Decision Notice and Finding of No Significant Impact

Delich Land Exchange Project

Bergland, Ontonagon and Watersmeet Ranger Districts
Ottawa National Forest
Ontonagon County, Michigan
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The Deciding Official for this project is Keith B. Lannom, Acting Forest Supervisor of the Ottawa National Forest. This Decision Notice and Finding of No Significant Impact (DN/FONSI) documents the selection of an alternative for implementation of the Delich Land Exchange Project.

Introduction

This Decision Notice documents my decision to implement a modified version of Alternative 2 as described on pages 8 and 9 of the January 2010 Environmental Assessment (EA). This decision will approve conveyance of approximately 240 acres of National Forest System (NFS) land described as the federal parcels to Mr. Robert D. Delich, for approximately 421 acres of private property described as the non-federal parcel. All parcels are located in Ontonagon County, Michigan. The project area’s legal descriptions and maps are listed in Exhibits 1 and 2, attached to this document.

The USDA Forest Service has prepared an EA for the Delich Land Exchange Project. This document presented the environmental analysis and disclosed the environmental effects of the proposed action. Detailed records of the environmental analysis and supporting Project File are available for public review at the Watersmeet-Iron River Ranger Districts office, E23979 U.S. 2 East, Watersmeet, MI 49969.

Development of the Delich Land Exchange Project EA was in accordance with the requirements of the National Environmental Policy Act (NEPA), National Forest Management Act (NFMA), and the Council on Environmental Quality (CEQ) regulations at the Code of Federal Regulations (CFR), 40 CFR 1500-1508. The EA is available for public review at the Watersmeet Ranger District office, the college libraries listed on page 2 of the Ottawa Quarterly (the Forest’s Schedule of Proposed Actions) and at the following website: http://fs.usda.gov/goto/ottawa/projects.

Appraisals for the federal and non-federal lands were approved for agency use on August 27, 2010 with an effective value on July 1, 2010. The values are valid through June 30, 2011. An appraisal review of the 240 acres identified for exchange through this decision was completed on November 15, 2010. Through the market appraisal, it has been determined that this land exchange meets the requirement that the value of the federal and nonfederal lands be balanced; with "balanced" being defined as the non-federal land being valued within 25% of the federal land. Values would be equalized up to the 25% through a cash payment.

Purpose and Need for Project

The overall purpose and need for this exchange is to adjust landownership following the guidelines of the Ottawa National Forest’s 2006 Land and Resource Management Plan (Forest Plan).

A modified Alternative 2 best meets the direction outlined in the Forest Plan with regard to Goal #40, which states, “Adjust landownership to facilitate restoration, protection and management of resources; and to provide recreation opportunities” (Forest Plan, p. 2-12).
Implementing this alternative will work to meet Forest Plan Guidelines (p. 2-36) where priorities for land exchanges are outlined. These priorities include those exchanges that:

- Will result in more efficient land ownership patterns.
- Will result in lower resource management costs.
- Will provide public recreation opportunities.

This exchange would also serve to meet several goals of the USDA Forest Service Strategic Plan. For example, it would:

- Provide an opportunity for more efficient timber management and for public use by conveying several parcels of land where the Forest Service has no legal access, while acquiring lands where Forest Service has legal access (Goals 2 and 4);
- Protect an otherwise large, contiguous expanse of land from conversion to other uses (Goal 3);
- Consolidate National Forest System Lands within a Semi-Primitive Non-Motorized Management Area (Goal 4); and
- Reduce the potential risk of trespass and encroachment associated with interspersed ownership (Goal 5).

**Decision and Proposed Action**

It is my decision to approve the land exchange as proposed in the EA, with a modified configuration. My decision includes exchanging out of federal parcels 1-4 and 7 as described in the EA, and does not include parcels 5 and 6. These two parcels have been dropped from the decision, at the request of Mr. Delich, in order to achieve a more balanced land value of the parcels involved. These parcels were originally added to the proposal in order to provide value, but in the final appraisal added more than was necessary. This action also responds to and implements the goals and objectives of the Forest Plan.

