Highway 373;

Appendix A

thence S. 02°31'05" W., along said right-of-way line, a distance of 1572.98 feet to an ADOT right-of-way monument at Station 220+99.44 PT, and the beginning of a curve concave to the East and having a radius of 1959.86 feet;

thence Southerly 1067.55 feet along said curve and said right-of-way line (Chord=S. 13°07'10" E., 1054.40 feet) through a central angle of 31-12-34 to an ADOT right-of-way monument at Station 210+60.97 PC;

thence S. 28°44'37" E., continuing along said right-of-way line, a distance of 109.91 feet to the beginning of a curve concave to the West and having a radius of 1382.40 feet;

thence Southerly 824.86 feet along said curve and said right-of-way line (Chord= S. 11°33'00" E., 812.68 feet) through a central angle of 34-11-16 to an ADOT right-of-way monument at Station 200+96.68 PC;

thence S. 04°36'22" W, continuing along said right-of-way line, a distance of 19.84 feet to an ADOT right-of-way monument at Station 200+79.38 PT, and the beginning of a curve concave to the Northeast and having a radius of 1195.92 feet,

thence Southerly 281.06 feet along said curve and said right-of-way line (Chord=S 01°21'45" E, 280.41 feet) through a central angle of 13-27-55 to a 3" aluminum cap, LS 22754;

thence on a non-tangent line, N. 90°00'00" W, a distance of 1795.84 feet to a 3" aluminum cap, LS 22754;

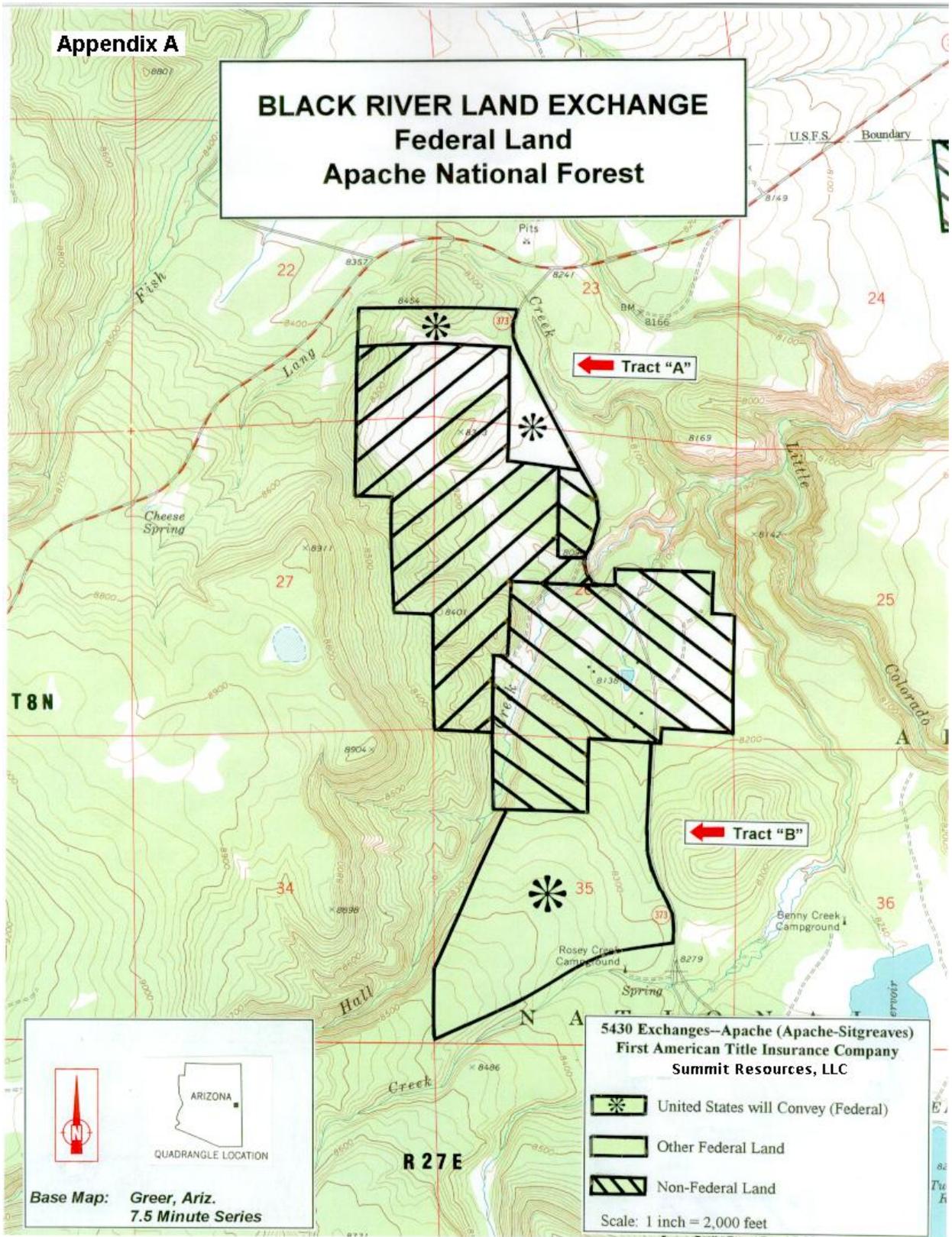
thence S. 57°40'18" W., a distance of 2843.25 feet back to the TRUE POINT OF BEGINNING for this parcel.

Containing 267.25 record and surveyed acres more or less.

Federal Lands contain a total of 337.20 record and surveyed acres, more or less.

