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## **Appendix E**

# **Land Adjustment Strategy**

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The U.S. Forest Service manages approximately 1.9 million acres within the Rio Grande National Forest. Within the boundaries of the Forest are over 100,000 acres of privately owned land intermingled with federal land, which sometimes makes efficient operation difficult both for the Forest Service and the private landowner.

A land exchange is the voluntary exchange of land by mutual agreement between the Forest Service and a non-federal landowner for the benefit of both parties. It is needed to consolidate landownership patterns in areas of intermingled landholdings so that all parties can manage their land more effectively.

Land exchanges were first authorized in the National Forest System in 1908. Since that time, more than 100 acts have authorized land adjustments. Land adjustments are a means of solving problems associated with fragmented landownership.

Over the years, a number of mutually satisfactory land exchanges have been made with private landowners, states, counties, cities, and companies. Frequently, an exchange can also make available lands suited to and needed for community expansion and development

Congress has provided authority for the exchange of lands in the National Forest System, subject to the following general rules:

- (1) The exchange must be in the public interest.
- (2) The appraised value of the properties being exchanged must be equal.
- (3) Lands are exchanged on the basis of their market value, not acre for acre.
- (4) The properties to be exchanged must be in the same state unless special legislation is enacted.
- (5) Lands can be exchanged only with a person who is a citizen of the United States, a corporation, or a non-federal government entity.

The exchange process is entirely voluntary and either the Forest Service or the other owner can initiate the negotiations. Some benefits are a reduction of miles of boundary lines and corners to mark and maintain; fewer trespass problems, claims, and lawsuits; and lower costs for road construction and maintenance due to consolidation of ownership.

There is reasonable balance of acreage transferred between the Forest Service and private landowners in the exchange program. However, lands being conveyed in the United States are often in more remote areas. Consequently, the lower values generally associated with these types of properties require larger acreages to balance the value of the federal lands being exchanged.

The types of lands the Forest Service would like to acquire are:

- (1) Lands within Congressionally designated areas.
- (2) Lands with water frontage, wetlands, and associated riparian ecosystems.
- (3) Lands having Endangered or Threatened species habitat
- (4) Lands having unique historical or heritage (cultural) resources.
- (5) Lands primarily of value for outdoor-recreation purposes and lands needed for aesthetic protection.
- (6) Lands that ensure access to public lands and resources.
- (7) Key tracts that will promote effective resource management.
- (8) Lands that will consolidate ownership and reduce miles of property lines and corners to maintain.
- (9) Lands that maintain or stabilize the economies of local governments.

Conversely, these types of lands are suitable for disposal:

- (1) Lands that states, counties, cities, or other federal agencies can use to serve a greater public purpose.
- (2) Small parcels intermingled with mineral or homestead patents.
- (3) Lands suitable for development by the private sector, if development (residential, agricultural, industrial, recreational, etc.) is in the public interest.
- (4) Parcels isolated from other National Forest System lands.
- (5) Lands occupied by substantial structural improvements for which there is no greater need.
- (6) Lands in developed areas that are losing National Forest character.

Normally, lands to be conveyed will be used to acquire other lands, through exchange. A map and list of lands desirable for acquisition and suitable for disposal are available for review at each District Ranger's office and the Forest Supervisor's office.

In some cases, where there is an eligible applicant and the land is eligible for disposal through the provisions of the *Small Tracts Act*, small parcels will be sold, to resolve a management problem between the Forest Service and the neighboring landowner.