The 5 federal parcels totaling 240 acres that will be conveyed into private ownership are adjacent to private lands in Ontonagon County, MI. Uses on these adjacent private lands include single family residential and vacation homes, recreational properties and managed forest lands. Current permits on the federal parcels authorize use and maintenance of existing driveways on NFS lands. These permitted improvements will be protected in the parcel conveyance by the issuance of easements or other acceptable instruments to the permit holders. Easement will also be granted to Ontonagon County for an existing public road, and will be managed by the County as a public road. The Forest Service will retain an easement for snowmobile Trail #1 located in parcel 7, to allow its continued use as a snowmobile trail. A deed covenant covering 17 acres will also be issued to protect floodplains located on 3 of the federal parcels in T46N, R40W, Sec. 27, SWSE and Sec. 34.

The U.S. Forest Service will acquire one parcel on the Bergland Ranger District, totaling 421 acres. This parcel is surrounded by NFS lands and the Porcupine Mountains Wilderness State Park. The non-federal parcel contains forested acres consisting of regenerating maple and aspen, as well as pockets of mature hemlock. Ownership consolidation of this land will reduce
complexity of the land ownership pattern and offer additional semi-primitive, non-motorized (SPNM) dispersed recreation opportunities.

Other than transfer of title, landownership, and management of the lands identified, as well as issuance of the easements identified above, this action will not authorize any site-specific management activities by either party. Any site-specific management activities or actions on the acquired non-federal land would require environmental analysis, in accordance with NEPA and other Federal Regulations. Lands conveyed out of federal ownership become subject to all laws, regulations and zoning authorities of state and local governing bodies.

**Decision Rationale – Public Interest Determination**

My decision best meets the purpose and need for the project as described above. In accordance with 36 CFR 254.3(b), I have determined that this exchange will serve the public interest. My reasons for proceeding with this action and selecting a modified version of Alternative 2 are as follows:

1. This exchange will provide improved land ownership patterns of federal land through consolidation of National Forest ownership, contributing to a contiguous land base where consistent management objectives are applied (EA, p. 3).

2. The resource values and the public objectives served by the non-federal lands or interests to be acquired, exceed the resource values and public objectives served by the federal land to be conveyed (EA, pp. 11-30).

3. The intended residential and commercial timber harvesting use of the conveyed federal land will not substantially conflict with established management objectives on adjacent federal land. It would also not conflict with current development or zoning restrictions on adjacent private land. Township zoning ordinances will regulate the amount and type of any future development on the property.

4. There are both positive and negative effects on landowners adjacent to the properties involved and to the general public. However, the negative effects, as described in the EA and within this decision, are minimal and limited in scope (EA, pp. 11-30).

5. The exchange would result in an overall increase of approximately 181 acres of public ownership. National Forest administration will be simplified and enhanced through acquisition of the non-federal land, and result in an improved federal ownership pattern. The resulting consolidation of landownership would decrease administrative costs, including the cost of landline maintenance.

6. The EA shows that National Forest management will not be adversely affected by this exchange. It further shows that there will be no significant adverse impacts on the quality of the human environment and the exchange is in the public interest.
7. The exchange would provide increased recreation opportunities, particularly for dispersed, SPNM pursuits. Having a single, larger, contiguous parcel in federal ownership, would provide better recreational access than several smaller parcels that are for the most part surrounded by private lands. The location of the non-federal parcel, immediately adjacent to the Porcupine Wilderness State Park and the North Country Trail, adds to the increased recreational access.

Alternatives Considered

Two alternatives were considered (EA, pp. 7-10):

- Alternative 1 – No Action: where no land exchange would occur.
- Alternative 2 – The Proposed Exchange (modified version selected) where federal and non-federal parcels would be exchanged.

I did not select Alternative 1 for implementation as I do not feel that the No Action alternative would have met the purpose and need for this project. Alternative 1 would not have been responsive to the desired conditions outlined in the Forest Plan in terms of the priority objectives for implementing land exchanges as disclosed on page 2 of this document. A comparison summary of the alternatives may be found in the EA on pages 7-10. Detailed analyses of effects may be found in Chapter 3 of the EA, pages 11-41, as well as the project file.