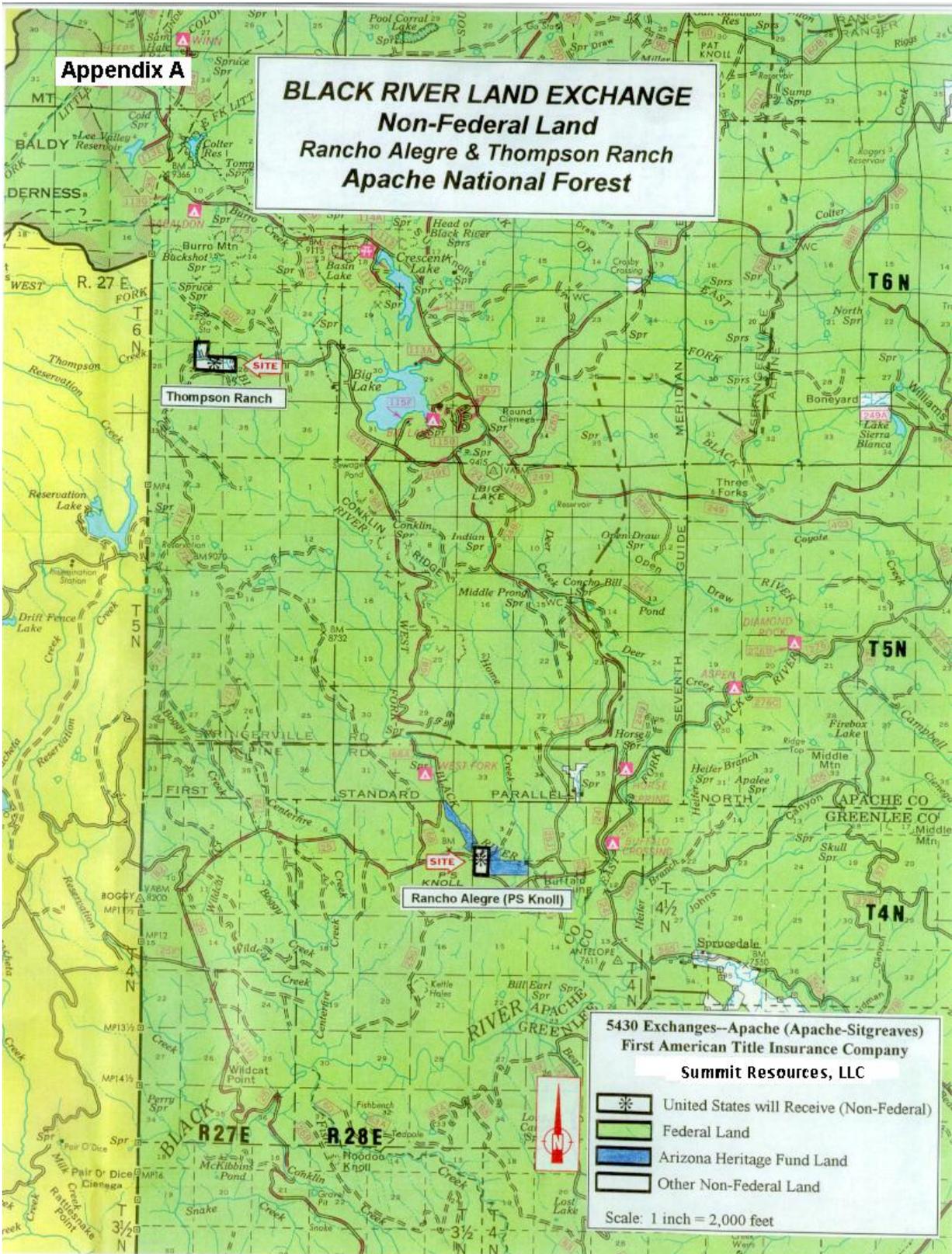
Appendix A

**BLACK RIVER LAND EXCHANGE
Federal Land
Apache National Forest**



Appendix A

**BLACK RIVER LAND EXCHANGE
Non-Federal Land
Rancho Alegre & Thompson Ranch
Apache National Forest**



Appendix A

Legal Description of non-Federal lands, Rancho Alegre and Thompson Ranch to be exchanged is as follows:

Apache National Forest

Alpine Ranger District

Gila and Salt River Meridian, Apache County, Arizona
Township 4 North, Range 28 East (Rancho Alegre)

Sec. 3 – SW1/4 SW1/4.

Sec. 10 – NW1/4 NW1/4.

Containing 79.76 record acres, more or less.

Springerville Ranger District

Gila and Salt River Meridian, Apache County, Arizona
Township 6 North, Range 27 East (Thompson Ranch)

Sec. 26 – SW1/4 NW1/4.