Alternatives Considered But Not Carried Forward for Further Analysis

Consider excluding federal parcels 1, 2 and 3 from the land exchange.

To address some of the concerns raised during scoping, an alternative was considered that excluded Federal parcels 1, 2 and 3 from the land exchange. The majority of the comments received objected to the land exchange due to the loss of public land in the County Line Lake area. Of particular concern were the potential effects on the parcels’ resources if under private ownership as well as loss of use in the area from development and/or other private management of the area.

The commenters’ greatest concerns were due to the proposed land exchange within parcel 1 (adjacent to County Line Lake) and parcel 2, which contains a waterfall (known as Wildcat Falls) on the Scott and Howe Creek. This waterfall and the natural features associated with the area provide a different environment than can be commonly seen in the project area and it is considered a special place by generations of local residents (see Intensity section of FONSI for more information).

As described in the EA (pp. 9-10), this alternative was considered, but not analyzed as it did not fully meet the purpose and need as described in Chapter 1. In particular, the opportunity to consolidate NFS lands and concentrate resource management efforts in more effective blocks of land would not be achieved. Also, prior to moving forward with the exchange, a feasibility analysis was completed and it was determined that the land values would be balanced, with "balanced" being defined as the non-federal land being valued within 25% of the federal land. Therefore, all of the proposed parcels (1-7) were analyzed in the EA, to ensure that balance remained.
When considering the development of this alternative, it was thought that excluding all three parcels would have resulted in an unbalanced exchange. Had this occurred, the alternative would not have been implementable. The final appraisal, which was received after the release of the 2010 EA, determined that the exchange, as proposed, is still balanced. However, in order to achieve an even closer balanced value of the federal and non-federal parcels and reduce the amount of cash equalization involved, I have decided to remove parcels 5 and 6 as identified in the Decision section of this document.

Parcel 5 is contiguous with adjacent NFS lands, and by itself, conveyance of the parcel does not contribute to achieving Forest Plan goals and objectives. Parcel 6 is completely surrounded by private ownership and has no legal access and was also the last parcel added for consideration when putting together the exchange. Following completion of the appraisal and learning that this parcel was not needed to achieve value balance, Mr. Delich requested that parcel 6 be removed from the exchange. Therefore, I have determined that removing federal parcels 5 and 6 from the exchange best meets the purpose and need, and that the development of another alternative was not reasonable.

Consider purchasing the non-federal parcels.
An alternative was considered to purchase outright the approximate 421 acres that Mr. Delich proposed for exchange with the Forest Service. However, this alternative was not analyzed in detail as the landowner was not interested in selling the parcels involved; he was interested only in pursuing an exchange of lands. Furthermore, current levels of appropriated funding for acquisitions would prevent the purchase from occurring.

Public Involvement and Issues Raised
Initial scoping for the project was conducted in February 2009, and as a result no other action alternatives were developed. On January 4, 2010, an EA that explained the purpose and need for this action was mailed to more than 54 interested and affected parties. The document was posted on the Ottawa National Forest internet web page and listed in the Ottawa Quarterly, a Forest published document used to inform the general public about proposed projects. A legal notice was also published in Ironwood, Michigan’s Daily Globe, the newspaper of record, on January 7, 2010. The 30-day formal comment period ended on February 8, 2010. Responses were received from 14 interested parties during the EA’s 30-day comment period. The Interdisciplinary (ID) Team’s response to comments received is located in the project file, and is available for public review.

Concerns of limited scope were identified through public comments, including:

1. Concerns regarding the condition of the non-federal parcel and its current lack of timber value.
2. Concerns about water quality related to the potential logging and development of some of the federal parcels.
3. Concerns regarding exchanging out of a federal parcel containing a known waterfall.
4. Concerns regarding continuing access across the currently federal parcels, in order to access private property.
No significant issues, or concerns not already addressed in the EA were identified, and therefore no additional alternatives were created.