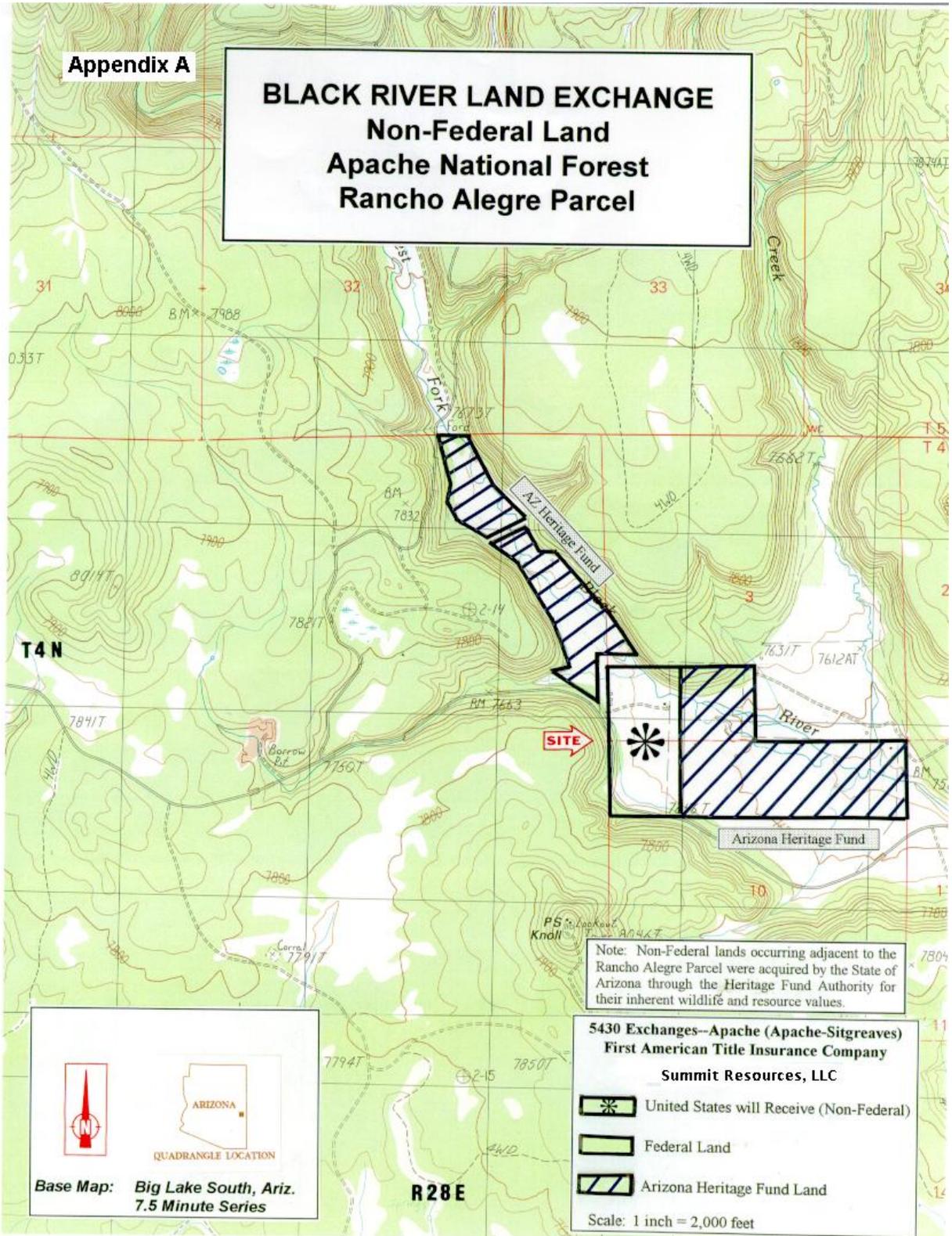
Sec. 27 – W1/2 NE1/4, SE1/4 NE1/4.

Containing 157.91 record acres, more or less.

Containing 237.67 record acres, more or less

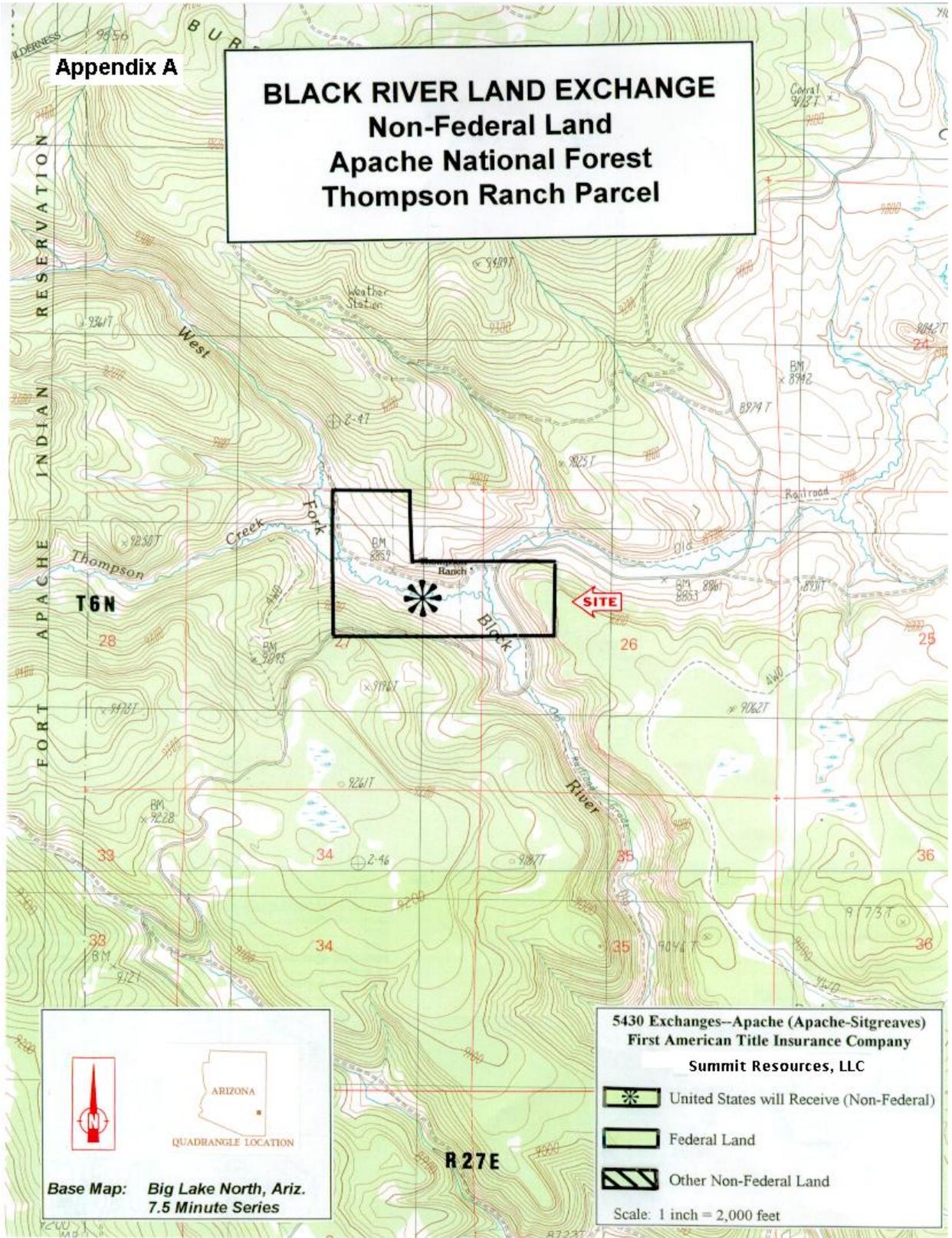
Appendix A

**BLACK RIVER LAND EXCHANGE
Non-Federal Land
Apache National Forest
Rancho Alegre Parcel**



Appendix A

BLACK RIVER LAND EXCHANGE Non-Federal Land Apache National Forest Thompson Ranch Parcel



Appendix A

**BLACK RIVER LAND EXCHANGE
Non-Federal Land
Blue River Ranch
Apache National Forest**



Appendix A

Legal Description of non-Federal land, Blue River Ranch to be exchanged is as follows:

Apache National Forest

Gila and Salt River Meridian, Greenlee County, Arizona
Township 3 North, Range 31 East (Blue River Ranch)

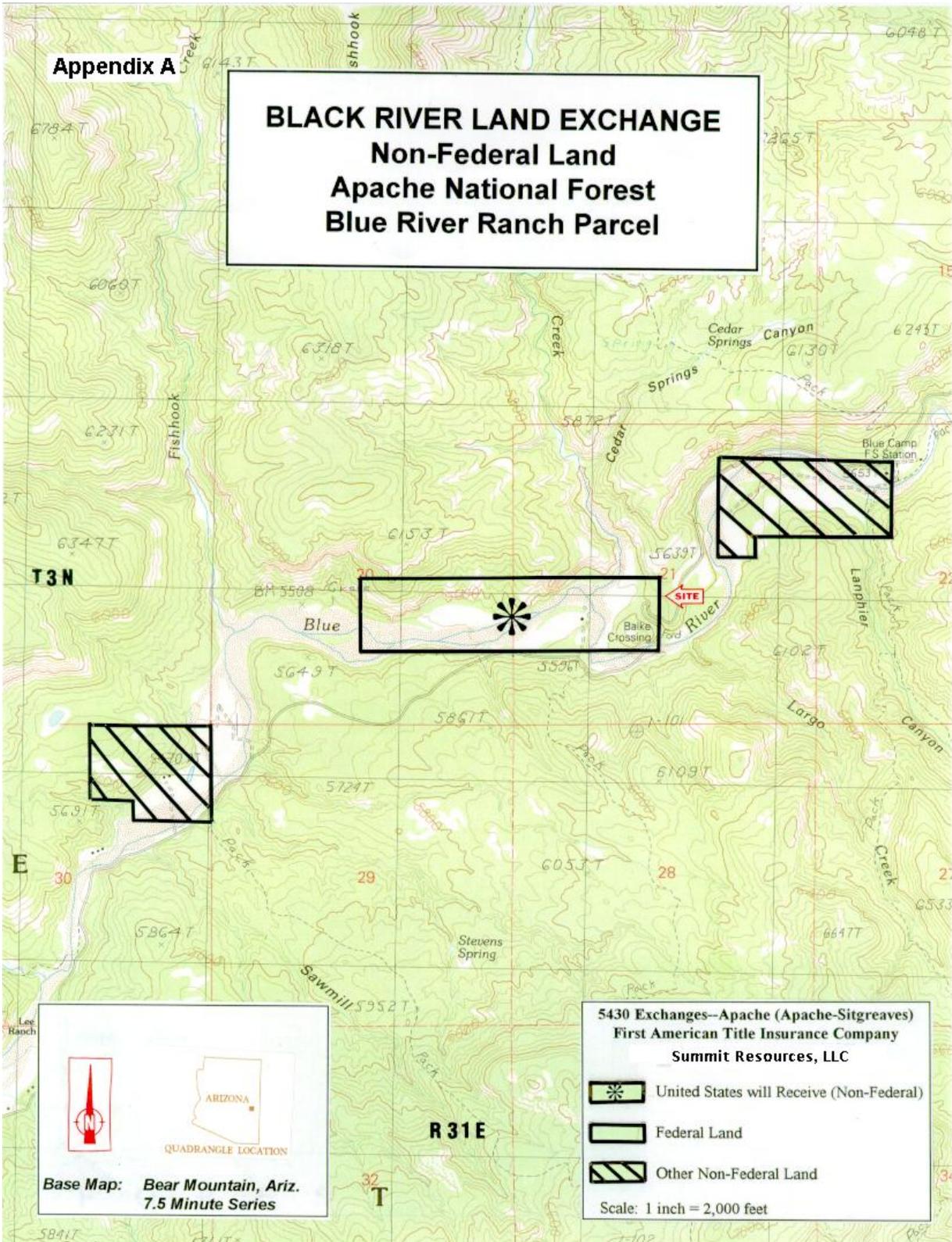
Sec. 20 – N1/2 SE1/4.

Sec. 21 – N1/2 SW1/4.