**Finding of No Significant Impact**

In order to determine the significance of an action, the regulations found in Forest Service Handbook (FSH) 1909.15 states: “Significantly, as used in NEPA, requires considerations of both context and intensity”, pursuant to 40 CFR 1508.27. The Delich Land Exchange Project was considered in both context and intensity and the determination made for both follows:

**A) Context:** *In the case of site specific actions, significance would usually depend on the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant (FSH 1909.15, 65.1, Part 02).*

Based upon the consideration of the factors disclosed for short- and long-term effects, it is my determination that this project is a site-specific action that by itself does not have international, national, region-wide, or statewide importance. The resource effects analysis disclosed in the EA reveal that most of the environmental effects of project implementation are confined to the project area, with some effects extending into cumulative effects analysis areas, but not beyond. The cumulative effects analyses were evaluated in consideration of the CEQ guidance and the results were disclosed in the EA.

The discussion of the significance criteria that follows applies to the intended action and is within the context of local importance in the area associated with the Delich Land Exchange Project.

**B) Intensity:** *This refers to the severity of impact and the following areas should be considered in evaluating the intensity of the actions:*

**1. Consideration of both beneficial and adverse impacts.** I considered both the beneficial and adverse impacts associated with the alternatives as presented in Chapter 3 of the EA. No significant adverse resource effects from implementing the project were identified in the EA (see Chapter 3), or disclosed by commenters during the scoping period. Concern was expressed by commenters about future management of the currently federal parcels. However, the proposed future uses of the parcels (timber management, recreation and development of private home sites), is not inconsistent with established uses on adjacent lands and is not inconsistent with local zoning ordinances. Beneficial impacts within the project area include consolidating NFS lands for more efficient and lower resource management costs. It would also increase public recreation opportunities by providing additional lands within a SPNM area, adjacent to the Porcupine Mountains Wilderness State Park. Overall, this exchange would progress the Ottawa’s landbase towards the desired conditions as outlined in the Forest Plan. I have given careful consideration to these factors and I have determined that there will be no significant impacts from implementing this project.
2. Consideration of the effects on public health and safety. This alternative will not significantly affect public health and safety. Based on past experience with land exchanges similar in nature, there have been no instances where public safety has been affected. Lands conveyed out of federal ownership become subject to the laws, regulations and zoning authorities of state and local governing bodies. Non-federal lands would be managed by the Forest Service and subject to federal laws and regulations. Therefore, I have determined the selected alternative will have no effects on public health and safety.

3. Consideration of the unique characteristics of the geographic area. My decision will not affect any unique areas, historic features, or ecologically critical areas. It is acknowledged that the scenic location known as Wildcat Falls will no longer be federally owned (EA p. 24-27). It is acknowledged that the site has given some who visit it, a sense of place and attachment to the area. I have considered this concern, and while the falls are appealing, they are in fact not unique in regards to their particular form or character. Under the Forest Service Visual Management System the area is classified as having minimal variety in its features and being within a low sensitivity area. If the parcel were to remain in Forest Service ownership, it would be managed with a Visual Quality Objective of Modification or Maximum Modification. The site itself is also not unique in the sense that it has no historical significance and similar sites may be found in many places in the Upper Peninsula. It is not expected that this decision will impact its free-flowing condition. A deed covenant restricting development in the floodplains of parcels 2, 3 and 4 would serve to protect the falls as well. Based on this information, I conclude that this decision will have no adverse effects on unique resources.

4. The degree to which the effects on the quality of human environment are likely to be highly controversial. “Human Environment” shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment (FSH 1909.15, 65.1). Based upon previous implementation of similar projects and the results of the EA, the effects of the selected alternative actions on the quality of the human environment are not likely to be highly controversial. This does not mean that the decision to proceed with the project will be acceptable to all people, as some may find that their needs and interests are not served by the selected alternative. I interpret the controversy criteria to be the degree to which there is scientific controversy relative to the results of the effects analysis, not whether one favors or opposes a specific alternative. It is my professional judgment that physical, biological, social issues have been addressed and the best available science was utilized in the preparation of the effects analysis, therefore the effects of the proposed action are reasonably predictable.