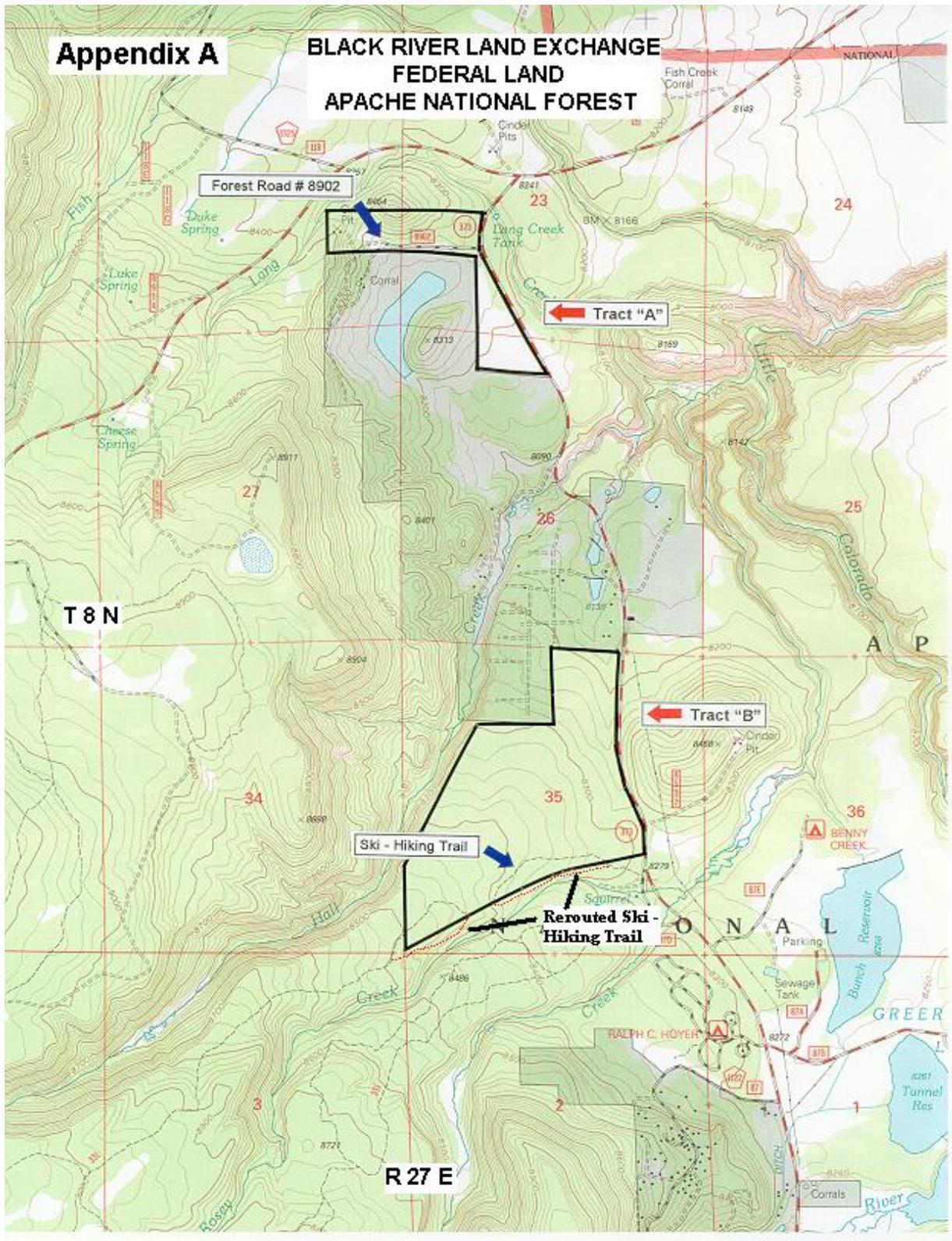
Containing 158.68 record acres, more or less.

Appendix A

BLACK RIVER LAND EXCHANGE Non-Federal Land Apache National Forest Blue River Ranch Parcel



Cross-country ski trail location and re-route.



APPENDIX B
3C Consulting

P.O. BOX 92 VERNON AZ, 85940 (928) 537-7436

Date: December 13, 2002

Dear Interested Party:

The Forest Service is considering a land exchange proposal from First American Title Insurance Company, representing Precision Components Incorporated, Herbert W. Owens, to exchange 337.20 acres of Federal Land north of Greer Arizona for 400 acres of private land in the Apache-Sitgreaves National Forests.

There are two primary purposes for this proposal:

1. To allow the Forest Service to acquire isolated parcels of private land, within existing Forest boundaries, having high resource values such as perennial waters and threatened and endangered species habitats.
2. To enable the proponent, Herbert W. Owens, to add the selected parcels to his real estate holdings.

This exchange proposal is in accordance with management direction, standards and guidelines for Landownership Adjustment/Planning and Land Classification in the Apache-Sitgreaves National Forest Land Management Plan. The following describes both the Federal and Non-Federal land parcels involved in this proposal: (See Attached Maps)

Federal Lands To Be Exchanged. : Total Acres = 337.20

Tract A: (69.95 acres) This parcel is currently public land within the Apache National Forest and Springerville Ranger District. The land has an elevation of 8,160 to 8,400 feet above sea level and is generally gently sloping on the east portion with some steeper terrain on the north portion. Soils are heavy clay with some surface rock. Vegetation consists of ponderosa pine with an understory of various grasses. This tract is bordered by State Highway 373 and adjoins private lands on the south and west. There are no riparian, or wetland habitats in this tract.

Tract B: (267.25 acres) This parcel is currently public land within the Apache National Forest and Springerville Ranger District. The elevation varies from 8,180 feet on the north east corner to 8,500 feet on the southwest corner. The vegetation is primarily ponderosa pine with a grass understory. Soils are high in clay content with surface rock evident. This tract borders Crosby Acres, a developed subdivision on the north and State Highway 373 on the east. There are no riparian, or wetland habitats in this tract.

Private Lands To Be Acquired: Total Acres = 400 acres

Rancho Alegre Parcel:(80 acres) This parcel is private land within the Apache National Forest on the Alpine Ranger District. The land is situated on the West Fork of the Black

River at an elevation of 7,600 feet. The vegetation along the .25 mile stretch of river is riparian in nature, with Arizona alder and willows lining both banks. There are 3 acres of wetland habitat along the river. The upland portion of the property is an open meadow, dominated by spike muhly grass. The river and wetlands provide habitat for Apache trout, Chiricahua dock, and native freshwater mussels (Dr. Myers, USFS Report 10/04/01). Forest Road 25 touches the parcel on the west and south boundary. The east boundary adjoins a parcel owned by the Arizona Game and Fish Department.

Thompson Ranch Parcel: (160 acres) This parcel is private land within the Apache National Forest on the Springerville Ranger District. The land is situated on the West Fork of the Black River at an elevation of 8,800 feet. The perennial streams on this parcel include 1.0 miles of Black River, .20 miles of Burro Creek, and .20 miles of Thompson Creek. The 60 acres of riparian habitat is characterized by alders, willows and sedges. The parcel provides habitat for Apache trout, Arizona willow, Chiricahua dock, and northern water shrew (Dr. Myers, USFS Report 10/04/01). Forest Road 116 crosses the parcel on the east and on the south boundaries.

Blue River Ranch Parcel: (160 acres) This parcel is private land within the Apache National Forest on the Alpine Ranger District. The land is situated on the Blue River at an elevation of 5,500 feet. The vegetation along the approximately 1.50 miles of river channel is riparian dependent and includes Fremont cottonwood, narrow leaf cottonwood, alder, and willow. There are 55 acres of riparian habitat in this parcel. It provides habitat for the spokedace (Dr. Myers, USFS Report 10/04/01). Forest Road 281 crosses the east side of the parcel.

The proposed land exchange involves National Forest Land, and therefore will comply with the National Environmental Policy Act (NEPA). 3-C Consulting has been contracted to complete the environmental analysis under the direction of the Forest Service. This letter is part of the scoping process as required by NEPA.

A public open house has been scheduled for Thursday January 9, 2003 at the Apache/Sitgreaves Supervisor's Office Conference Room in Springerville Arizona, from 4:00 to 7:00 PM to furnish additional information and gather comments from any interested party.

Written comments regarding this proposal are requested by January 31, 2003. Comments can be in written form sent to U.S. Forest Service, Bruce A. Buttrey, Springerville Ranger District, P.O. Box 760, Springerville, AZ 85938 or by phone to (928) 333-4372. We appreciate your time and interest in this matter.

Sincerely:

Mel Wilhelm

Mel Wilhelm
3-C Consulting

APPENDIX C

COMMENT ANALYSIS SUMMARY Black River Land Exchange Proposal

Significant issues raised by the public through the scoping process will be addressed in an Environmental Analysis (EA). Those issues deemed to be not significant according to the following criteria will be listed in the EA but not carried forward through the analysis process.

Potential issues should be screened to ascertain which are significant to the proposed action (40CFR 1501(b)). Significant issues are those which meet all of the following criteria:

1. Issue is within the scope of the analysis,
2. Issue is not decided by law, regulation or policy,
3. Issue is related to the decision,
4. Issue is amendable to scientific analysis rather than conjecture, and
5. Issue is not limited in extent, duration, nor intensity.

The Interdisciplinary Team for the project reviewed and grouped the public scoping comments/questions into the following categories.

Comments (are underlined) Disposition (Discussion follows comments)

1. The process has provided inadequate time for involvement.

The required public scoping process is being followed. This has included the following: 1) publication of Land Exchange notices in newspapers of record; 2) a scoping letter sent to 240 people (responses were requested in 45 days instead of 30 days); 3) an open house, and 4) a meeting was held with the Greer Coalition at their request. Comments will continue to be accepted throughout the process. This was not considered a significant issue because scoping is being performed in compliance with law and regulation.

2. The proponent paying for the appraisal and third party environmental services leads to a conflict of interest.

36CFR 254.7 provides for the proponent to pay certain costs associated with a land exchange. The appraiser and environmental consultant (3-C) operate under the direction of the Forest Service. This was not considered a significant issue because the appraisal process and assignment of third party consultant for Environmental Analysis complies with regulation.

3. The Forest Service (FS) has already made a decision to exchange the land.

The Responsible Official will make a decision after the NEPA process is complete. There has been no decision made at the onset of this process other than to proceed with the process. This is in compliance with law and regulation.

4. Appraised land values are in error and do not reflect real market value for the Greer area.

The process for land appraisals is directed by policy and regulations and overseen by the Director of Lands and Minerals in the Region 3 Forest Service Office. Their procedures were reviewed by an independent organization "The Appraisal Foundation" in 1999 and found to be thorough and professional. The appraisal process is governed by an exacting standard process based on comparability valuation. The law requires equal land values for an exchange to occur.

5. Land exchange is beneficial to public interest and should proceed.

This is addressed by an alternative.

6. Proposed land exchange does not comply with the existing Land Management Plan for the A/S.

Identification of the selected lands for exchange meets the criteria specified in the Apache-Sitgreaves National Forests Plan. Compliance with the Forest Plan was determined in the feasibility analysis conducted prior to the Agreement to Initiate.

7. The proposed land exchange was not listed in the SOPA.

The A/S web site was in the process of being updated during the scoping process. The proposed land exchange is now listed. Also see response to comment #1. Appropriate scoping is being performed for the project as required by law and regulation.

8. The FS should buy nonfederal parcels instead of trading for them.

An alternative will address this.

9. The FS should trade other portions of the National Forest not in vicinity of Greer.

An alternative will address this.

10. Offered lands are highly desirable for FS acquisition.

An alternative will address this.

11. FS should invoke deed restrictions to prohibit residential or commercial development on Federal lands.

FS manual direction is not to invoke deed restrictions unless required by law or executive order. This is covered by existing law, regulation or policy and not considered a significant issue.

12. Many commenters stated that the exchange will result in a large residential and commercial development on the Federal lands. (In addition they expressed concern for resource impacts associated with the assumed development. This included impacts such as increases in the need for infrastructure and community services, noise, traffic, and pollution).