5. Consideration of the degree to which effects on the human environment are highly uncertain or involve unique or unknown risks. Based upon my knowledge and professional experience, I am confident that we understand the effects of the selected actions on the human environment. There are no known effects on the human environment that are highly uncertain, or involve unique or unknown risks. Environmental effects described in the EA have been analyzed in detail to determine predictable results.
6. The degree to which this action may establish a precedent for future actions with significant effects or represents a decision in principle about future considerations. These decisions are similar to many past actions in this analysis area and across the Ottawa and its effects are reasonably expected to be similar. The associated effects analysis is site-specific to the Delich Land Exchange project area and is consistent with the Forest Plan (EA, Chapter 3). There are no precedent-setting actions proposed in the EA, and this is not a decision in principle about future considerations, nor does it establish a precedent.

7. Consideration of the action in relation to other actions with individually insignificant but cumulative significant effects. Cumulative effects analysis for the resources within the analysis area was conducted in the EA, Chapter 3. The EA evaluated the effects of the selected alternative on multiple resource management actions that could be implemented, including timber, wildlife, hydrology, soil, and recreation. In addition, the analysis looked at private land ownership activities and considered them in the cumulative effects analysis. The EA has shown that the cumulative effects of this decision, when considered in conjunction with other past, ongoing and reasonably foreseeable activities, are not expected to be significant.

8. The degree to which the action may affect listed or eligible historic places. This project meets federal, state and local laws for protection of historic places (EA, pp. 12-13). As described in the EA and in the project file, no heritage resource sites were discovered, and any discoveries on lands received by the Forest Service will be protected in accordance with laws and regulations.

9. The degree to which the action may affect an endangered species or their habitat. A Biological Evaluation (BE) was completed for the exchange parcels in November 2010, and is hereby incorporated into this decision document by reference. My decision will not adversely affect any proposed or currently listed threatened or endangered (T&E) or their habitat. There is no indication that implementing this project will move a proposed listed T&E species towards federal listing or increase the present status of federal listing. If any federally proposed or listed animal or plant species are found at a later date, or if any new information relevant to potential effects of the project on these species become available, then the Section 7 consultation process, as per the Endangered Species Act of 1973, as amended, would be initiated.

10. Whether the proposed action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. This action does not threaten a violation of federal, state, or local environmental protection laws. The Forest Service will be divesting of 17 acres of floodplain, with a total net loss of 6 acres of floodplain. Pursuant to the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4001, et.seq.), and the Flood Disaster Protection Act of 1973 (87 Stat. 975), improvements within the floodplain will be restricted by a deed covenant. County and town governments were made aware of the proposed land exchange. The action will authorize transfer of title, land ownership, and management of the land identified. The action will not authorize any site-specific activities by either party. Land conveyed out of federal ownership becomes
subject to all laws, regulations and zoning authorities of federal, state and local governing bodies.

Findings Required by Other Laws and Regulations

I have determined that my decision is consistent with all laws, regulations, and agency policy. The following summarizes findings required by major environmental laws.

1) National Forest Management Act (16 USC 1600 ET SEQ.): The National Forest Management Act (NFMA) and accompanying regulations require that several specific findings be documented at the project level. These are as follows:

   a) Consistency with Forest Plan (16 USC 1604(i)): Development of the Delich Land Exchange project adhered to the requirements of NFMA, as well as to the Council on Environmental Quality (CEQ) regulations at 40 CFR 1500-1508.

   b) Sensitive Species: Federal law and direction applicable to sensitive species include the NFMA and the Forest Service Manual (2670). In making my decision, I have reviewed the analysis and projected effects on sensitive plant and animal species listed as possibly occurring on the Ottawa that was presented in the BE. The BE states that 15 Regional Forester’s Sensitive Species may be affected based upon available habitat, and therefore species may be present that could be affected by implementation of this land exchange. The selected alternative is not likely to cause a trend to federal listing or loss of viability for these species (BE, p. 14).

2) Executive Order (EO) 11990 regarding wetland management, and EO 11988 regarding floodplain management: The positive acquisition of wetlands into federal ownership meets the objectives of EO 11990. The exchange would result in a net loss of 6 (six) acres of floodplain from federal ownership. In accordance with EO 11988, all of the floodplain currently on federal lands, would be protected from development by a deed covenant.