Large scale residential and commercial development is not the stated intent of the proponent.

Any future plans to develop would be subject to Apache County regulations. Their process includes public input from the local community. Future large scale residential and commercial development is outside the scope of the analysis, based on conjecture and is irrelevant to the decision. The analysis will focus on the effects of the future use of the Federal land once it is acquired by the proponent and the uses and management of the non-Federal land once it comes into Federal ownership. NEPA does not require speculation.

13. The proposal will degrade the pristine Greer environment.

The comment is related to an assumption of large residential and commercial development. This is based on conjecture and irrelevant to the decision. See response to comment #12 above. In addition, change in visual quality is not expected to result from the proposed action. Effects of alternatives on visual quality will be considered in the analysis.

14. Expected development will deplete ground water resource.

Currently there is no proposal to develop the Federal land if the exchange were to be approved. The issue is based on conjecture and irrelevant to the decision being made. Effects on water resources resulting from the alternatives will be considered in the analysis. This is required by law and regulation.

15. Wildlife habitat on the Federal lands will be adversely impacted by the proposal. (Some comments regarding wildlife were related to Threatened and Endangered species (TE). Other comments expressed a concern for effects on migration routes and habitat of big game and non-game animals).

Analysis of effects on Threatened and Endangered species is required by the Endangered Species Act. A Biological Assessment will be prepared for TE species and consultation with the United States Fish and Wildlife Service is required. The Apache-Sitgreaves National Forests Plan requires analysis of Sensitive and Management Indicator Species and compliance with standards and guidelines related to the wildlife resource. Effects of the alternatives on the wildlife resource will be considered in the analysis. This issue is covered by existing law and regulation.

16. Future developments on the Federal lands will result in impacts to nearby creeks and associated riparian areas.

Currently there is no proposal to develop the Federal land should the exchange be approved. Future development is based on conjecture and not considered a significant issue. Effects of the alternatives on physical and biological resources such as riparian habitat and water resources will be considered in the analysis. This issue is covered by law, regulation or policy.

17. The proposal will decrease private land values in the Greer area.

The proponent has stated he has no plans to place the Federal land on the market should the exchange be completed. Even if this was not the case, previously, two exchanges in the Greer area in 1993 and 1994 did not result in a decrease in private land values. The issue is limited in extent, duration and intensity and not considered a key issue. Effects of the alternatives on social/economic conditions will be considered in the analysis.

18. The public will lose access to existing trails across Federal lands.

These trails can be relocated without significant investment. Net loss in trail access is not expected to occur. The ID Team identified the reduction in recreation opportunity on the parcels near Greer, proposed for conveyance, as a key issue and will carry this issue forth in the analysis (See comment #19 and response below).

19. The recreation opportunities such as wildlife viewing, hiking, skiing, horseback riding, and hunting in the Greer Recreation Area will be decreased.

This may occur as a result of land ownership change. This issue will be carried forward in the analysis and measured by acres lost to public recreation access.

20. There will be an increased risk of wildfires as a result of the proposal. (The comment was related to the parcel near Greer proposed for conveyance.

One commenter felt that the exchange would result in reduction of fire risk.)

Transfer of land ownership is not expected to change the risk of wild fire to adjoining private lands. No vegetative treatments are planned to our knowledge on the lands proposed for conveyance. The issue is based on conjecture and therefore not considered a key issue.

21. The proposal will result in increased taxation of private property in the Greer Area.

The proposal will increase the tax base for Apache County and is not expected to change taxation rates for private property in the Greer Area. Any tax rate increase resulting from the proposal would be limited in extent, duration, and intensity. Therefore, this comment is not considered a key issue.

22. The proposed land exchange will compromise the economic viability of Greer.

Effects of the proposal on social/economics will be disclosed in the analysis.

23. Several comments related to domestic livestock grazing on lands after the exchange.

Lands acquired by the FS will be managed according to direction in the A/S Land Management Plan (LMP). This is covered by existing law and regulation and is not considered a key issue.

24. Traffic in Greer will increase as a result of the proposed land exchange.

Currently there is no proposal to develop the Federal land should the exchange be approved. An increase in traffic is not expected as a result of the proposed land transfer. Any increase in traffic resulting from the alternatives would be limited in extent, duration and intensity and is not considered a significant issue.

25. The proposed land exchange will result in pollution of nearby streams and ground water.

The comment is based on the assumption of large residential and commercial development. This is based on conjecture and therefore not considered a key issue. Effects of the alternatives on water resources will be disclosed in the analysis. Any plans for future development would be subject to Apache County regulations.

26. The scenic quality of the Greer Area will be degraded.

See response to comment #13.

27. Valuable sub-surface mineral rights may be lost.

A mineral evaluation has been made of the properties and found no potential for valuable sub-surface minerals. This is covered by existing law and regulation.

28. Some comments referred to the Greer Amendment to Apache County Planning and Zoning requirements being affected by the proposal.

The proposed change of land ownership doesn't alter existing rules enforced by the County. Any lands that become private property will then be subject to the aforementioned amendment and planning and zoning requirements. This issue is covered by existing law and regulations.

29. The land exchange analysis process needs an interagency task force to oversee the process. (The comment listed the need to include Apache County Planning and Zoning, Arizona Game and Fish Department, Arizona Department of Transportation, Arizona Department of Water Resources, Arizona State Fire Marshall, the Greer Fire Department, the Little Colorado Sanitary District, the United States Fish and Wildlife Service and any other identified agencies).

The scoping document was sent to appropriate Federal, State and local agencies with jurisdiction by law. This included the United States Fish and Wildlife Service (USFWS), the Arizona Game and Fish Department (AGFD), Apache County Board of Supervisors and the Apache County Planning and Zoning Department. Subsequent letters were sent to Arizona Game and Fish Department and Apache County requesting their technical expertise if needed for the analysis.

The other entities identified in the above comment would need to be involved if the assumed future development of the lands were proposed. The USFWS and AGFD will be involved in analysis of effects on wildlife. Apache County may be asked for assistance in analysis of economic impact of the proposal. A Water Resources Evaluation was completed as part of the Feasibility Analysis for the proposed exchange. Effects of the alternatives on water resources will be disclosed in the analysis.

30. Potential development of Federal lands transferred to the proponent must be analyzed. (Commenters stated that a reasonably foreseeable future action, and indeed a probable action on the Federal tracts, is residential and/or commercial development after privatization. In addition, commenters stated that the analysis process is flawed by the presumption of use).

The FS must analyze what is proposed and not speculate regarding the future development of Federal lands transferred to private ownership. Inquiry by the appraiser as to adequacy of existing infrastructure to handle 375 to 425 future home sites was part of the process for appraisal evaluation and did not reflect the future plans of the proponent. Unfortunately this inquiry is the basis for many comments regarding future development. Analysis will be based on the scope of the project which does not include large scale residential and commercial development of acquired parcels. This comment is based on conjecture and therefore not considered a significant issue. The analysis will focus on the effects of the future use of the Federal land once it is acquired by the proponent and the uses and management of the non-Federal land once it comes into Federal ownership.

31. Comments were received citing numerous procedural requirements related to the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA).

These included: identification of an adequate range of alternatives; disclosure of adequate cumulative effects analysis; analysis of effects to adjacent lands; clear, detailed description of existing conditions of lands proposed for exchange; a required Biological Evaluation (BE); analysis of “critical habitat” and mitigation measures; characterization of all Endangered Species, Management Indicator Species and their habitat; compliance with the Forest Plan; and disclosure of social, economic, and other relative impacts to the Greer community.

Preparation of an Environmental Assessment and Biological Evaluation is planned. These requirements are covered by existing law and regulation and are therefore not considered a significant issue.

32. Several comments were received related to “highest and best use” of the land. There is a perceived inconsistency in appraising the property based on “highest and best use” i.e. residential development, and NEPA analysis based on reasonable foreseeable future action which does not include residential development. One commenter stated “It has been stated that Mr. Owens has “no current plans” to develop the property. We would submit that the land should still be valued at its “highest and best use” which is not vacant land to be used to graze livestock.” Another commenter asked “Will best use keep existing ownership at its present value?”

See response to comment # 30.

33. One commenter expressed a concern for potential development of the Blue River Ranch Parcel. “Prior to this proposed land exchange, the property had been subdivided into four 40 acre parcels for private acquisition and development. Such development would significantly decrease the wildlife habitat value currently provided by this property.” Another commenter asked if the lands to be relinquished by Mr. Owens at risk of sale, subdivision or development failing a successful exchange.

No formal plans for subdivision or sale exist at this time. This comment is based on conjecture and therefore not considered a significant issue. The analysis will focus on the effects of the future use of the Federal land once it is acquired by the proponent and the uses and management of the non-Federal land once it comes into Federal ownership.

34. One commenter wanted to know the effect of the proposed exchange on existing roads, buildings or other developments occurring on the parcels.

Effects of the proposal on land uses will be disclosed in the environmental assessment as required by law.

SUMMARY OF ISSUE DETERMINATION

On February 13, 2003 the ID Team identified one key issue and associated unit of measure from analysis of public scoping for the proposed Black River Land Exchange.

Appendix D. Management Indicator Species (MIS) Analysis

Management Area/Vegetation Type/Species	Indicator of	Species Impact	Impact Significant	Indicator Trend	Total Acres
MA-1(4-1,5-1) Forested land 836,288ac.					
Hairy Woodpecker (Picoides villosus)	Snags	No	No	Down	-337
Red-naped Sapsucker (Sphyrapicus nachalis)	Snags (Aspen)	No	No	Down	-337
Northern Goshawk (Accipiter gentilis)	Late Succession	No	No	Down	-337
Turkey (Meleagris gallopavo)	Late Succession	No	No	Down	-337
Pygmy Nuthatch (Sitta pygmaea)	Late Succession	No	No	Down	-337
Mexican Spotted Owl (Strix occidentalis lucida)	Late Succession	No	No	Down	-337
Elk (Cervus elaphus)	Early Succession	No	No	Down	-337
Mule Deer (Odocoileus hemionus)	Early Succession	No	No	Down	-337
Abert's Squirrel (Sciurus aberti)	Early Succession	No	No	Down	-337
Red Squirrel (Tamiasciurus hudsonicus)	Late Succession	No	No	Down	-337
MA-2 (4-2,5-2) Woodland 611,025 ac.					
Juniper Titmouse (Baeolophus griseus)	Snags	No	No	Upward	+105
Antelope (Antilocarpa americana)	Early Succession	No	No	Upward	+105
Elk (Cervus elaphus)	Early Succession	No	No	Upward	+105
Mule Deer (Odocoileus hemionus)	Early Succession	No	No	Upward	+105
MA-3(4-3,5-3) Riparian 6,870 ac.					
Yellow-breasted Chat (Icteria virens)	Low Elevation Riparian	Yes	Yes	Upward	+55
Lucy's Warbler (Vermivora luciae)	Low Elevation Riparian	Yes	Yes	Upward	+55
Lincoln Sparrow (Melospiza lincolni)	High Elevation Riparian	Yes	Yes	Upward	+63
Aquatic Macro-invertebrates	Water quality	Yes	Yes	Upward	+118
MA-4(4-4,5-4) Grasslands 243,126 ac.					
Antelope (Antilocarpa americana)	Early Succession	No	No	Upward	+177
Elk (Cervus elaphus)	Early Succession	No	No	Upward	+177