3) The Endangered Species Act (16 USC 1531 ET. SEQ.): Formal consultation with U.S. Department of Interior, Fish & Wildlife Service regarding all federally listed species known to occur on the Ottawa took place during the development of the 2006 Forest Plan. Informal Level 2 consultation is required for any proposal that may affect, but is not likely to adversely affect a proposed or federally listed species. As required by the Endangered Species Act (ESA), a BE was prepared that addressed the potential effects to threatened or endangered species using the project area. The analysis concluded that this project will have no effect on any federally listed threatened or endangered species, including the gray wolf, Canada lynx, and Kirtland’s warbler (BE, pp. 27-30). Therefore, in accordance with ESA, no Section 7(a) (2), consultation is required (refer to the BE in the project file).

4) National Historic Preservation Act (NHPA): In compliance with Section 106 of the NHPA, a project-specific inventory of NFS parcels has been conducted and placed in the archaeological files. Based upon analysis in the Delich Land Exchange EA (Chapter 3, pp. 12-13), I determined that there are no direct, indirect, or cumulative effects to heritage resources from implementation of this decision. Any new sites discovered on parcels gained through the exchange will be
protected as outlined in the standards set forth under the guidelines of the Memorandum of Agreement between the USDA Forest Service and the local Tribal Historic Preservation Officers and Michigan State Historic Preservation Officer.

5) **Environmental Justice Act**: The Environmental Justice Act of 1994 requires consideration of whether projects would disproportionately impact minority or low-income populations. Public involvement occurred for this project, and the results of it did not identify any adversely impacted local minority or low-income populations. I have considered the effects of this project on low-income and minority populations and have concluded that this project is consistent with the intent of this Order (EO 12898).

6) **Comprehensive Environmental Response Compensation and Liability Act**: The federal and non-federal lands have been examined for evidence of hazardous materials in accordance with this act. No evidence was found to indicate any hazardous material was stored for one year or more or disposed of on the properties.

7) This exchange will be completed under the authority of, and in accordance with, the **Weeks Act** of March 1, 1911, as amended; the **Federal Land Policy and Management Act** of October 21, 1976; and the **Federal Land Exchange Facilitation Act** of August 20, 1988. This decision is consistent with these Acts.

**Summary of Findings**

My review of the analysis prepared by the project’s ID Team indicates that this decision responds to public concerns, and it is consistent with management direction in the 2006 Forest Plan and other applicable laws.

Provisions of 40 CFR 1508.27(b) indicate project significance must be judged in terms of the project context and intensity. After thorough consideration of the factors that are used to determine significance in context and intensity, I have determined that the action selected will not significantly affect the quality of the human environment, either individually or cumulatively. I have reviewed the project file which includes the EA, Appendices, BE, public comments received, as well as the project references. I find that there are no significant impacts, and, therefore, the preparation of an environmental impact statement is not needed.

The site-specific actions of the selected alternative, a modified Alternative 2, in both the short and the long-term, are not significant. The Project File demonstrates a thorough review of relevant scientific information, consideration of responsible opposing views, and where appropriate, the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. This project was planned under the 2000 Planning Rule at 36 CFR 219.35, and the Interpretive Rules of 2001 and 2004.

**Administrative Review and Appeal Opportunities**

This decision is subject to appeal pursuant to 36 CFR 215.12. A written notice of appeal must be submitted within 45 calendar days after the Legal Notice is published in the Ironwood Daily
Globe. However, when the 45-day filing period would end on a Saturday, Sunday, or Federal holiday, then filing time is extended to the end of the next Federal working day. The date of the publication of the Legal Notice is the only means for calculating the date by which appeals must be submitted; do not rely upon any other source for this information. The notice of appeal must be sent to:

Kent Connaughton, Appeal Deciding Officer
USDA-Forest Service, Eastern Region
Gaslight Building, Suite 700
626 E. Wisconsin Ave.
Milwaukee, WI 53202-4616

The Notice of Appeal may alternatively be faxed to: Kent Connaughton, Appeal Deciding Officer, USDA Forest Service, Eastern Regional Office, Attn: Appeals & Litigation. Fax: (414) 944-3963. Those wishing to submit appeals by email may do so to appeals-eastern-regional-office@fs.fed.us. Acceptable formats for electronic comments are text or html email, Adobe portable document format, and formats viewable in Microsoft Office applications. Electronic appeals must be submitted by 11:59 p.m. central time on the closing date of the appeal period. Hand-delivered appeals may be submitted at the above address between 7:30 a.m. and 4:00 p.m. Central Time, Monday through Friday, except on Federal holidays. Appeals must meet the content requirements of 36 CFR 215.14 and will only be accepted from those who have commented or otherwise expressed interest in this project during the 30-day comment period.

**Implementation**

If no appeal is received, implementation of this decision may occur on, but not before, five business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

**Contact**

For additional information concerning this decision, please contact Michelle Holland, Realty Specialist, at the Watersmeet Ranger District, E23979 U.S. 2 East, Watersmeet, MI 49969, or at (906) 358-4021 (Fax 906-358-4000, TTY 906-358-4006).

[Signature]
KEITH B. LANNOM
Acting Forest Supervisor
Ottawa National Forest

02/04/11 Date
Exhibit 1 – Federal and Non-federal Descriptions

Federal Land

Township of Haight, Ontonagon County, Michigan

MICHIGAN MERIDIAN - TOWNSHIP 46N, RANGE 40W,

  Section 27, SWSE
  Parcels 4: Containing 40 acres, more or less

  Section 34, NWNE, SENW
  Parcels 2 and 3: Containing 80 acres, more or less

  Section 35, NWSW
  Parcel 1: Containing 40 acres, more or less

Township of Bergland, Ontonagon County, Michigan

MICHIGAN MERIDIAN - TOWNSHIP 48N, RANGE 43W,

  Section 14, N1/2SE
  Parcel 7: Containing 80 acres, more or less

Federal Parcels Total: Containing in the aggregate 240 acres, more or less.

Non-federal Lands – Owned by Mr. Robert D. Delich

Township of Carp Lake, Ontonagon County, Michigan

MICHIGAN MERIDIAN - TOWNSHIP 50N, RANGE 43W,

  Section 18, NE, NENW, SWNW, NWSW, E1/2SW, W1/2SE

Non-Federal Parcel (8) Containing 421.5 acres, more or less.
Exhibit 2 – Maps of Parcels
EXHIBIT 3 – ERRATA FOR THE JANUARY 2010 ENVIRONMENTAL ASSESSMENT

The Interdisciplinary Team has reviewed the January 2010 Environmental Assessment (EA). The following document reflects needed changes to the EA based on this review. Page numbers listed in this errata document pertain to the pages for the January 2010 EA.

I. Information not addressed in this errata document.

- Corrections for minor typographical errors in spelling, punctuation and format.
- Updates to the literature cited. The January 2010 EA included literature cited which was not referenced in the EA.

II. Information addressed in this errata document.

The following list displays where minor changes were made in the January 2010 EA. Italicized text denotes where changes have occurred.

- This exchange is being considered under the authority of the Federal Land Policy and Management Act of 1976, the Federal Land Exchange Facilitation Act of 1988, and the Weeks Act of March 1, 1911 (p. 2).

- An alternative was considered to purchase outright the approximate 421 acres that Mr. Delich proposed for exchange with the Forest Service. However, this alternative was not analyzed in detail as the landowner was not interested in selling the parcels involved; he was interested only in pursuing an exchange of lands. Furthermore, current levels of appropriated funding for acquisitions would prevent the purchase from occurring (p. 10).

- Special use permits to grant authorized use of routes to access four homes on parcel 1 is currently being analyzed (p. 27).

- Opportunities for hiking and the viewing of wildlife and natural features, such as Wildcat Falls, on the parcels involved may be altered; however there are many other opportunities within the Ottawa to gain similar recreation experiences (p. 27).

- The proponent also plans to develop parcel 1 into five acre lots, which would have a negative effect on marten habitat (p. 47).